

ORIGINAL SENATE
FILE NO. 0126

ENROLLED ACT NO. 37, SENATE

FIFTY-NINTH LEGISLATURE OF THE STATE OF WYOMING
2007 GENERAL SESSION

AN ACT relating to the economic development; transferring the Wyoming main street program to the Wyoming business council as specified; eliminating the main street pilot program; requiring a report; modifying requirements of the program; transferring funds; transferring positions; and providing for an effective date.

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

Section 1. W.S. 9-12-905 is created to read:

9-12-905. Main street program.

(a) The council with advice from the board shall determine the number of municipalities to participate in the Wyoming main street program. The council shall select program participants that represent different geographical regions or populations. The council shall hold at least one (1) public hearing before making selections under this subsection.

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

(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;

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(iii) Local organizational and financial commitment to employ a 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.

Section 2. W.S. 11-45-101 as 9-12-901, 11-45-103 and 11-45-104 as 9-12-903 and 9-12-904 are amended and renumbered to read:

~~11-45-101~~ 9-12-901. **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 department experience in conducting the Wyoming main street program;~~

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

~~11-45-103~~ 9-12-903. **Duties of the board.**

(a) The board shall:

(i) Assist the ~~department~~council 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~~ no later than September 1 of each year. The report shall include findings and recommendations, including recommendations for future legislation.

~~11-45-104~~ 9-12-904. **Duties of the council.**

(a) The ~~department~~council 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.

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

(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~~ council 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;

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(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 ~~storefront renovations~~ building exterior improvements. The ~~department~~ council 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~~ council for purpose of this paragraph.

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

Section 3. W.S. 11-45-102 is renumbered as 9-12-902.

Section 4. W.S. 11-45-105 is repealed.

Section 5.

(a) It is the intention and direction of the legislature that:

(i) All duties of the department of agriculture with respect to the Wyoming main street program be transferred to the Wyoming business council. Effective July 1, 2007, all duties of the department of agriculture with respect to the Wyoming main street program not assumed by the Wyoming business council are terminated;

(ii) Any contract, agreement or obligation entered into or assumed by the department of agriculture with respect to the Wyoming main street program, if the execution or assumption was within the lawful powers of the

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department of agriculture, be assumed by the Wyoming business council;

(iii) Any rule adopted by the department of agriculture with respect to the Wyoming main street program remain in effect unaltered as rule of the Wyoming business council until amended or repealed by the Wyoming business council.

Section 6. There is transferred from the department of agriculture to the Wyoming business council any appropriated or unexpended funds not otherwise obligated and any other property, if any, exclusively dedicated to the Wyoming main street program.

Section 7. There is transferred one (1) full-time equivalent position and one (1) part-time equivalent position from the department of agriculture to the Wyoming business council for the purposes of administering the Wyoming main street program.

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Section 8. This act is effective July 1, 2007.

(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