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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. 875

February 16, 2009

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The bill was read for the first time and referred to the Committee on Finance

1.1 A bill for an act
1.2 relating to education finance; modifying the state requirement for pupil
1.3 transportation for elementary pupils; authorizing a levy to pay for certain
1.4 transportation costs; amending Minnesota Statutes 2008, sections 123B.88,
1.5 subdivision 1; 123B.92, by adding a subdivision.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2008, section 123B.88, subdivision 1, is amended to read:

1.8 Subdivision 1. **Providing transportation.** The board may provide for the
1.9 transportation of pupils to and from school and for any other purpose. The board may
1.10 also provide for the transportation of pupils to schools in other districts for grades and
1.11 departments not maintained in the district, including high school, at the expense of the
1.12 district, when funds are available therefor and if agreeable to the district to which it is
1.13 proposed to transport the pupils, for the whole or a part of the school year, as it may
1.14 deem advisable, and subject to its rules. In any district, the board must arrange for the
1.15 attendance of all kindergarten and elementary pupils living ~~two miles~~ one mile or more
1.16 from the school and all secondary pupils living two miles or more from the school,
1.17 except pupils whose transportation privileges have been voluntarily surrendered under
1.18 subdivision 2, or whose privileges have been revoked under section 123B.91, subdivision
1.19 1, clause (6), or 123B.90, subdivision 2. The district may provide for the transportation
1.20 of or the boarding and rooming of the pupils who may be more economically and
1.21 conveniently provided for by that means. Arrangements for attendance may include a
1.22 requirement that parents or guardians request transportation before it is provided. The
1.23 board must provide transportation to and from the home of a child with a disability not yet
1.24 enrolled in kindergarten when special instruction and services under sections 125A.03
1.25 to 125A.24, 125A.26 to 125A.48, and 125A.65 are provided in a location other than in

2.1 the child's home. When transportation is provided, scheduling of routes, establishment
2.2 of the location of bus stops, manner and method of transportation, control and discipline
2.3 of school children, the determination of fees, and any other matter relating thereto must
2.4 be within the sole discretion, control, and management of the board. The district may
2.5 provide for the transportation of pupils or expend a reasonable amount for room and
2.6 board of pupils whose attendance at school can more economically and conveniently be
2.7 provided for by that means or who attend school in a building rented or leased by a district
2.8 within the confines of an adjacent district.

2.9 **EFFECTIVE DATE.** This section is effective July 1, 2009.

2.10 Sec. 2. Minnesota Statutes 2008, section 123B.92, is amended by adding a subdivision
2.11 to read:

2.12 **Subd. 11. Elementary pupil transportation levy.** A school district annually may
2.13 levy the amount necessary to pay the costs of transporting an elementary pupil who
2.14 lives between one and two miles from school to and from school. For purposes of this
2.15 subdivision, "elementary pupil" means any child enrolled in kindergarten through grade 6.

2.16 **EFFECTIVE DATE.** This section is effective for taxes payable in 2010.

2.17 Sec. 3. **ELEMENTARY PUPIL TRANSPORTATION LEVY; FISCAL YEAR**
2.18 **2010.**

2.19 For taxes payable in 2010 only, a school district may include in its levy under section
2.20 2 the costs for fiscal years 2010 and 2011.

2.21 **EFFECTIVE DATE.** This section is effective the day following final enactment.