2005 DRAFTING REQUEST

Bill

Received: **01/10/2005**

Received By: **jkuesel**

Wanted: **As time permits**

Identical to LRB:

For: **Joseph Leibham (608) 266-2056**

By/Representing: **Eric Schutt**

This file may be shown to any legislator: **NO**

Drafter: **jkuesel**

May Contact:

Addl. Drafters: **mlief**

Subject: **State Govt - miscellaneous**
Transportation - miscellaneous

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Leibham@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

State assistance for school transportation biodiesel purchases

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Instructions:

Per LRB-0225/2, with permission of Katie Scott, Rep. Petrowski's office, per p/c, 1/10/05.

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/?	jkuesel 01/10/2005	jdyer 01/10/2005		_____ _____			State
/1			pgreensl 01/10/2005	_____ _____ _____ _____	lnorthro 01/10/2005 mbarman 01/12/2005	mbarman 01/12/2005	

FE Sent For:

→ At Intro.

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Via e-mail only – see attached

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/?/1	jkuesel 1/10	1/10 jld	1/10 P8	1/10 ~~sec~~			

FE Sent For:

<END>

LRB-~~0225/2~~ -1581/1
JTK&MJL:wlj:pg
stays

2005 BILL

Regen

1 AN ACT ***to amend*** 20.255 (2) (cr); and ***to create*** 16.954 and 20.505 (1) (kd) of the
2 statutes; **relating to:** school transportation bio–diesel fuel cost assistance and
3 making appropriations.

Analysis by the Legislative Reference Bureau

This bill permits the Department of Administration (DOA) to provide state financial assistance to school districts that utilize bio–diesel fuel for school bus transportation purposes to cover the increased cost of utilizing this fuel as compared to the cost of utilizing petroleum–diesel fuel those purposes. The bill directs DOA to apply for federal financial assistance to cover the cost of providing state assistance, and redirects state school transportation aids currently appropriated to the Department of Public Instruction for the purpose of matching the federal aids received by DOA in the minimum amount required to obtain full federal financial participation. If in any fiscal year there are insufficient moneys available to reimburse school districts for the full amount of reimbursement for which school districts qualify, the bill directs DOA to prorate the available moneys among the school districts entitled thereto on a per pupil basis. Under the bill, aids are paid to each school district in each fiscal year based upon the costs incurred by the school district for the purchase of bio–diesel fuel for school bus transportation purposes in the preceding fiscal year as compared to the statewide average cost of petroleum–diesel fuel for that fiscal year.

For further information see the ***state*** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 16.954 of the statutes is created to read:

2 **16.954 School transportation bio–diesel fuel cost assistance. (1)** In this
3 section:

4 (a) "Bio–diesel fuel" has the meaning given in s. 16.045 (1) (c).

5 (b) "Petroleum–diesel fuel" has the meaning given for "diesel fuel" in s. 78.005
6 (5), but does not include bio–diesel fuel.

7 **(2)** (a) The department may provide school transportation aids to school
8 districts for the increased costs incurred by districts in utilizing bio–diesel fuel as
9 compared with the costs of utilizing petroleum–diesel fuel for school bus
10 transportation.

11 (b) If the department determines to provide aids to school districts under par.
12 (a), the department shall apply to the federal government for bio–diesel fuel cost
13 assistance for the purpose of financing payment of the aids. The department shall
14 disburse federal aids received from the appropriation under s. 20.505 (1) (mb).

15 **(3)** If the federal government requires, as a condition of full federal financial
16 participation under sub. (2) (b), that this state provide assistance for the purposes
17 of sub. (2) (a) from state resources, the department shall provide the assistance from
18 the appropriation under s. 20.505 (1) (kd) in the minimum amount required to obtain
19 full federal financial participation.

20 **(4)** (a) Any school district that utilizes bio–diesel fuel for school bus
21 transportation may apply to the department for state assistance to finance the costs

of utilizing that fuel. Except as provided in sub. (5), the department shall apportion assistance to school districts on the basis of the increased costs incurred by each school district in utilizing bio–diesel fuel as compared to the cost that the school district would have incurred in utilizing petroleum–diesel fuel for school bus transportation in the fiscal year preceding the fiscal year for which aids are paid, as adjusted to reflect any change in the statewide average cost of bio–diesel fuel for the current fiscal year as compared to the statewide average cost of such fuel for the preceding fiscal year.

(b) For purposes of par. (a), if a school district does not utilize bio–diesel fuel for some or all of the school bus transportation provided by the school district in any fiscal year, the department shall compute and utilize, for purposes of this subsection, the cost differential that the school district would have incurred in utilizing bio–diesel fuel on the basis of statewide average costs.

(c) The department shall annually determine the statewide average cost of bio–diesel fuel and petroleum–diesel fuel for purposes of administration of this subsection.

(d) If in any fiscal year there are insufficient moneys available to reimburse all school districts that apply for state assistance under par. (a) for the full amount of reimbursable costs under this subsection, the department shall, after making any required deduction under sub. (5), prorate the available moneys among the school districts entitled thereto on a per pupil basis.

(5) Each school district that receives aids under sub. (2) (a) for any fiscal year shall report to the department, in the form prescribed by the department, a statement of its actual costs incurred in utilizing bio–diesel fuel for school bus transportation purposes in that fiscal year. If the actual increased costs incurred by

a school district in utilizing bio–diesel fuel for school bus transportation in any fiscal year, as compared to the costs that the school district would have incurred in utilizing petroleum–diesel fuel for those purposes, are less than the amount of the aids received by the school district under sub. (2) (a) for that fiscal year, the department shall deduct the amount of the difference from the amount of the aids payable to the school district under sub. (2) (a) for the current fiscal year.

(6) Annually, by December 1, the department shall transfer from the appropriation account under s. 20.255 (2) (cr) to the appropriation account under s. 20.505 (1) (kd) the minimum amount, if any, required to obtain full federal participation under sub. (3).

SECTION 2. 20.255 (2) (cr) of the statutes is amended to read:

20.255 **(2)** (cr) *Aid for pupil transportation.* The amounts in the schedule for the payment of state aid for transportation of public and private school pupils under subch. IV of ch. 121 <u>and for transfers to the appropriation account under s. 20.505 (1) (kd)</u>.

SECTION 3. 20.505 (1) (kd) of the statutes is created to read:

20.505 **(1)** (kd) *School transportation bio–diesel fuel aids.* All moneys transferred from the appropriation account under s. 20.255 (2) (cr) for the purpose of providing state matching assistance for school transportation bio–diesel fuel costs under s. 16.954 (3).

(END)

Barman, Mike

From: Kuesel, Jeffery
Sent: Wednesday, January 12, 2005 8:29 AM
To: Barman, Mike
Subject: FW: School bus transportation biodiesel purchases (LRB-1581)

-----Original Message-----
From: Schutt, Eric
Sent: Tuesday, January 11, 2005 5:11 PM
To: Kuesel, Jeffery
Cc: Lief, Madelon
Subject: RE: School bus transportation biodiesel purchases

Jeff,

I received the paper copy, but have not seen an electronic copy come thru Sen. Leibham's e-mail. Would you please resend, otherwise, in these situations do you automatically have it jacketed for the senate?

Thanks,
Eric

Eric Schutt
Chief of Staff
Senator Joe Leibham
9th Senate District

Eric.Schutt@legis.state.wi.us
Phone: (608) 266-2056

Capitol Address -
P.O. Box 7882
Madison, WI 53707-7882

"On-line" Office of the 9th Senate District:
www.leibhamsenate.com <http://www.leibhamsenate.com>

State Web Page - www.wisconsin.gov

-----Original Message-----
From: Kuesel, Jeffery
Sent: Monday, January 10, 2005 1:56 PM
To: Schutt, Eric
Cc: Lief, Madelon
Subject: School bus transportation biodiesel purchases

Eric,
Confirming your phone call, we have entered LRB-0225 as a request for Sen. Leibham under the LRB number 1531.

Jeffery Kuesel
Managing Attorney
Wisconsin Legislative Reference Bureau
P.O.Box 2037
Madison WI 53701-2037
(608) 266-6778
jeffery.kuesel@legis.state.wi.us

Barman, Mike

From: Schutt, Eric
Sent: Wednesday, January 12, 2005 10:56 AM
To: LRB.Legal
Subject: Draft review: LRB 05-1581/1 Topic: State assistance for school transportation biodiesel purchases

It has been requested by <Schutt, Eric> that the following draft be jacketed for the SENATE:

Draft review: LRB 05-1581/1 Topic: State assistance for school transportation biodiesel purchases