

ORIGINAL SENATE
FILE NO. 0131

ENROLLED ACT NO. 100, SENATE

FIFTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING
2005 GENERAL SESSION

AN ACT relating to school facilities; requiring school facility commission review of school district land sales; imposing conditions; and providing for an effective date.

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

Section 1. W.S. 21-15-114(a) by creating a new paragraph (xiv) and by renumbering (xiv) as (xv) and 21-15-116(a)(intro) are amended to read:

21-15-114. Powers and duties; school facilities office created; director.

(a) The school facilities commission shall:

(xiv) Review any proposed sale of existing land owned by a district, which land is within the scope of the district's five (5) year facility plan, and the impact of the land disposition upon that plan. The commission may disapprove any plans submitted pursuant to this paragraph to protect the financial interests of the state if the plans are not otherwise in the public interest. If the commission determines land disposition adversely impacts the cost-effectiveness of the district's five (5) year plan, the revenues resulting from land disposition shall be considered by the commission in any future building or facility remedy for that district and notwithstanding paragraph (x) of this subsection, may at the direction of the commission to the department of education, be considered or counted under W.S. 21-13-310(a)(xiv) or (xv);

~~(xiv)~~ (xv) With prior consultation with the select committee on school facilities, promulgate necessary rules and regulations to administer and implement this act.

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21-15-116. School district facility plans; filing with commission; commission review; judicial review.

(a) Each school district shall, in accordance with rules and regulations of the commission, and with the assistance of professional facility planning expertise and a representative of the commission, develop long range comprehensive school building and facility plans for the district which address district wide building and facility needs over a five (5) year period. The plan shall be in a form and format specified by rule and regulation of the commission and shall identify building and facility needs in accordance with the statewide adequacy standards, actions to remediate building and facility inadequacies including construction, renovation and major building and facility repair and replacement expenditures, and any local enhancements to buildings and facilities beyond statewide adequacy standards. The plans shall include a response to each building and facility inadequacy identified by the needs assessment on a building-by-building, space-by-space basis. The plan shall also review and to the extent practical, identify nonconstruction alternatives to building and facility inadequacies such as building closure, modification of school boundaries, modification of school grade configurations and similar approaches. Demolition or use, lease or other methods of disposition of commission determined surplus buildings and facilities shall be incorporated as part of the district plan, including the disposition of any existing land owned by the district. The plan shall also specify identified alternative methods of building disposition, proposed allocation of costs incurred or revenues resulting from disposition and allocation of disposition revenues to offset any costs paid by the commission. In addition, district facility plans shall include:

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Section 2. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____
DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk