

HOUSE BILL NO. HB0276

Transportation funding-material cost increases.

Sponsored by: Representative(s) Childers and Cohee and
Senator(s) Von Flatern

A BILL

for

1 AN ACT relating to the department of transportation;
2 creating a material cost increase contingency account;
3 requiring documentation of cost increases; providing an
4 appropriation; authorizing expenditures; and providing for
5 an effective date.

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

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9 **Section 1.** W.S. 24-2-116 is created to read:

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11 **24-2-116. Material cost increase contingency account.**

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13 (a) There is created the department of transportation
14 material cost increase contingency account. The account
15 shall consist of monies appropriated or designated to the
16 account by law.

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2 (b) The department may request authorization from the
3 governor to expend monies in the account to offset the
4 increase in the fuel costs or costs of raw materials for
5 any department project contract if the fuel costs or costs
6 of raw materials for the contract have increased by more
7 than twenty percent (20%) since the contract was executed.
8 On a quarterly basis, the department shall review its fuel
9 costs and the costs of raw materials used directly by the
10 department for projects and compare those costs with the
11 cost for the same amount of fuel and the cost for the same
12 raw materials at the commencement of the preceding biennial
13 state fiscal period. If the department documents that
14 either of those costs have increased by more than twenty
15 percent (20%) since that time it may request authorization
16 from the governor to expend monies in an amount equal to
17 the increased costs.

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19 (c) If the governor finds the increases specified in
20 subsection (b) of this section have been documented and the
21 increases have not been reimbursed previously under this
22 section he may authorize the department to expend monies in
23 the account in amounts not to exceed the documented
24 increases.

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2 **Section 2.** There is appropriated forty million
3 dollars (\$40,000,000.00) from the legislative stabilization
4 reserve account to the department of transportation
5 material cost increase contingency account. This
6 appropriation shall be for the period beginning with the
7 effective date of this act and ending June 30, 2010. This
8 appropriation shall only be expended as provided in W.S.
9 24-2-116. Notwithstanding any other provision of law, this
10 appropriation shall not be transferred or expended for any
11 other purpose and any unexpended, unobligated funds
12 remaining from this appropriation shall revert as provided
13 by law on June 30, 2010. This appropriation shall be
14 included in the department of transportation's 2011-2012
15 standard biennial budget request.

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17 **Section 3.** This act is effective July 1, 2009.

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(END)