

## HOUSE BILL NO. HB0330

Wyoming community enhancement program.

Sponsored by: Representative(s) Berger, Hammons, Harvey,  
Iekel, Martin, Semlek, Wasserburger and  
Zwonitzer and Senator(s) Anderson, J.,  
Decaria, Job, Mockler, Ross, Schiffer and  
Sessions

## A BILL

for

1 AN ACT relating to a community enhancement program;  
2 creating a community enhancement program to promote  
3 economic development for cities, towns, counties and joint  
4 powers boards; authorizing grants for historic or cultural  
5 preservation and community enhancement projects; specifying  
6 eligibility criteria; establishing an account; providing  
7 appropriations; modifying the business ready community  
8 program; amending a definition; and providing for an  
9 effective date.

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

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

15

ARTICLE 8

1 COMMUNITY ENHANCEMENT PROGRAM

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3 9-12-801. Community enhancement program; purpose;  
4 creation; state objectives; administration by council;  
5 rulemaking authority; eligible projects; match requirement.

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7 (a) It is the purpose of this article to promote  
8 economic development at the city, town and county level in  
9 order to create additional economic health and a stronger  
10 state economy by enhancing the visibility and livability of  
11 Wyoming communities.

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13 (b) The council shall establish and administer a  
14 Wyoming community enhancement program as provided by this  
15 article. Any city, town or county may submit an  
16 application to the council for a grant under the program on  
17 forms prescribed by the council and subject to rules and  
18 regulations promulgated by the council. Grants may be  
19 applied for by a joint powers board with the approval of  
20 all participating agencies to the joint powers agreement.  
21 Grant funds may be used to contract with a school district,  
22 other local governmental entity or a not-for-profit  
23 community development corporation. Grants may be made by

1 the council for projects that meet one (1) or more of the  
2 following state objectives:

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4 (i) Historic preservation;

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6 (ii) Cultural preservation;

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8 (iii) Enhancements to places of social and  
9 physical activity.

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11 (c) Projects may consist of, but are not limited to,  
12 construction of new facilities, rehabilitation of existing  
13 facilities, including recreation facilities and convention  
14 centers, landscaping, acquisition of land or buildings,  
15 development of infrastructure serving a facility being  
16 constructed or rehabilitated with a grant awarded under  
17 this article and conversion of former school facilities to  
18 community centers.

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20 (d) To qualify for a grant under this article, an  
21 applicant shall demonstrate:

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23 (i) That the project is consistent with local  
24 economic and community development plans;

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2           (ii) That a business plan has been developed for  
3 the project;

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5           (iii) That all project costs will be fully  
6 funded upon receipt of the grant;

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8           (iv) That there will be funding for on-going  
9 operations and maintenance of the project for a period of  
10 at least three (3) years;

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12           (v) The project meets any other criteria  
13 developed by the council consistent with the purposes of  
14 this article.

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16           (e) Grants shall be used to finance not more than  
17 fifty percent (50%) of the total project cost. Grants for  
18 one (1) project may not exceed a maximum annual amount  
19 established by rule of the council. Multi-year projects  
20 may be awarded up to the maximum annual amount each year,  
21 for a period not to exceed three (3) years, as approved by  
22 the council. The application shall identify the source of  
23 all funds to be used for the project.

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1           **9-12-802. Community enhancement account.**

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3       There is created a separate account, which shall be  
4       referred to as the community enhancement account, to  
5       implement this article. Funds in the account are  
6       continuously appropriated to the Wyoming business council.  
7       Any unexpended or unobligated funds remaining in the  
8       account at the end of the biennium shall not lapse and  
9       shall not revert as provided in W.S. 9-4-207.

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11           **Section 2.** W.S. 9-12-102(a)(viii) and 9-12-601(b) are  
12       amended to read:

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14           **9-12-102. Definitions.**

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16           (a) As used in this act, the following terms have the  
17       following meanings, except where the context clearly  
18       indicates otherwise:

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20                       (viii) "This act" means W.S. 9-12-101 through  
21       ~~9-12-603~~ 9-12-802.

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23           **9-12-601. Wyoming business ready community program;**  
24       **purpose; creation; rulemaking.**

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(b) The council shall establish and administer a Wyoming business ready community program as provided by this article. Any city, town or county may submit an application to the council for a grant or loan under the program on forms prescribed by and subject to rules promulgated by the council. Grants or loans may be applied for by a joint powers board with the approval of all participating agencies to the joint powers agreement. Grants and loans may be made by the council for economic or educational development infrastructure projects, including the purchase of land, buildings, facilities, telecommunications infrastructure, rights of way, airports, sewer and water projects, roads, ~~landscaping, recreational and convention facilities~~ or other infrastructure determined by the council to be consistent with the purposes of this article. In adopting rules and making grants and loans under this article the council shall require all projects to be related to economic or educational development infrastructure, which shall not include rehabilitation or expansion of existing infrastructure unless the applicant demonstrates the rehabilitation or expansion is necessary to retain an existing business or to facilitate the relocation of a

1 business to the locality of the applicant. All grants,  
2 loans or cooperative agreements made under this article  
3 shall be referred by the council to the state loan and  
4 investment board for final approval or disapproval. The  
5 state loan and investment board may adopt rules as  
6 necessary to implement its duties under this article.

7  
8 **Section 3.**

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10 (a) There is appropriated thirty-five million dollars  
11 (\$35,000,000.00) from the general fund to the community  
12 enhancement account created in section 1 of this act to  
13 implement the purposes of this act.

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15 (b) There is appropriated from the general fund to  
16 the Wyoming business council for the fiscal year beginning  
17 July 1, 2005, two hundred fifty-two thousand three hundred  
18 fifty dollars (\$252,350.00) for personnel, information,  
19 marketing, research, consulting and other costs associated  
20 with implementing this act.

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22 **Section 4.** This act is effective July 1, 2005.

23  
24 (END)