

ENROLLED ACT NO. 63, HOUSE OF REPRESENTATIVES

FIFTY-SEVENTH LEGISLATURE OF THE STATE OF WYOMING
2004 BUDGET SESSION

AN ACT relating to economic development; providing for the creation of a main street program as specified; providing for the creation of a main street advisory board; providing for membership and duties as specified; specifying duties of the department of agriculture; providing for a revolving loan fund; providing an appropriation; providing for transfer of funds; authorizing positions; providing for a continuous appropriation; and providing for an effective date.

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

Section 1. W.S. 11-45-101 through 11-45-105 are created to read:

CHAPTER 45
WYOMING MAIN STREET PROGRAM

11-45-101. Definitions.

(a) As used in this article:

(i) "Board" means the Wyoming main street advisory board;

(ii) "Business area" means a commercial area existing at the time services under the Wyoming main street program are requested by a municipality;

(iii) "Municipality" means a city, town, county or district;

(iv) "Pilot program" means a temporary program to last for no longer than three (3) years created by the department for the purpose of providing the board and the

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department experience in conducting the Wyoming main street program;

(v) "Revitalization" means the process of engaging in activities to increase economic activity while preserving and building upon a location's historically significant characteristics.

11-45-102. Wyoming main street advisory board.

(a) There is created a Wyoming main street advisory board. The board shall consist of seven (7) members appointed by the governor, not more than four (4) of whom shall be from the same political party. Board members shall elect from their membership a chairman, vice-chairman and secretary.

(b) The governor may remove any member of the board as provided by W.S. 9-1-202.

(c) Board members shall serve a three (3) year term provided that of the initial board, two (2) members shall be appointed for a one (1) year term, two (2) members for two (2) year terms and three (3) members for three (3) year terms. Vacancies on the board shall be filled by appointment of the governor for the unexpired term.

(d) Members of the board shall receive the same per diem, expenses and travel allowance as members of the legislature while in actual attendance at meetings of the board and the performance of their duties relative thereto.

(e) The department shall provide staff services as required by the board to carry out the board's duties.

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(f) The board shall meet as often as necessary to conduct business, but not less than three (3) times each year. Meetings shall be called by the chairman. A majority of members of the board shall constitute a quorum.

11-45-103. Duties of the board.

(a) The board shall:

(i) Assist the department in developing a plan to operate the Wyoming main street program;

(ii) Annually review the program and report findings and recommendations, including recommendations for future legislation, to the governor;

(iii) Provide a comprehensive evaluation of the Wyoming main street pilot program annually to the joint minerals, business and economic development interim committee, if a pilot program is commenced, and after the expiration of the pilot program, provide to the interim committee a review of the Wyoming main street program in the same manner as in paragraph (ii) of this subsection.

11-45-104. Duties of the department.

(a) The department shall establish and administer a Wyoming main street program to coordinate state and local participation in programs offered by the national main street center, created by the national trust for historic preservation, to assist municipalities in planning, managing and implementing programs for the revitalization of business areas.

(b) In carrying out subsection (a) of this section, the department shall:

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(i) Enter into contracts to obtain business area revitalization services provided by the national main street center;

(ii) Subject to legislative authorization, employ any staff necessary to operate the Wyoming main street program;

(iii) With advice from the board, develop a plan describing the objectives of the Wyoming main street program and methods by which the department shall:

(A) Coordinate the activities of that program with private and public sector revitalizations of business areas;

(B) Solicit and use private sector funding for revitalization of business areas;

(C) Assist municipalities engaged in the revitalization of their business areas.

(iv) Coordinate with other state and local public and private entities that provide services to municipalities undertaking projects for the revitalization of business areas;

(v) Provide training, technical assistance and information on the revitalization of business areas to municipalities which do not participate in the Wyoming main street program;

(vi) Administer a revolving loan fund consisting of available federal, state and private sector funding. The fund shall be used to provide a source of monies for

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storefront renovations. The department shall have authority to seek and accept federal, state and private funding for purposes of establishing the revolving loan fund and all such federal, state and private funds so received are continuously appropriated to the department for purpose of this paragraph.

(c) The department shall promulgate rules necessary to carry out the provisions of this chapter.

11-45-105. Pilot program.

(a) Upon recommendation of the board, the department may initiate a pilot program.

(b) Upon initiation of a pilot program, the department with advice from the board shall select five (5) municipalities to participate in the Wyoming main street pilot program. The department shall select pilot program participants that represent different geographical regions or populations. The department shall hold at least one (1) public hearing before making selections under this subsection.

(c) The department shall commence the pilot program for the five (5) municipalities selected with the advice of the board for three (3) consecutive years. Upon the completion of the three (3) year period, the five (5) municipalities may continue to participate in the Wyoming main street program.

(d) In making its selection pursuant to subsection (b) of this section, the department, with the assistance of the board, shall develop criteria for use in selecting pilot program participants which relate to at least the following issues:

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(i) Private and public sector interest in and commitment to revitalization of a business area selected by the municipality;

(ii) Potential private sector investment in a business area selected by the municipality;

(iii) Local organizational and financial commitment to employ a pilot program manager for not less than three (3) years;

(iv) Local assistance in paying for the services of a design consultant recommended by the advisory board;

(v) Local commitment to assist in training programs to direct activities related to business areas in municipalities that do not participate in the Wyoming main street program.

(e) After conducting the pilot program for three (3) years, the department may expand the Wyoming main street program to include other municipalities demonstrating a commitment to participate in the program.

Section 2.

(a) There is appropriated three hundred fifty thousand dollars (\$350,000.00), or as much thereof as is necessary, from the general fund to the department of agriculture for the fiscal year beginning July 1, 2004, to implement the purposes of this act. Of this appropriation:

(i) Not more than fifty thousand dollars (\$50,000.00) may be expended for contract services under W.S. 9-12-804(b)(i);

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(ii) Three hundred thousand dollars (\$300,000.00) shall be allocated for facade design and renovation of main street storefronts.

(b) The department of agriculture is authorized one (1) full-time equivalent position and one (1) part-time equivalent position for the fiscal year beginning July 1, 2004, to implement the provisions of this act.

(c) Of the general fund appropriation to the Wyoming business council contained in 2004 House Bill 1, two hundred thousand dollars (\$200,000.00) appropriated for the main street program shall be transferred to the department of agriculture and expended only for the purpose of the main street program.

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Section 3. This act is effective July 1, 2004.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk