

HOUSE BILL NO. HB0176

School district-natural gas fueling facilities.

Sponsored by: Representative(s) Stubson, Harshman, Sommers
and Zwonitzer, Dn. and Senator(s) Perkins

A BILL

for

1 AN ACT relating to school district capital construction
2 funding; establishing a pilot program providing
3 reimbursement to school districts for construction of
4 natural gas fueling facilities; allowing for the
5 reimbursement of buses fueled by natural gas; specifying
6 requirements; authorizing rulemaking; requiring reporting;
7 providing an appropriation; and providing for an effective
8 date.

9

10 *Be It Enacted by the Legislature of the State of Wyoming:*

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12 **Section 1.** W.S. 21-13-320(f) is amended to read:

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14 **21-13-320. Student transportation; amount within**
15 **school foundation program formula for transportation**

1 **maintenance and operations expenditures and school bus**
2 **purchases; district reporting requirements.**

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4 (f) The department of education shall adopt necessary
5 rules and regulations to implement and enforce state
6 standards established under this section and to administer
7 this section. District expenditures computed under
8 subsection (b) of this section shall not include
9 expenditures for employee contributions to the Wyoming
10 retirement system exceeding five and fifty-seven hundredths
11 percent (5.57%) of any member employee's salary. In
12 addition, the department shall, in accordance with
13 procedures prescribed by department rule and regulation,
14 establish a base price for each school bus type or other
15 student transportation vehicle type for the applicable
16 fiscal period that complies with minimum state standards
17 for vehicle specifications and equipment. The department
18 shall also establish a process including competitive
19 bidding which guarantees the acquisition of school buses
20 and other student transportation vehicles approved for
21 reimbursement and complying with state minimum standards
22 and district fleet size restrictions at the established
23 base price for the applicable fiscal year. In addition and
24 for purposes of reimbursement under subsection (g) of this

1 section, the department shall in consultation with the
2 pupil transportation committee, establish a minimum,
3 average and optimal replacement schedule for each school
4 bus type or other student transportation vehicle type,
5 including but not limited to buses fueled by compressed
6 natural gas. School districts shall notify the department
7 of school bus and other student transportation vehicle
8 needs and requirements for the appropriate fiscal year in
9 the manner and within the times prescribed by department
10 rule and regulation, and shall report expenditures,
11 purchases and lease arrangements for the applicable
12 reporting period, including vehicles replaced by purchases
13 and leases, as required by department rule and regulation.
14 The department shall annually review and conduct audits as
15 necessary of information submitted under this section. As
16 authorized under W.S. 21-13-307(b), the department may
17 correct the information reported by districts under this
18 section as necessary to fairly and accurately reflect the
19 data type, classification and format required to administer
20 this section in accordance with law and department rules
21 and regulations.

22

23 **Section 2.**

24

1 (a) The natural gas fueling facility pilot program
2 for Wyoming school districts is established. The school
3 facilities department shall reimburse school districts for
4 the construction of natural gas fueling facilities to be
5 utilized to fuel natural gas vehicles owned by the school
6 district in accordance with this act.

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8 (b) Each school district may apply to the school
9 facilities department for reimbursement for the
10 construction of a natural gas fueling facility in
11 accordance with this act and rules and regulations
12 promulgated by the school facilities department.

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14 (c) Application shall be on a form and in a manner
15 prescribed by the department. At a minimum, the
16 application shall include evidence that a natural gas
17 fueling facility is cost-effective as compared to
18 traditional fueling methods utilized by school districts.
19 The application shall include evidence that all funds
20 available by other means for construction of natural gas
21 fueling facilities have been applied for and the total
22 reimbursement shall be reduced to the extent amounts are
23 duplicative of any costs funded or paid for by other means.

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1 (d) The school facilities department shall notify
2 each district of its eligibility to submit an application
3 to be considered for reimbursement of costs of a natural
4 gas fueling facility. The department shall include
5 application requirements in the notification to the school
6 districts.

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8 (e) Not later than October 1, 2013, the school
9 facilities department shall report to the select committee
10 on school facilities on the pilot project. The report
11 shall include tabulation of construction costs and the
12 economic feasibility of the construction of natural gas
13 fueling facilities as compared to the costs of traditional
14 fueling methods.

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16 (f) Subject to amounts appropriated, funds shall be
17 awarded by the school facilities department to fund the
18 total cost for the construction of a natural gas fueling
19 facility meeting the requirements of this act and rules and
20 regulations adopted pursuant to this act. The amount
21 awarded shall be reduced to the extent the amounts are
22 duplicative of any costs funded or paid for by other means.
23 Funds shall be awarded on a first come, first served basis.
24 In the event additional funds are necessary to fully

1 reimburse a school district for an approved project, the
2 school facilities department shall report the shortfall to
3 the select committee on school facilities.

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5 (g) Funding for the pilot program established under
6 this section shall be by appropriation of the legislature.
7 No school district shall be entitled to reimbursement from
8 any funds not specifically appropriated for purposes of
9 this act regardless of approval of, or partial
10 reimbursement for, the projects by the department.

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12 **Section 3.** For the period commencing on the effective
13 date of this act, there is appropriated twelve million
14 dollars (\$12,000,000.00) from the school capital
15 construction account to the school facilities department.
16 This appropriation shall only be expended for reimbursement
17 of school districts for construction of natural gas fueling
18 facilities in accordance with this act. Notwithstanding
19 any other provision of law, this appropriation shall not be
20 transferred or expended for any other purpose.
21 Notwithstanding any other provision of law, any unexpended,
22 unobligated funds from this appropriation shall not revert
23 until further action of the legislature to revert the
24 funds.

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2 **Section 4.** This act is effective immediately upon
3 completion of all acts necessary for a bill to become law
4 as provided by Article 4, Section 8 of the Wyoming
5 Constitution.

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(END)