

2005 DRAFTING REQUEST

Bill

Received: 09/20/2004

Received By: jkuesel

Wanted: As time permits

Identical to LRB:

For: Jerry Petrowski (608) 266-1182

By/Representing: Katie Scott

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: Rep.Petrowski@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

State assistance for school transportation biodiesel purchases

Instructions:

Per attached. DOA to apportion all available moneys to qualified applicants annually based upon previous year's costs for biodiesel (if used) or for petroleum diesel (if biodiesel is not used), as adjusted by DOA to reflect any change in the average cost of biodiesel during the preceding year. If actual costs are less than amount expended in previous year, school district must refund the difference. State to match federal aid (currently 90-10) from school transportation aids appropriation. If there are insufficient moneys available to fund the total amount for which qualified applicants apply, then DOA shall prorate the available moneys among the districts entitled thereto on a per pupil basis.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	jkuesel	wjackson					State
	10/12/2004	10/13/2004					
	mlief	wjackson					
	10/12/2004	10/15/2004					

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1			rschluet 10/18/2004	_____	sbasford 10/18/2004		State
/2	jkuesel 11/11/2004	wjackson 11/11/2004	pgreensl 11/12/2004	_____	sbasford 11/12/2004	lnorthro 01/10/2005	

FE Sent For:

<END>

2005 DRAFTING REQUEST**Bill**Received: **09/20/2004**Received By: **jkuesel**Wanted: **As time permits**

Identical to LRB:

For: **Jerry Petrowski (608) 266-1182**By/Representing: **Katie Scott**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: **Rep.Petrowski@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

State assistance for school transportation biodiesel purchases

Instructions:

Per attached. DOA to apportion all available moneys to qualified applicants annually based upon previous year's costs for biodiesel (if used) or for petroleum diesel (if biodiesel is not used), as adjusted by DOA to reflect any change in the average cost of biodiesel during the preceding year. If actual costs are less than amount expended in previous year, school district must refund the difference. State to match federal aid (currently 90-10) from school transportation aids appropriation. If there are insufficient moneys available to fund the total amount for which qualified applicants apply, then DOA shall prorate the available moneys among the districts entitled thereto on a per pupil basis.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	jkuesel	wjackson					State

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	10/12/2004 mlief	10/13/2004 wjackson		_____			
	10/12/2004	10/15/2004		_____			
/1			rschluet	_____	sbasford		State
			10/18/2004	_____	10/18/2004		
/2	jkuesel	wjackson	pgreensl	_____	sbasford		
	11/11/2004	11/11/2004	11/12/2004	_____	11/12/2004		

FE Sent For:

<END>

2005 DRAFTING REQUEST

Bill

Received: 09/20/2004

Received By: jkuesel

Wanted: As time permits

Identical to LRB:

For: Jerry Petrowski (608) 266-1182

By/Representing: Katie Scott

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: Rep.Petrowski@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

State assistance for school transportation biodiesel purchases

Instructions:

Per attached. DOA to apportion all available moneys to qualified applicants annually based upon previous year's costs for biodiesel (if used) or for petroleum diesel (if biodiesel is not used), as adjusted by DOA to reflect any change in the average cost of biodiesel during the preceding year. If actual costs are less than amount expended in previous year, school district must refund the difference. State to match federal aid (currently 90-10) from school transportation aids appropriation. If there are insufficient moneys available to fund the total amount for which qualified applicants apply, then DOA shall prorate the available moneys among the districts entitled thereto on a per pupil basis.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	jkuesel	wjackson 1/2 WLJ 11/11	✓ 1/11 P8	1/10 P8/15			State

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	10/12/2004	10/13/2004		_____			
	mliel	wjackson		_____			
	10/12/2004	10/15/2004		_____			
/1			rschluet	_____	sbasford		
			10/18/2004	_____	10/18/2004		

FE Sent For:

<END>

2005 DRAFTING REQUEST

Bill

Received: 09/20/2004

Received By: jkuesel

Wanted: As time permits

Identical to LRB:

For: Jerry Petrowski (608) 266-1182

By/Representing: Katie Scott

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: Rep.Petrowski@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

State assistance for school transportation biodiesel purchases

Instructions:

Per attached. DOA to apportion all available moneys to qualified applicants annually based upon previous year's costs for biodiesel (if used) or for petroleum diesel (if biodiesel is not used), as adjusted by DOA to reflect any change in the average cost of biodiesel during the preceding year. If actual costs are less than amount expended in previous year, school district must refund the difference. State to match federal aid (currently 90-10) from school transportation aids appropriation. If there are insufficient moneys available to fund the total amount for which qualified applicants apply, then DOA shall prorate the available moneys among the districts entitled thereto on a per pupil basis.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
--------------	----------------	-----------------	--------------	----------------	------------------	-----------------	-----------------

1? / 1	jkuesel	10/12 / 1 Wlj	10/15				
--------	---------	---------------	-------	--	--	--	--

Handwritten notes and signatures:
A large signature is written over the 'Proofed' column.
Below the signature, the numbers 10, 15, and 4 are written on a diagonal line.

Kuesel, Jeffery

From: Scott, Katie
Sent: Thursday, September 16, 2004 11:42 AM
To: Kuesel, Jeffery
Subject: Question

Hi, Jeff

Could we get a bill drafted for the following:

-Direct DOA, Division of Energy to apply for a federal grant that will be used to create a biodiesel sub-grant program open to all school districts statewide. (This grant is available from the U.S. EPA's Clean School Bus USA Grant Program (www.epa.gov/cleanschoolbus <<http://www.epa.gov/cleanschoolbus>>.)

-The biodiesel sub-grant program will provide school districts with funds that cover the difference between the price of standard, #2 petroleum diesel fuel and the price of B20 biodiesel for their school bus fleets over the biennium.

-This is a voluntary grant program. No school district will be mandated to purchase biodiesel or mandated to apply to DOA for a biodiesel sub-grant.

-The amount of available grant funds is dependent on the amount of the federal grant received.

-DOA will apply for a grant to cover at least 90% of the cost of the sub-grant amounts.

-DOA does not have to administer a biodiesel sub-grant program unless it receives a federal grant for at least 90% of the total cost of the program.

If you have any questions, please feel free to contact me.

Thank you.

Katie
Representative Jerry Petrowski

Kuesel, Jeffery

From: Scott, Katie
Sent: Friday, September 17, 2004 10:10 AM
To: Kuesel, Jeffery
Subject: Draft Changes:

Hi, Jeff

Could we include the following changes in the draft:

School districts will apply to DOA based on actual cost: their previous year's fuel costs.

DOA will divide the grant funding among all qualified applicants based on the previous year's fuel costs. If there isn't sufficient funding, then DOA will distribute the funds on a per student basis. All applications must be in by a deadline.

The state match will come from GPR, out of the same funding that the state currently provides to school districts for their transportation.

-----Original Message-----

From: Scott, Katie
Sent: Thursday, September 16, 2004 11:42 AM
To: Kuesel, Jeffery
Subject: Question

Hi, Jeff

Could we get a bill drafted for the following:

-Direct DOA, Division of Energy to apply for a federal grant that will be used to create a biodiesel sub-grant program open to all school districts statewide. (This grant is available from the U.S. EPA's Clean School Bus USA Grant Program (www.epa.gov/cleanschoolbus) <<http://www.epa.gov/cleanschoolbus>>.)

-The biodiesel sub-grant program will provide school districts with funds that cover the difference between the price of standard, #2 petroleum diesel fuel and the price of B20 biodiesel for their school bus fleets over the biennium.

-This is a voluntary grant program. No school district will be mandated to purchase biodiesel or mandated to apply to DOA for a biodiesel sub-grant.

-The amount of available grant funds is dependent on the amount of the federal grant received.

-DOA will apply for a grant to cover at least 90% of the cost of the sub-grant amounts.

-DOA does not have to administer a biodiesel sub-grant program unless it receives a federal grant for at least 90% of the total cost of the program.

If you have any questions, please feel free to contact me.

Thank you.

Katie
Representative Jerry Petrowski

2005

Date (time) needed TUE 10/19

LRB - 0225, 1

BILL

bNote

JTK:AMJL
WLJ

Use the appropriate components and routines developed for bills.

AN ACT ... [generate catalog] *to repeal ... ; to renumber ... ; to consolidate and renumber ... ; to renumber and amend ... ; to consolidate, renumber and amend ... ; to amend ... ; to repeal and recreate ... ; and to create ...* of the statutes; **relating to:** *school transportation bio-diesel fuel cost assistance and making appropriations*

[NOTE: See section 4.02 (2) (br), Drafting Manual, for specific order of standard phrases.]

Analysis by the Legislative Reference Bureau

If titles are needed in the analysis, in the component bar:

- For the main heading, execute: create → anal: → title: → head
- For the subheading, execute: create → anal: → title: → sub
- For the sub-subheading, execute: create → anal: → title: → sub-sub

For the analysis text, in the component bar:

- For the text paragraph, execute: create → anal: → text

(see attached)

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

SECTION #.

SECTION 1. 16.954[✓] of the statutes is created to read:

16.954 School transportation bio-diesel fuel cost assistance. (1) In this section:

(a) "Bio-diesel fuel" has the meaning given in s. 16.045 (1) (c)[✓].

(b) "Petroleum-diesel fuel" has the meaning given for "diesel fuel" in s. 78.005 (5)[✓], but ~~does~~ not include bio-diesel fuel.

(2) (a) Except as provided in par. (c)[✓], the department shall provide school transportation aids to school districts for the increased costs incurred by districts in utilizing bio-diesel fuel as compared with the costs of utilizing petroleum-diesel fuel for school bus transportation.

(b) The department shall apply to the federal government for bio-diesel fuel cost assistance for the purpose of financing the aids payable to school districts under par. (a)[✓] and shall disburse federal aids received from the appropriation under s. 20.505 (1) (mb)[✓].

(c) If in any fiscal year the department is not able to obtain federal moneys under par. (b)[✓] for at least 90%^{92 percent} of the amount of aids payable to school districts under par. (a)[✓] for that fiscal year, the department is not required to provide aids under par. (a)[✓] for that fiscal year.

(3) If the federal government requires this state[✓] to provide assistance for the purposes of sub. (2) (a)[✓] from state resources ~~in order to qualify for full federal financial participation under sub. (2) (b)~~^{as a condition of full federal financial participation under sub (2)(b)}, the department shall provide the assistance from the appropriation under s. 20.505 (1) (kd)[✓] in the minimum amount required to obtain full federal financial participation.

(4) (a) Except as provided in sub. (5), the department shall apportion ^{aid} grants ^{aids} to school districts under sub. (2) (a) 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} a grant is made, 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 for the full amount of reimbursable costs under this subsection, the department shall, after making any required ^{deduction} adjustment 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 any fiscal

in
A

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.

INS A ✓
→

SECTION # 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) (c) for the purpose of providing state matching assistance for school transportation bio-diesel fuel costs under s. 16.954 (3).

(END)

2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0225/1ins2
JTK.....

This bill provides 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 for school bus transportation purposes. The bill directs the Department of Administration (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. The bill provides that if DOA is not able to obtain federal financial assistance to cover at least 90%^{percent} of the amount of aids for which school districts qualify in any fiscal year, DOA is not required to provide bio-diesel cost assistance for that fiscal year. 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.

2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB
MJL:.....

INS A

(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 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 and for transfers to the appropriation account under s. 20.505 (1) (kd).

History: 1971 c. 42, 56, 125; 1971 c. 152 s. 38; 1971 c. 154 s. 80; 1971 c. 211 ss. 24, 126; 1971 c. 215; 1973 c. 89 s. 20 (2); 1973 c. 90, 190, 243, 300, 307, 333, 336; 1975 c. 39 ss. 97 to 109, 732 (1); 1975 c. 105, 220, 224, 395; 1977 c. 26 s. 75; 1977 c. 29; 1977 c. 83 s. 26; 1977 c. 418 ss. 88m to 90, 929 (55); 1979 c. 34 ss. 164 to 191, 2102 (43) (a); 1979 c. 221 ss. 96e to 97w, 2200 (43); 1979 c. 331; 1979 c. 346 ss. 9, 15; 1981 c. 20, 86, 169; 1981 c. 314 s. 146; 1983 a. 22 s. 6; 1983 a. 27 ss. 158 to 212, 2200 (42), 2202 (42); 1983 a. 192; 1983 a. 333 s. 6; 1983 a. 370; 1985 a. 29, 56, 75, 120; 1987 a. 27, 339, 399; 1989 a. 31, 56, 114, 122, 269, 299, 309, 336, 359; 1991 a. 32, 39, 196, 269; 1993 a. 16, 168, 367, 377, 437, 454, 458, 490, 491; 1995 a. 27 ss. 563, 567 to 599, 622, 623, 9145 (1); 1995 a. 49, 227; 1997 a. 27, 113, 164, 237, 252; 1999 a. 9, 185; 2001 a. 16, 57, 105, 109; 2003 a. 33.

Section 20.255 (2) (cr); 121.58 (5m)

121.58 (5m) Timing of payments

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0225 /1dn

JTK.../f:...

Wlj

Representative Petrowski:

Although the Environmental Protection Agency's "Clean School Bus USA" Program is explained on the agency's Internet site, there does not appear to be any reference to it in the U. S. Code or the Code of Federal Regulations. Therefore, this draft does not include any specific citation to the program.

Jeffery T. Kuesel
Managing Attorney
Phone: (608) 266-6778

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0225/1dn
JTK:wlj:rs

October 15, 2004

Representative Petrowski:

Although the Environmental Protection Agency's "Clean School Bus USA" program is explained on the agency's Internet site, there does not appear to be any reference to it in the U. S. Code or the Code of Federal Regulations. Therefore, this draft does not include any specific citation to the program.

Jeffery T. Kuesel
Managing Attorney
Phone: (608) 266-6778

Kuesel, Jeffery

From: Scott, Katie
Sent: Monday, November 08, 2004 2:08 PM
To: Kuesel, Jeffery
Subject: Question

Hi Jeff,

Thank you for your work with LRB-0225, the school bus biodiesel bill. It looks great. There are only a few changes that we would like made, which are included in the attachment to this email. Would you be able to redraft it for us? I am also sending the bill redraft request changes Inter-D.

Sincerely,

Katie Scott

Research Assistant/Committee Clerk
Representative Jerry Petrowski



Scan001.PDF

2005 BILL*Suggested Revisions*

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 provides 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 for school bus transportation purposes. The bill directs the Department of Administration (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. The bill provides that if DOA is not able to obtain federal financial assistance to cover at least 90 percent of the amount of aids for which school districts qualify in any fiscal year, DOA is not required to provide bio-diesel cost assistance for that fiscal year. 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.

BILL

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) Except as provided in par. (c), the department ^{may make} ~~shall provide~~ school
8 transportation aids ^{available to} ~~to~~ school districts for the increased costs incurred by districts in
9 utilizing bio-diesel fuel as compared with the costs of utilizing petroleum-diesel fuel
10 for school bus transportation. <sup>School districts that choose to utilize bio-diesel fuel
may apply for transportation aids, which shall be
payable in accordance with sub. (4).</sup>

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

15 (c) If in any fiscal year the department is not able to obtain federal moneys
16 under par. (b) ^{in an amount acceptable to the department,} ~~for at least 90 percent of the amount of aids payable to school districts~~
17 ~~under par. (a) for that fiscal year,~~ the department is not required to provide aids
18 under par. (a) for that fiscal year.

19 (3) If the federal government requires, as a condition of full federal financial
20 participation under sub. (2) (b), that this state provide assistance for the purposes
21 of sub. (2) (a) from state resources, the department shall provide the assistance from

BILL

1 the appropriation under s. 20.505 (1) (kd) in the minimum amount required to obtain
2 full federal financial participation.

3 (4) (a) Except as provided in sub. (5), the department shall apportion aids to
4 school districts under sub. (2) (a) on the basis of the increased costs incurred by each
5 school district in utilizing bio-diesel fuel as compared to the cost that the school
6 district would have incurred in utilizing petroleum-diesel fuel for school bus
7 transportation in the fiscal year preceding the fiscal year for which aids are paid, as
8 adjusted to reflect any change in the statewide average cost of bio-diesel fuel for the
9 current fiscal year as compared to the statewide average cost of such fuel for the
10 preceding fiscal year.

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

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

19 (d) If in any fiscal year there are insufficient moneys available to reimburse all
20 school districts ^{who apply for transportation aids under sub. (2)} for the full amount of reimbursable costs under this subsection, the
21 department shall, after making any required deduction under sub. (5), prorate the
22 available moneys among the school districts entitled thereto on a per pupil basis.

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

BILL**SECTION 1**

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

8 (6) Annually, by December 1, the department shall transfer from the
9 appropriation account under s. 20.255 (2) (cr) to the appropriation account under s.
10 20.505 (1) (kd) the minimum amount, if any, required to obtain full federal
11 participation under sub. (3).

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

13 20.255 (2) (cr) *Aid for pupil transportation.* The amounts in the schedule for
14 the payment of state aid for transportation of public and private school pupils under
15 subch. IV of ch. 121 and for transfers to the appropriation account under s. 20.505
16 (1) (kd).

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

18 20.505 (1) (kd) *School transportation bio-diesel fuel aids.* All moneys
19 transferred from the appropriation account under s. 20.255 (2) (cr) for the purpose
20 of providing state matching assistance for school transportation bio-diesel fuel costs
21 under s. 16.954 (3).

22 (END)



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-0225/2
JTK&MJL:wlj:fs

Wanted Fri 11/12
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.

permits the Department of Administration (DOA) to provide
Analysis by the Legislative Reference Bureau

This bill provides 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 for ~~school bus transportation~~ purposes. The bill directs the Department of Administration (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. ~~The bill provides that if DOA is not able to obtain federal financial assistance to cover at least 90 percent of the amount of aids for which school districts qualify in any fiscal year, DOA is not required to provide bio-diesel cost assistance for that fiscal year.~~ 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.

those

BILL

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:

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

16.954 School transportation bio-diesel fuel cost assistance. (1) In this section:

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

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

(2) (a) ~~Except as provided in par. (c),~~ the department ^{may} ~~shall~~ provide school transportation aids to school districts for the increased costs incurred by districts in utilizing bio-diesel fuel as compared with the costs of utilizing petroleum-diesel fuel for school bus transportation.

(b) ~~The~~ department shall apply to the federal government for bio-diesel fuel cost assistance for the purpose of financing ^{payment of} the aids ~~payable to school districts under~~ ~~par. (a) and~~ ^{The department} shall disburse federal aids received from the appropriation under s. 20.505 (1) (mb).

~~(c) If in any fiscal year the department is not able to obtain federal moneys under par. (b) for at least 90 percent of the amount of aids payable to school districts under par. (a) for that fiscal year, the department is not required to provide aids under par. (a) for that fiscal year.~~

(3) If the federal government requires, as a condition of full federal financial participation under sub. (2) (b), that this state provide assistance for the purposes of sub. (2) (a) from state resources, the department shall provide the assistance from

districts under par. (a) the

BILL

1 the appropriation under s. 20.505 (1) (kd) in the minimum amount required to obtain
2 full federal financial participation.

3 (4) (a) *Any school district that utilizes bio-diesel fuel for school bus*
4 *assistance to* Except as provided in sub. (5), the department shall apportion ~~aids to~~ *transportation*
5 school districts ~~under sub. (2) (a)~~ *2* on the basis of the increased costs incurred by each *may*
6 school district in utilizing bio-diesel fuel as compared to the cost that the school *to*
7 district would have incurred in utilizing petroleum-diesel fuel for school bus *the*
8 transportation in the fiscal year preceding the fiscal year for which aids are paid, as *department*
9 adjusted to reflect any change in the statewide average cost of bio-diesel fuel for the *for*
10 current fiscal year as compared to the statewide average cost of such fuel for the *state*
11 preceding fiscal year. *assistance*
to
finance
the
costs
of utilizing
that fuel

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

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

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

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

BILL

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

8 (6) Annually, by December 1, the department shall transfer from the
9 appropriation account under s. 20.255 (2) (cr) to the appropriation account under s.
10 20.505 (1) (kd) the minimum amount, if any, required to obtain full federal
11 participation under sub. (3).

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

13 20.255 (2) (cr) *Aid for pupil transportation.* The amounts in the schedule for
14 the payment of state aid for transportation of public and private school pupils under
15 subch. IV of ch. 121 and for transfers to the appropriation account under s. 20.505
16 (1) (kd).

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

18 20.505 (1) (kd) *School transportation bio-diesel fuel aids.* All moneys
19 transferred from the appropriation account under s. 20.255 (2) (cr) for the purpose
20 of providing state matching assistance for school transportation bio-diesel fuel costs
21 under s. 16.954 (3).

22 (END)

Northrop, Lori

From: Scott, Katie
Sent: Friday, January 07, 2005 4:40 PM
To: LRB.Legal
Subject: Draft review: LRB 05-0225/2 Topic: State assistance for school transportation biodiesel purchases

It has been requested by <Scott, Katie> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB 05-0225/2 Topic: State assistance for school transportation biodiesel purchases