

[TO SUBSTITUTE BILL No. 1]

1 Page 1-line 7 After "corporation" insert "and limited
2 liability company".
3
4 Page 1-line 15 After "provisions;" insert "repealing
5 transportation funding provisions;"
6
7 Page 2-line 14 Delete ", (q) (i)".
8
9 Page 2-line 15 After "17-16-1630(a)," insert "17-29-
10 209(a),".
11
12 Page 2-line 18 Delete entirely, including the Clem
13 second reading amendment
14 (HB0140H2003/A) to this line and insert
15 "21-13-320(b) (intro), (c) (ii) and
16 (iii), (f) and (g) (i), (ii) and (v) (A)
17 and (B),".
18
19 Page 9-lines 11 through 23 Delete entirely.
20
21 Page 10-lines 1 through 4 Delete entirely.
22
23 Page 13-after line 5 Insert:
24
25 **"17-29-209. Annual report for secretary of state.**
26
27 (a) Every limited liability company organized under the
28 laws of this state and every foreign limited liability company
29 which obtains a certificate of authority to transact and carry
30 on business within this state shall file with the secretary of
31 state on or before the first day of the month of organization of
32 every year a certification, under the penalty of perjury, by its
33 treasurer or other fiscal agent setting forth its capital,
34 property and assets located and employed in the state of
35 Wyoming. The statement shall give the address of its principal
36 office. On or before the first day of the month of organization
37 of every year the limited liability company or foreign limited
38 liability company shall pay to the secretary of state in
39 addition to all other statutory taxes and fees a license fee
40 based upon the sum of its capital, property and assets reported,
41 of fifty dollars (\$50.00) or two-tenths of one mill on the
42 dollar (\$.0002), whichever is greater. Fifty percent (50%) of

1 the revenue collected pursuant to this subsection shall be
2 distributed to the general fund and fifty percent (50%) of the
3 revenue collected pursuant to this subsection shall be
4 distributed to the school foundation program account."

5
6 Page 16-lines 14 through 23 Delete entirely, including the
7 Clem second reading amendment
8 (HB0140H2003/A) to this line.

9
10 Page 17-lines 1 through 22 Delete entirely, including the
11 Clem second reading amendment
12 (HB0140H2003/A) to this line.

13
14 Page 18-lines 1 and 2 Delete entirely and insert:

15
16 **"21-13-320. Student transportation; amount within school**
17 **foundation program formula for transportation maintenance and**
18 **operations expenditures and school bus purchases; district**
19 **reporting requirements.**

20
21 (b) There shall be an amount computed for each school
22 district equal to the ~~assigned percentage of the~~ base price
23 amount for bus purchase and lease payment expenditures made by
24 the district during the previous school year pursuant to
25 subsection (g) of this section, one hundred percent (100%) of
26 the amount actually expended by the district during the previous
27 school year under subsection (c) of this section and for:

28
29 (c) In addition to subsection (b) of this section and for
30 buses purchased or leased before April 1, 2002, subject to state
31 standards and department rule and regulation, the transportation
32 adjustment under this section for each district shall include
33 one hundred percent (100%) of the expenditure for the purchase
34 or lease of school buses and other vehicles used primarily for
35 the purpose of transporting students to and from school and to
36 and from school activities. Amounts included within the
37 adjustment under this subsection shall be subject to the
38 following:

39
40 (ii) Buses and other vehicles used primarily for
41 student transportation, for which reimbursement is authorized,
42 shall not exceed state minimum standards for vehicle
43 specifications and equipment and shall be subject to vehicle
44 replacement schedules within ten percent (10%) of the national
45 average for years or mileage as specified by department rule and
46 regulation;

1 (iii) The number of buses and other student
2 transportation vehicles comprising a district's fleet shall ~~not~~
3 ~~be increased above the fleet size existing as of February 10,~~
4 ~~1999, except~~ be commensurate with district ADM as necessary to
5 provide safe and efficient transportation in accordance with
6 department rule and regulation;

7
8 (f) The department of education shall adopt necessary
9 rules and regulations to implement and enforce state standards
10 established under this section and to administer this section.
11 District expenditures computed under subsection (b) of this
12 section shall not include expenditures for employee
13 contributions to the Wyoming retirement system exceeding five
14 and fifty-seven hundredths percent (5.57%) of any member
15 employee's salary. In addition, the department shall, in
16 accordance with procedures prescribed by department rule and
17 regulation, establish a base price for each school bus type or
18 other student transportation vehicle type for the applicable
19 fiscal period that complies with minimum state standards for
20 vehicle specifications and equipment. The department shall also
21 establish a process including competitive bidding which
22 guarantees the acquisition of school buses and other student
23 transportation vehicles approved for reimbursement and complying
24 with state minimum standards and district fleet size
25 restrictions at the established base price for the applicable
26 fiscal year. In addition and for purposes of reimbursement
27 under subsection (g) of this section, the department shall in
28 consultation with the pupil transportation committee, establish
29 ~~a minimum, average and~~ an optimal replacement schedule for each
30 school bus type or other student transportation vehicle type.
31 School districts shall notify the department of school bus and
32 other student transportation vehicle needs and requirements for
33 the appropriate fiscal year in the manner and within the times
34 prescribed by department rule and regulation, and shall report
35 expenditures, purchases and lease arrangements for the
36 applicable reporting period, including vehicles replaced by
37 purchases and leases, as required by department rule and
38 regulation. The department shall annually review and conduct
39 audits as necessary of information submitted under this section.
40 As authorized under W.S. 21-13-307(b), the department may
41 correct the information reported by districts under this section
42 as necessary to fairly and accurately reflect the data type,
43 classification and format required to administer this section in
44 accordance with law and department rules and regulations.

45
46 (g) In addition to subsection (b) of this section and for
47 buses purchased or leased on or after July 1, 2002, the

1 transportation adjustment for each district under this section
2 shall include an amount computed under this subsection for the
3 purchase or lease of school buses and other vehicles used
4 primarily for the transportation of students to and from school
5 and to and from school activities. Computations of amounts
6 reimbursed under this subsection shall be based upon the base
7 price established by the department under subsection (f) of this
8 section for the student transportation vehicle type. Amounts
9 included 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 authorized,
14 shall ~~meet~~ not exceed state minimum standards for vehicle
15 specifications and equipment and shall be subject to vehicle
16 replacement schedules specified by department rule and
17 regulation in accordance with paragraph (c)(ii) of this section;

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 department
22 in accordance with paragraph ~~(e)(ii)~~ (c)(iii) of this section,
23 unless otherwise waived by the department for the provision of
24 safe and efficient student transportation services;

25
26 (v) The adjustment for the purchase or lease of buses
27 and other student transportation vehicles authorized under this
28 subsection shall be equal to:

29
30 (A) One-fifth (1/5) of the base price
31 established under subsection (f) of this section for each
32 purchased school bus or other purchased student transportation
33 vehicle for which reimbursement is authorized and which is made
34 by the district during the preceding five (5) years; ~~7~~
35 ~~multiplied by the percentage assigned to the bus or other~~
36 ~~vehicle being replaced by the purchase as provided under~~
37 ~~paragraph (g)(iii) of this section. For purposes of this~~
38 ~~subparagraph, any purchase made during the period beginning~~
39 ~~April 1, 2002, and ending June 30, 2002, shall not be included;~~

40
41 (B) The base price established under subsection
42 (f) of this section for lease payments for each school bus or
43 other student transportation vehicle for which reimbursement is
44 authorized and which is made by the district during the prior
45 school year, ~~multiplied by the percentage assigned to the bus or~~
46 ~~other vehicle being replaced by the leased vehicle as provided~~
47 ~~by paragraph (g)(iii) of this section,~~ plus the annual interest

1 charges imposed under the lease arrangement. ~~For purposes of~~
2 ~~this subparagraph, any lease arrangement entered into during the~~
3 ~~period commencing April 1, 2002, and ending June 30, 2002, shall~~
4 ~~not be included.~~".

5
6 Page 21-line 16 Delete "Two-thirds (2/3)" and insert
7 "One-third (1/3)".

8
9 Page 21-line 17 Delete "." and insert "i".

10
11 Page 21-after line 17 Insert "(iii) One-third (1/3) to the
12 school foundation program reserve
13 account.".

14
15 Page 22-line 9 After "distributed" delete balance of
16 line.

17
18 Page 22-line 10 Delete entirely and insert "consistent
19 with the distributions provided for in
20 paragraphs (b)(ii) and (iii) of this
21 section.".

22
23 Page 23-line 3 After "distributed" delete balance of
24 line.

25
26 Page 23-line 4 Delete entirely and insert "consistent
27 with the distributions provided for in
28 paragraphs (b)(ii) and (iii) of this
29 section.".

30
31 Page 27-line 12 After "foundation" insert "program".

32
33 Page 30-line 9 Delete "general fund" insert "permanent
34 Wyoming mineral trust fund reserve
35 account".

36
37 Page 31-after line 2 Insert and renumber as necessary:

38
39 **"Section 11.** W.S. 21-13-320(g)(iii), (iv) and (j) through
40 (m) is repealed." HARSHMAN