

HOUSE BILL NO. HB0209

Schools-conversion to use by local communities.

Sponsored by: Representative(s) Wasserburger

A BILL

for

1 AN ACT relating to the administration of government;  
 2 establishing a program assisting local governments in  
 3 converting school facilities to community uses;  
 4 establishing an account and funds for the program; amending  
 5 business ready community funding provisions; providing for  
 6 administration; providing for a continuous appropriation;  
 7 and providing for an effective date.

8

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

10

11 **Section 1.** W.S. 9-12-801 and 9-12-802 are created to  
 12 read:

13

14

ARTICLE 8

15

PUBLIC SCHOOL FACILITY CONVERSION PROGRAM

16

17 **9-12-801. Public school facility conversion account.**

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2 The public school facility conversion account is created  
3 and shall consist of all funds credited to the account  
4 under W.S. 9-4-601(b) and as otherwise provided by law.  
5 Funds in the account are continuously appropriated to the  
6 council to be used only for grants authorized to be made  
7 under this article.

8

9 **9-12-802. Public school facility conversion program;**  
10 **purpose; grants; application; council duties and**  
11 **rulemaking; action on grant applications.**

12

13 (a) It is the purpose of this article to promote the  
14 preservation of public school buildings in the state of  
15 Wyoming which have been removed from the building inventory  
16 of a school district pursuant to the facility planning  
17 process under W.S. 21-15-116, and in so doing, to also  
18 promote economic development at the city, town and county  
19 level.

20

21 (b) The council shall establish and administer a  
22 public school facility conversion program as provided by  
23 this article. Any city, town or county may submit an  
24 application to the council for a grant under this program

1 on forms prescribed by and subject to rules promulgated by  
2 the council. Grants may be applied for by a joint powers  
3 board with the approval of all participating agencies to  
4 the joint powers agreement. Grants may be made by the  
5 council to purchase, renovate or enhance a building or  
6 facility formerly owned by a school district and located  
7 within the boundaries of the governmental entity applying  
8 for a grant under this article, subject to approved  
9 applications and rules of the council. Boundaries of the  
10 governmental entity for purposes of a joint powers board  
11 shall include the boundaries of each participating  
12 governmental agency in the joint powers agreement. In  
13 addition, grants may be made under this article to purchase  
14 an interest in or to fund a cooperative agreement with a  
15 school district to convert or otherwise continue operation  
16 of a facility which exceeds statewide building and facility  
17 adequacy standards established by the school facilities  
18 commission under W.S. 21-15-115. Nothing in this article  
19 prohibits an applicant from contracting with a community or  
20 state development agency for purposes of this article.

21

22 (c) Grants shall be used to finance not more than  
23 fifty percent (50%) of the cost of the total project  
24 related to any one (1) building or facility.

1

2 (d) In adopting rules to implement this section and  
3 reviewing grant applications, the council shall give  
4 priority to projects undertaken in conjunction with the  
5 school district facility planning process under W.S.  
6 21-15-116 which convert or otherwise continue the operation  
7 of school facilities to be excluded from a district's  
8 building inventory and such facilities are suitable for  
9 housing community events or for operation as public meeting  
10 facilities and public recreational and athletic facilities.  
11 In reviewing grant applications, the council shall also  
12 consider the ability of an applicant to fund remaining  
13 costs of the proposed project, including future facility  
14 maintenance costs.

15

16 (e) No grant shall be awarded under this article  
17 unless the applicant demonstrates to the council that upon  
18 receipt of the grant, all estimated project costs will be  
19 funded. In addition, no grant shall be awarded by the  
20 council unless the applicant demonstrates funds are or will  
21 be committed for facility maintenance over a period of not  
22 less than ten (10) years. The application shall identify  
23 the source of all funds to be used for the costs identified  
24 under this subsection.

1

2 (f) All completed applications to participate in the  
3 grant program established under this article which conform  
4 with the criteria established by this article and rules  
5 promulgated under this article and are submitted to the  
6 council in accordance with procedures prescribed by the  
7 council shall be considered by the council. The council  
8 shall approve or disapprove each application it considers  
9 in accordance with this article and rules of the council.

10

11 **Section 2.** W.S. 9-4-601(b) (i), (iv) (A), (B),  
12 (v) (intro) and (B) and 9-12-102(a) (vii) are amended to  
13 read:

14

15 **9-4-601. Distribution and use; funds, accounts,**  
16 **cities and towns benefited; exception for bonus payments.**

17

18 (b) The state treasurer shall ascertain and withhold  
19 all bonus payments received from the federal government  
20 attributable to coal, oil shale or geothermal leases of  
21 federal land within Wyoming and shall distribute it as  
22 follows:

23

1           (i) Fifty percent (50%), the first seven million  
2 five hundred thousand dollars (\$7,500,000.00) of which  
3 shall be distributed as follows, but for the fiscal years  
4 beginning ~~July 1, 2004 and~~ July 1, 2005 and ending June 30,  
5 2015 any amount in excess of seven million five hundred  
6 thousand dollars (\$7,500,000.00) shall be deposited in  
7 accordance with paragraph (v) of this subsection, and  
8 thereafter any amount in excess of seven million five  
9 hundred thousand dollars (\$7,500,000.00) per year shall be  
10 deposited into the school capital construction account  
11 established under W.S. 21-15-111(a)(i):

12

13           (iv) And:

14

15           (A) Ten percent (10%) but not to exceed one  
16 million six hundred thousand dollars (\$1,600,000.00) per  
17 year, to an earmarked revenue fund account which may be  
18 expended by the community college commission in accordance  
19 with and in addition to appropriations available under W.S.  
20 21-18-205(c). For the fiscal years beginning ~~July 1, 2004~~  
21 ~~and~~ July 1, 2005 and ending June 30, 2015, any amount in  
22 excess of one million six hundred thousand dollars  
23 (\$1,600,000.00) shall be deposited in accordance with  
24 paragraph (v) of this subsection. Thereafter any amount in

1 excess of one million six hundred thousand dollars  
2 (\$1,600,000.00) together with any unexpended revenues  
3 within the account at the end of any biennial budget period  
4 shall be credited to the school capital construction  
5 account established under W.S. 21-15-111(a) (i);

6  
7 (B) For the fiscal years beginning ~~July 1,~~  
8 ~~2004 and~~ July 1, 2005 and ending June 30, 2015, forty  
9 percent (40%) to be deposited in accordance with paragraph  
10 (v) of this subsection and thereafter to the school capital  
11 construction account established under W.S.  
12 21-15-111(a) (i).

13  
14 (v) For the fiscal years beginning ~~July 1, 2004~~  
15 ~~and~~ July 1, 2005 and ending June 30, 2015, after making the  
16 distributions provided for in paragraphs (i) and (iv) of  
17 this subsection the following amounts, as limited by and as  
18 reduced in accordance with this paragraph, shall be  
19 deposited in the ~~business ready community~~ public school  
20 facility conversion account established by W.S. ~~9-12-602~~  
21 9-12-801. The amounts specified shall be deposited to the  
22 ~~business ready community~~ public school facility conversion  
23 account in the fiscal year specified but only if as of July  
24 1 of the specified fiscal year, using the most recent

1 consensus revenue estimating group estimates, there is  
2 projected to be a positive balance in the school capital  
3 construction account as of June 30 of that fiscal year,  
4 after all appropriations from that account for the purposes  
5 specified in W.S. 21-15-111(a)(i), for that fiscal year are  
6 deducted. Amounts deposited to the ~~business ready community~~  
7 public school facility conversion account pursuant to this  
8 paragraph shall be ~~deposited as provided by W.S. 9-4-602.~~  
9 ~~These deposits shall be~~ reduced as necessary to maintain a  
10 projected positive balance in the school capital  
11 construction account after all appropriations from that  
12 account for the purposes specified in W.S. 21-15-111(a)(i),  
13 for the applicable fiscal year, are deducted. After the  
14 amounts are deposited in the ~~business ready community~~  
15 public school facility conversion account in accordance  
16 with this paragraph, any remaining amounts shall be  
17 deposited in the school capital construction account  
18 established under W.S. 21-15-111(a)(i):

19

20 (B) For ~~the each~~ fiscal year beginning with  
21 the fiscal year commencing July 1, 2005 through the fiscal  
22 year ending June 30, 2015 - ~~ten million dollars~~  
23 ~~(\$10,000,000.00)~~ five million dollars (\$5,000,000.00).

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