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**WISCONSIN LEGISLATIVE COUNCIL  
AMENDMENT MEMO**

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**2005 Senate Bill 39**

**Senate Substitute  
Amendment 1**

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Senate Substitute Amendment 1 permits the Department of Public Instruction (DPI) to provide school transportation aids to school districts that use bio-diesel fuel for school bus transportation to cover the increased cost of using this fuel as compared to the cost of using petroleum-diesel fuel for school bus transportation. “Bio-diesel fuel” means fuel derived from soybean oil with glycerine extracted from the oil, either in pure form or mixed in any combination with petroleum-based diesel fuel (the definition in s. 16.045 (1) (c), Stats.). The substitute amendment specifies that if, in any fiscal year, insufficient moneys are available to reimburse school districts for the full amount of reimbursement for which school districts qualify, DPI must prorate the available moneys among the entitled school districts on a per pupil basis.

**Application for Federal Financial Assistance; Matching Federal Aids**

If DPI provides the school transportation aids described above, the substitute amendment directs DPI, in conjunction with the Department of Administration, to apply for federal financial assistance for bio-diesel fuel cost assistance to finance payment of the aids and to use state school transportation aids to match the federal aids, in the minimum amount required to obtain full federal financial participation.

**School District Report on Actual Costs of Using Bio-Diesel Fuel**

The substitute amendment requires each school district that receives these aids for any fiscal year to report to DPI, in the form prescribed by DPI, a statement of its actual costs incurred in using bio-diesel fuel for school bus transportation in that fiscal year. If the actual increased costs incurred by a school district in using bio-diesel fuel for school bus transportation in any fiscal year, as compared to the costs that the school district would have incurred in using petroleum-diesel fuel for school bus transportation, are less than the amount of these aids received by the school district for that fiscal year, DPI must deduct the amount of the difference from the amount of these aids payable to the school district for the current fiscal year.

**Legislative History**

Senate Substitute Amendment 1 was offered by Senator Leibham. On April 21, 2005, the Senate Committee on Natural Resources and Transportation adopted the substitute amendment on a vote of Ayes, 5; Noes, 0. The committee then recommended the bill, as amended, for passage on a vote of Ayes, 5; Noes, 0.

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