

HOUSE No. 4132

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, January 22, 2018.

The committee on Education to whom were referred the petition (accompanied by bill, House, No. 2857) of Daniel J. Hunt that certain municipalities be authorized to designate an enterprise fund under the control of the school committee for pupil transportation services and the petition (accompanied by bill, House, No. 3552) of Denise C. Garlick and Richard J. Ross relative to school transportation, reports recommending that the accompanying bill (House, No. 4132) ought to pass.

For the committee,

ALICE HANLON PEISCH.

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**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act relative to school transportation.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 4 of chapter 30B of the General Laws, as amended by section 6 of
2 chapter 218 of 2016, is hereby amended by striking out subsection (a) and inserting in place
3 thereof the following subsection:-

4 (a) Except as permitted pursuant to this section and section 7, for the procurement of a
5 supply or service in the amount of \$10,000 or greater, but not more than \$100,000, a
6 procurement officer shall seek written quotations from no fewer than 3 persons customarily
7 providing the supply or service. The procurement officer shall record: (1) the names and
8 addresses of all person from whom quotations were sought, (2) the purchase description used for
9 the procurement, (3) the names of the persons submitting quotations and (4) the date and amount
10 of each quotation. Such information shall be retained in the file required pursuant to section 3. A
11 governmental body may require that any procurement in an amount of not more than \$100,000 be
12 subject to section 5.

13 SECTION 2. Section 5 of said chapter 30B, as amended by sections 7 and 9 of said
14 chapter 218, is hereby amended by striking out the figure “\$50,000”, each time it appears, and
15 inserting in place thereof the following figure:- \$100,000.

16 SECTION 3. Section 6 of said chapter 30B, as amended by section 10 of said chapter
17 218, is hereby amended by striking out the figure “\$50,000” and inserting in place thereof the
18 following figure:- \$100,000.

19 SECTION 4. Section 6A of said chapter 30B, as amended by section 11 of said chapter
20 218, is hereby amended by striking out the figure “\$50,000 or more” and inserting in place
21 thereof the following figure:- \$100,000

22 SECTION 5. Section 7 of said chapter 30B, as amended by section 12 of said chapter
23 218, is hereby amended by striking out the figure “\$50,000” and inserting in place thereof the
24 following figure:- \$100,000

25 SECTION 6. Section 56 of chapter 41 of the General Laws, as appearing in the 2014
26 Official Edition, is hereby amended by adding the following sentence:- This section shall not
27 prohibit payment to be made for: (i) school travel prior to the date of travel, or (ii) the payment
28 of software licenses, software maintenance agreements or online subscription services for school
29 curriculum prior to the fiscal year in which services will be rendered.

30 SECTION 7. Section 53F ½ of chapter 44 of the General Laws, as so appearing, is hereby
31 amended by inserting after the word “utility”, in line 4, the following words:- , school
32 transportation service.

33 SECTION 8. Said section 53F ½ of said chapter 44, as so appearing, is hereby further
34 amended by inserting after the word “enterprise”, in line 22, the following words:- ; provided,
35 however, that the appropriate local entity for a school transportation service shall be the school
36 committee.

37 SECTION 9. Section 49A of chapter 71 of the General Laws, as so appearing, is hereby
38 amended by striking out, in lines 6 and 7, the words “, provided that no payment therefor shall be
39 made prior to the commencement of said ensuing fiscal year” and inserting in place thereof the
40 following words:- ; provided, that payment may be made prior to the commencement of said
41 ensuing fiscal year.

42 SECTION 10. Said chapter 71 is hereby further amended by adding the following
43 section:-

44 Section 98. Notwithstanding section 53 of chapter 44 or any general or special law to the
45 contrary, a school district may establish a School Transportation Reimbursement Fund.
46 Reimbursements made by the commonwealth pursuant to this section may be deposited into the
47 fund and may carry forward for 1 fiscal year. Funds received by a school district shall be
48 deposited with the treasurer of the city or town and held as a separate account and expended by
49 the school committee for the purposes of school transportation without further appropriation.

50 SECTION 11. Section 7D of chapter 90 of the General Laws, as appearing in the 2014
51 Official Edition, is hereby amended by adding the following paragraph:-

52 An application for a license pursuant to this section shall be acted upon within 14 days of
53 submission to the registry.

54 SECTION 12. The department of elementary and secondary education shall conduct an
55 investigation and study of the feasibility and benefits of creating regional school transportation
56 authorities for the purpose of providing school transportation for homeless students and students
57 receiving services pursuant to chapter 71B. The department shall evaluate, at a minimum: (i) the
58 cost, if any, to provide transportation services to said students to the commonwealth and the
59 savings, if any, to school districts; (ii) the feasibility of using a transportation brokerage service,
60 similar to the commonwealth's transportation services for seniors and individuals receiving
61 certain health and human services benefits; (iii) the number of children who would receive such
62 transportation; and (iv) the most efficient and least expensive method of administering the
63 transportation. The department shall make recommendations and shall submit its findings to the
64 joint committee on education and to the house and senate committees on ways and means not
65 later than December 31, 2018.