

SENATE FILE NO. SF0057

School finance-bus purchases-2.

Sponsored by: Joint Education Interim Committee

A BILL

for

1 AN ACT relating to school finance; modifying reimbursement
2 of district school bus purchases as included in the
3 transportation adjustment to the cost-based block grant
4 amount; establishing a process for consolidated acquisition
5 of transportation vehicles; imposing duties upon the state
6 department of education; establishing the pupil
7 transportation committee to serve in an advisory capacity
8 to the department; prescribing transitional provisions and
9 imposing a limited moratorium upon vehicle acquisition;
10 providing an appropriation and authorizing an additional
11 position; and providing for effective dates.

12

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

14

15 **Section 1.** W.S. 21-13-320 (b) (intro), (c) (intro), (f)
16 and by creating new subsections (g) and (h) is amended to
17 read:

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2 **21-13-320. Student transportation; adjustment to**
3 **school foundation program formula for transportation**
4 **maintenance and operations expenditures and school bus**
5 **purchases; district reporting requirements; pupil**
6 **transportation committee.**

7

8 (b) The amount computed under W.S. 21-13-309(m)(iii)
9 for each district shall be reduced by the total statewide
10 expenditure for transportation, including capital outlay
11 for school buses, per ADM during the 1996-1997 school year.
12 Subject to subsection (e) of this section, there shall be
13 an addition to the amount computed under W.S. 21-13-309(p)
14 for each school district equal to the assigned percentage
15 of the base price amount for bus purchase and lease payment
16 expenditures made by the district during the previous
17 school year pursuant to subsection (g) of this section, one
18 hundred percent (100%) of the amount actually expended by
19 the district during the previous school year under
20 subsection (c) of this section, and for:

21

22 (c) In addition to subsection (b) of this section and
23 for buses purchased or leased before April 1, 2002, subject
24 to state standards and department rule and regulation, the

1 transportation adjustment under this section for each
2 district shall include one hundred percent (100%) of the
3 expenditure for the purchase or lease of school buses and
4 other vehicles used primarily for the purpose of
5 transporting students to and from school and to and from
6 school activities. Amounts included within the adjustment
7 under this subsection shall be subject to the following:

8
9 (f) The department of education shall adopt necessary
10 rules and regulations to implement and enforce state
11 standards established under this section and to administer
12 this section. In addition, the department shall, in
13 accordance with procedures prescribed by department rule
14 and regulation, establish a base price for each school bus
15 type or other student transportation vehicle type for the
16 applicable fiscal period that complies with minimum state
17 standards for vehicle specifications and equipment. The
18 department shall also establish a process including
19 competitive bidding which guarantees the acquisition of
20 school buses and other student transportation vehicles
21 approved for reimbursement and complying with state minimum
22 standards and district fleet size restrictions at the
23 established base price for the applicable fiscal year. In
24 addition and for purposes of reimbursement under subsection

1 (g) of this section, the department shall in consultation
2 with the pupil transportation committee, establish a
3 minimum, average and optimal replacement schedule for each
4 school bus type or other student transportation vehicle
5 type. School districts shall notify the department of
6 school bus and other student transportation vehicle needs
7 and requirements for the appropriate fiscal year in the
8 manner and within the times prescribed by department rule
9 and regulation, and shall report expenditures, purchases
10 and lease arrangements for the applicable reporting period,
11 including vehicles replaced by purchases and leases, as
12 required by department rule and regulation. The department
13 shall annually review and conduct audits as necessary of
14 information submitted under this section. As authorized
15 under W.S. 21-13-307(b), the department may correct the
16 information reported by districts under this section as
17 necessary to fairly and accurately reflect the data type,
18 classification and format required to administer this
19 section in accordance with law and department rules and
20 regulations.

21

22 (g) In addition to subsection (b) of this section and
23 for buses purchased or leased on or after July 1, 2002, the
24 transportation adjustment for each district under this

1 section shall include an amount computed under this
2 subsection for the purchase or lease of school buses and
3 other vehicles used primarily for the transportation of
4 students to and from school and to and from school
5 activities. Computations of amounts reimbursed under this
6 subsection shall be based upon the base price established
7 by the department under subsection (f) of this section for
8 the student transportation vehicle type. Amounts included
9 within the adjustment under this subsection shall be
10 subject to the following:

11

12 (i) Buses and other vehicles used primarily for
13 student transportation, for which reimbursement is
14 authorized, shall meet state minimum standards for vehicle
15 specifications and equipment and shall be subject to
16 vehicle replacement schedules specified by department rule
17 and regulation;

18

19 (ii) The number of buses and other student
20 transportation vehicles comprising a district's fleet shall
21 comply with fleet size standards established by the
22 department in accordance with paragraph (c)(ii) of this
23 section, unless otherwise waived by the department for the

1 provision of safe and efficient student transportation
2 services;

3
4 (iii) The replacement schedule established by
5 the department under subsection (f) of this section for the
6 bus or other student transportation vehicle being replaced
7 by the authorized purchase or lease shall be assigned the
8 following percentages for purposes of computing the
9 adjustment amount under paragraph (g) (v) of this section:

10
11 (A) Eighty percent (80%) for a minimum
12 replacement schedule;

13
14 (B) Ninety percent (90%) for an average
15 replacement schedule; and

16
17 (C) One hundred percent (100%) for an
18 optimal replacement schedule.

19
20 (iv) Paragraph (g) (iii) of this section shall
21 not apply to the purchase or lease of a bus or other
22 student transportation vehicle authorized under this
23 section which expands a district's vehicle fleet and does
24 not replace an existing vehicle, in which case the purchase

1 or lease shall be reimbursed under paragraph (g)(v) of this
2 section at one hundred percent (100%) of the base price;

3
4 (v) The adjustment for the purchase or lease of
5 buses and other student transportation vehicles authorized
6 under this subsection shall be equal to:

7
8 (A) One-fifth (1/5) of the base price
9 established under subsection (f) of this section for each
10 purchased school bus or other purchased student
11 transportation vehicle for which reimbursement is
12 authorized and which is made by the district during the
13 preceding five (5) years, multiplied by the percentage
14 assigned to the bus or other vehicle being replaced by the
15 purchase as provided under paragraph (g)(iii) of this
16 section. For purposes of this subparagraph, any purchase
17 made during the period beginning April 1, 2002, and ending
18 June 30, 2002, shall not be included;

19
20 (B) The base price established under
21 subsection (f) of this section for lease payments for each
22 school bus or other student transportation vehicle for
23 which reimbursement is authorized and which is made by the
24 district during the prior school year, multiplied by the

1 percentage assigned to the bus or other vehicle being
2 replaced by the leased vehicle as provided by paragraph
3 (g)(iii) of this section, plus the annual interest charges
4 imposed under the lease arrangement. For purposes of this
5 subparagraph, any lease arrangement entered into during the
6 period commencing April 1, 2002, and ending June 30, 2002,
7 shall not be included.

8
9 (h) As used in this section:

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11 (i) "Lease" means a lease-purchase arrangement
12 entered into by a school district, after a competitive
13 quote or bidding process, for the acquisition and use of a
14 student transportation vehicle approved for reimbursement
15 under this section;

16
17 (ii) "Pupil transportation committee" means an
18 advisory committee comprised of school district business
19 managers, student transportation program managers and
20 employees, district superintendents and other district
21 personnel organized by the state department of education to
22 assist the department in developing and maintaining state
23 standards for vehicle specifications and equipment, vehicle
24 fleet regulations and vehicle replacement schedules

1 including the establishment of minimum, average and optimal
2 replacement schedules, as required under this section.

3
4 **Section 2.** Notwithstanding any other provision of
5 this act, amounts included within the transportation
6 adjustment under W.S. 21-13-320(c)(iv) for amounts expended
7 by districts for department approved purchases or leases of
8 school buses or other student transportation vehicles made
9 prior to April 1, 2002, shall continue in accordance with
10 W.S. 21-13-320(c)(iv) until the lease arrangement expires,
11 the total purchase amount is reimbursed or until June 30,
12 2007, whichever first occurs.

13
14 **Section 3.** For purposes of implementing this act and
15 for the period commencing July 1, 2002, and ending June 30,
16 2003, fifty thousand dollars (\$50,000.00) is appropriated
17 from the general fund to the state department of education.
18 In addition, the department is authorized one (1) at-will
19 contract employee in accordance with W.S.
20 9-2-1022(a)(xi)(F).

21

1 **Section 4.** This act is effective immediately upon
2 completion of all acts necessary for a bill to become law
3 as provided by Article 4, Section 8 of the Wyoming
4 Constitution, except that section 3 of this act is
5 effective July 1, 2002.

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(END)