

## HOUSE BILL NO. HB0058

School facilities appropriations.

Sponsored by: Joint Appropriations Committee

A BILL

for

1 AN ACT relating to school facility projects; modifying  
 2 appropriations for school facility projects for the  
 3 biennial budget period July 1, 2016 through June 30, 2018;  
 4 transferring funds; making conforming amendments; requiring  
 5 reporting; and providing for an effective date.

6

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

8

9       **Section 1.** 2016 Wyoming Session Laws, Chapter 25  
 10 Section 1(b)(ii), (c), (d), (f), (g)(ii)(A), (D), (iii)  
 11 through (vi), by creating paragraphs (vii) through (ix) and  
 12 Section 2 is amended as follows:

13

14       **Section 1.**

15

16       (b) As used in this section:

1

2

(ii) "Condition needs index priority"

3

means the condition needs index priority used by

4

the school facilities commission in developing

5

the remediation schedule for the 2017-2018

6

biennial budget recommendation and the 2017-2018

7

supplemental budget request, in accordance with

8

W.S. 21-15-117(a).

9

10

(c) The amounts appropriated from the

11

school capital construction account under this

12

section are for the biennial period commencing

13

July 1, 2016 and ending June 30, 2018. ~~As~~

14

~~authorized under W.S. 21-15-119(a)(iii), the~~

15

~~school facilities commission shall submit a~~

16

~~supplemental budget request for the period~~

17

~~beginning July 1, 2017 and ending June 30, 2018,~~

18

~~for any emergency or unanticipated need, or for~~

19

~~any refinement or modification of a project~~

20

~~funded under this section, subject to any~~

21

~~constraints and other requirements imposed by the~~

22

~~governor under W.S. 9-2-1013.~~

23

1 (d) An estimated schedule for deploying  
2 projects funded by amounts appropriated under  
3 this section and projects funded by previous  
4 appropriations, as adopted by the school  
5 facilities commission and as contained within the  
6 2017-2018 biennial budget, as modified by the  
7 2017-2018 supplemental budget request, submitted  
8 by the commission under W.S. 21-15-119, shall be  
9 used by the ~~school facilities~~ state construction  
10 department in guiding expenditure of appropriated  
11 funds. The estimated schedule developed under  
12 this subsection shall be based upon information,  
13 processes, events and expenditures and shall not  
14 be binding upon the department or the commission.

15  
16 (f) In addition to accounting requirements  
17 imposed under W.S. 28-11-301(c)(iv), the ~~school~~  
18 ~~facilities~~ state construction department shall  
19 report at least once each year, the deployment of  
20 amounts to fund projects under this section and  
21 previous appropriations in accordance with the  
22 deployment schedule, depicting project  
23 progression and, if applicable, the rationale for

1 deviation from the estimated schedule. The  
2 reports, as approved by the commission, shall be  
3 submitted by the department to the select  
4 committee on school facilities, the joint  
5 appropriations committee and the governor.

6  
7 (g) The following amounts are appropriated  
8 from the school capital construction account to  
9 the school facilities commission for the biennial  
10 period commencing July 1, 2016 and ending June  
11 30, 2018, for the specified purposes:

12  
13 (ii) For capital construction  
14 projects:

15  
16 (A) Up to ~~ten million four~~  
17 ~~hundred ninety four thousand six hundred~~  
18 ~~ninety four dollars (\$10,494,694.00)~~ eighty-five  
19 million sixteen thousand two hundred forty-two  
20 dollars (\$85,016,242.00), subject to the  
21 prescribed maximum amounts:

22

1	2	3	4	5	6
Condition	Needs	Index	School	Priority	Maximum
			District	Project	Amount
7	<u>Emergency</u>	<u>Big Horn #2</u>	<u>Elementary School</u>		<u>\$ 3,286,026</u>
8	Capacity	Campbell #1	High School		\$ 3,800,395*
9	Capacity	Laramie #1	Elementary School		\$ 2,214,953*
10	16	Big Horn #4	Elementary School		\$ 2,186,845*
11	<u>Capacity</u>	<u>Laramie #1</u>	<u>Elementary School</u>		<u>\$ 200,000</u>
12	<u>Capacity</u>	<u>Laramie #1</u>	<u>Modular lease</u>		<u>\$ 14,950</u>
13	<u>Capacity</u>	<u>Laramie #1</u>	<u>Modular lease</u>		<u>\$ 14,950</u>
14	<u>Capacity</u>	<u>Laramie #1</u>	<u>Modular lease</u>		<u>\$ 14,950</u>
15	<u>Capacity</u>	<u>Laramie #1</u>	<u>Modular lease</u>		<u>\$ 14,950</u>
16	<u>Capacity</u>	<u>Laramie #1</u>	<u>Modular lease</u>		<u>\$ 14,950</u>
17	<u>Capacity</u>	<u>Laramie #1</u>	<u>Modular lease</u>		<u>\$ 14,950</u>
18	<u>Capacity</u>	<u>Laramie #1</u>	<u>Modular lease</u>		<u>\$ 14,950</u>
19	<u>Capacity</u>	<u>Laramie #1</u>	<u>Modular lease</u>		<u>\$ 14,950</u>
20	<u>Capacity</u>	<u>Laramie #1</u>	<u>Modular lease</u>		<u>\$ 14,950</u>
21	<u>Capacity</u>	<u>Laramie #1</u>	<u>Modular lease</u>		<u>\$ 14,950</u>
22	<u>Capacity</u>	<u>Laramie #1</u>	<u>Modular lease</u>		<u>\$ 9,035</u>
23	<u>Capacity</u>	<u>Laramie #1</u>	<u>Modular lease</u>		<u>\$ 9,035</u>

1	Capacity	Big Horn #3	Modular lease	<del>\$ 16,800</del>
2				<u>\$ 26,550</u>
3	Capacity	Big Horn #3	Modular lease	<del>\$ 16,800</del>
4				<u>\$ 26,550</u>
5	Capacity	Carbon #1	Elementary School	\$ 657,581
6	Capacity	Sweetwater #2	Middle School	\$ 200,000**
7	<u>Capacity</u>	<u>Teton #1</u>	<u>Elementary School</u>	<u>\$29,028,636</u>
8	<u>18</u>	<u>Laramie #1</u>	<u>Junior High School</u>	<u>\$41,819,816</u>
9	77	Converse #1	Modular	\$ 334,176
10	93	Converse #1	Modular	\$ 334,176
11	100	Converse #1	Modular	\$ 334,176
12	332	Park #6	Elementary School	<u>\$ 398,792</u>
13	Total			<del>\$10,494,694</del>
14				<u>\$85,016,242</u>
15				

16 (D) In addition to the  
 17 appropriation under subparagraph (A) of this  
 18 paragraph denoted with two (2) asterisks, six  
 19 million six hundred ninety-eight thousand seven  
 20 hundred ninety dollars (\$6,698,790.00) as  
 21 contained in 2014 Wyoming Session Laws, Chapter  
 22 82, Section 1(e)(iii)(B) for the construction of  
 23 an elementary school in Sweetwater County School

1 District No. 2, is hereby reappropriated for the  
2 purpose of addressing the elementary school  
3 capacity issues as identified by the district and  
4 the proposed reconfiguration of grade levels as  
5 approved by the director of the ~~school facilities~~  
6 state construction department and the state  
7 superintendent pursuant to W.S. 21-13-309(m)(vi).  
8 The school facilities commission, through the  
9 department, shall provide for a separate  
10 accounting of those projects receiving funds  
11 under this paragraph, and separately report  
12 expenditures of those amounts to the select  
13 committee on school facilities and to the joint  
14 appropriations committee. In the event the cost  
15 of construction of the remedy or remedies  
16 identified under this subparagraph exceed the  
17 total amount identified, no funds shall be  
18 expended as appropriated under this subparagraph  
19 and shall only be available for expenditure as  
20 specifically authorized by the legislature.

21

22 (iii) For land acquisitions, including  
23 land leases, up to ~~six hundred fifty four~~

1 ~~thousand six hundred dollars (\$654,600.00)~~ six  
2 hundred fifty-nine thousand two hundred dollars  
3 (\$659,200.00) for land acquisitions approved by  
4 the school facilities commission for the facility  
5 needs of Laramie County School District No. 1 and  
6 Washakie County School District No. 2;

7  
8 (iv) For unanticipated costs  
9 associated with the design and construction of  
10 projects funded under this section, up to ~~four~~  
11 ~~hundred fifty-nine thousand one hundred~~  
12 ~~seventy-four dollars (\$459,174.00)~~ three million  
13 four hundred forty-four thousand five hundred  
14 fifty-three dollars (\$3,444,553.00). The school  
15 facilities commission, through the state  
16 construction department, shall provide for a  
17 separate accounting of those projects receiving  
18 supplemental appropriations under this paragraph,  
19 and separately report expenditures of those  
20 amounts to the select committee on school  
21 facilities and to the joint appropriations  
22 committee;

23



1                   (v) In addition to the allowable  
2 expenditures pursuant to law of amounts  
3 appropriated for major maintenance expenses under  
4 2016 SF 0001, Section 2, Section 027, a school  
5 district may expend up to ten percent (10%) of the  
6 amount distributed under the major maintenance  
7 program for the period commencing July 1, 2016 and  
8 ending July 1, 2018 for safety and security  
9 building and facility needs. No expenditure shall  
10 be made under this paragraph without the approval  
11 of the director of the ~~school facilities~~ state  
12 construction department;

13  
14                   (vi) ~~In addition to allowable~~  
15 ~~expenditures~~ Pursuant to W.S. 21-3-110(a)(x), for  
16 ~~leases executed by school districts,~~ for the  
17 purposes of charter school leases, up to four  
18 ~~hundred thousand dollars (\$400,000.00)~~ seven  
19 hundred ninety-nine thousand eight hundred fifty  
20 dollars (\$799,850.00) is appropriated to the  
21 ~~school facilities~~ state construction department,  
22 to distribute to each school district with a  
23 charter school in the district, approved and

1 operating during the 2014-2015 school year in  
2 accordance with W.S. 21-3-301 through 21-3-314,  
3 which requires a lease for the operation of the  
4 charter school's educational program in the  
5 applicable school year. The amounts to be  
6 distributed under this paragraph shall be reduced  
7 to the extent the amounts are duplicative of any  
8 costs funded or paid for by alternative  
9 mechanisms. The funds appropriated under this  
10 paragraph shall be distributed for expenses  
11 incurred during school ~~year~~years 2016-2017 and  
12 2017-2018 to qualifying school districts based  
13 upon the proration of the total qualifying costs  
14 of all qualifying school districts. The school  
15 facilities commission shall evaluate facility  
16 options for charter schools receiving funds  
17 appropriated under this paragraph and identify  
18 potential options of moving these charter schools  
19 within existing educational gross square footage  
20 of the school district in which the charter  
21 school operates. Not later than August 1, 2017,  
22 the school facilities commission shall report to  
23 the select committee on school facilities and the

1 joint appropriations committee on the options of  
2 moving charter schools within existing  
3 educational gross square footage of school  
4 districts;

5  
6 (vii) For demolition projects, up to  
7 one million forty-two thousand two hundred fifty-  
8 eight dollars (\$1,042,258.00) for the demolition  
9 needs of Crook County School District No. 1. In  
10 the event the cost of demolition as approved by  
11 the commission exceeds the total amount  
12 appropriated under this paragraph, no funds shall  
13 be expended under this paragraph and funds shall  
14 only be available for expenditure as specifically  
15 authorized by the legislature;

16  
17 (viii) For emergency projects, up to  
18 one million one hundred thirteen thousand two  
19 hundred fifty-four dollars (\$1,113,254.00) to  
20 address emergency projects identified and  
21 approved by the commission under W.S. 21-15-120  
22 and commission rule and regulation;

23

1                   (ix) For professional consulting  
2                   expertise and other administrative costs three  
3                   hundred thousand dollars (\$300,000.00) to conduct  
4                   studies as approved by the commission to  
5                   determine the most cost effective and efficient  
6                   approach in order to deliver quality educational  
7                   services and address building and facility needs.

8  
9                   **Section 2.** ~~In addition to the amounts~~  
10                   ~~appropriated under Section 1 of this act, The~~  
11                   ~~state auditor shall immediately transfer eighty~~  
12                   million dollars (\$80,000,000.00) ~~is appropriated~~  
13                   from the legislative stabilization reserve  
14                   account to the school ~~facilities commission.~~  
15                   ~~This appropriation shall be for the period~~  
16                   ~~beginning July 1, 2017 and ending June 30, 2018.~~  
17                   ~~This appropriation shall only be available for~~  
18                   ~~expenditure as specifically authorized by the~~  
19                   ~~legislature. As required under W.S.~~  
20                   ~~21-15-119(a), and not later than September 1,~~  
21                   ~~2016, the school facilities commission shall~~  
22                   ~~report proposed expenditures of the amounts~~  
23                   ~~appropriated under this section, along with a~~

1 ~~prioritized list of projects pursuant to W.S.~~  
2 ~~21-15-117 and the results of the condition needs~~  
3 ~~assessment to be conducted over the 2016 interim~~  
4 ~~by the school facilities department, to the~~  
5 ~~select committee on school facilities and the~~  
6 ~~joint appropriations committee~~ capital  
7 construction account.

8  
9 **Section 2.** The school facilities commission, through  
10 the state construction department, shall study the  
11 allocation of funds for major maintenance under W.S.  
12 21-15-109(c). The study shall include review of the process  
13 utilized by school districts in expending major maintenance  
14 funding and the process and procedures used by the state  
15 construction department to review and approve expenditures  
16 under W.S. 21-15-109(e) and (f) allocated for major  
17 maintenance, giving full consideration to the proper use  
18 and expenditure of other capital construction funding  
19 provided by the state in addressing building adequacy in  
20 the most efficient and cost effective manner. Not later  
21 than August 1, 2017, the school facilities commission shall  
22 report to the select committee on school facilities and the  
23 joint appropriations committee. The report shall include

1 recommendations for a process to ensure funds generated for  
2 major maintenance are expended on the most substantial and  
3 necessary aspects of building maintenance and in a way that  
4 optimizes the lifecycle of the school buildings across the  
5 state. The recommendations shall include any suggested  
6 modifications to the formula utilized to generate the  
7 funding allocated for major maintenance. The  
8 recommendations shall include any enabling legislation  
9 necessary to implement the recommendations of the  
10 commission.

11

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

16

17

(END)