

HOUSE BILL NO. HB0052

School facilities appropriations-3.

Sponsored by: Joint Appropriations Interim Committee

A BILL

for

1 AN ACT relating to school facility projects; providing
 2 appropriations for school facility projects for the
 3 biennial period July 1, 2016 through June 30, 2018;
 4 providing definitions; requiring reports; and providing for
 5 effective dates.

6

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

8

9 **Section 1.**

10

11 (a) This section shall consist of funds appropriated
 12 for the 2017-2018 biennial school capital construction
 13 appropriation.

14

15 (b) As used in this section:

16

1 (i) "Capacity" means building needs as measured
2 by criteria established by the school facilities commission
3 pursuant to W.S. 21-15-117(e);
4

5 (ii) "Condition needs index priority" means the
6 condition needs index priority used by the school
7 facilities commission in developing the remediation
8 schedule for the 2017-2018 biennial budget recommendation
9 in accordance with W.S. 21-15-117(a).
10

11 (c) The amounts appropriated from the school capital
12 construction account under this section are for the
13 biennial period commencing July 1, 2016 and ending June 30,
14 2018. As authorized under W.S. 21-15-119(a)(iii), the
15 school facilities commission shall submit a supplemental
16 budget request for the period beginning July 1, 2017 and
17 ending June 30, 2018, for any emergency or unanticipated
18 need, or for any refinement or modification of a project
19 funded under this section, subject to any constraints and
20 other requirements imposed by the governor under W.S.
21 9-2-1013.
22

1 (d) An estimated schedule for deploying projects
2 funded by amounts appropriated under this section and
3 projects funded by previous appropriations, as adopted by
4 the school facilities commission and as contained within
5 the 2017-2018 biennial budget submitted by the commission
6 under W.S. 21-15-119, shall be used by the school
7 facilities department in guiding expenditure of
8 appropriated funds. The estimated schedule developed under
9 this subsection shall be based upon information, processes,
10 events and expenditures and shall not be binding upon the
11 department or the commission.

12

13 (e) Amounts appropriated under this section and
14 previous appropriations shall not be construed to be an
15 entitlement or guaranteed amount and shall be expended by
16 the commission and department to ensure adequate, efficient
17 and cost effective school buildings and facilities in
18 accordance with W.S. 21-15-114(a)(vii).

19

20 (f) In addition to accounting requirements imposed
21 under W.S. 28-11-301(c)(iv), the school facilities
22 department shall report at least once each year, the
23 deployment of amounts to fund projects under this section

1 and previous appropriations in accordance with the
2 deployment schedule, depicting project progression and, if
3 applicable, the rationale for deviation from the estimated
4 schedule. The reports, as approved by the commission,
5 shall be submitted by the department to the select
6 committee on school facilities, the joint appropriations
7 committee and the governor.

8

9 (g) The following amounts are appropriated from the
10 school capital construction account to the school
11 facilities commission for the biennial period commencing
12 July 1, 2016 and ending June 30, 2018, for the specified
13 purposes:

14

15 (i) For design projects:

16

17 (A) Up to four million nine hundred eighty-
18 two thousand dollars (\$4,982,000.00), subject to the
19 prescribed maximum amounts:

20

1	Condition			
2	Needs			
3	Index	School		Maximum
4	Priority	District	Project	Amount
5				
6	Capacity	Campbell #1	High School	\$ 536,154*
7	Capacity	Teton #1	Elementary School	\$ 2,702,183*
8	5	Albany #1	Elementary School	\$ 477,190*
9	17	Laramie #1	Junior High	\$ 1,204,000*
10	332	Park #6	Elementary School	\$ <u>62,473</u>
11	Total			\$ 4,982,000

12

13 (B) Appropriations under subparagraph (A)

14 of this paragraph which are denoted with one (1) asterisk,

15 are supplemented by previous appropriations for that

16 specific design project, resulting in total design funding

17 for that project greater than the amount appropriated under

18 subparagraph (A) of this paragraph;

19

20 (C) The school facilities commission,

21 through the department, shall provide for a separate

22 accounting of those projects receiving supplemental

23 appropriations under subparagraph (A) of this paragraph,

1 and separately report expenditures of those amounts to the
 2 select committee on school facilities and to the joint
 3 appropriations committee, together with processes and
 4 mechanisms directed at reducing future project cost
 5 overages.

6

7 (ii) For capital construction projects:

8

9 (A) Up to ten million four hundred ninety-
 10 four thousand six hundred ninety-four dollars
 11 (\$10,494,694.00), subject to the prescribed maximum
 12 amounts:

13

14 Condition

15 Needs

16	Index	School		Maximum
17	Priority	District	Project	Amount
18				
19	Capacity	Campbell #1	High School	\$ 3,800,395*
20	Capacity	Laramie #1	Elementary School	\$ 2,214,953*
21	16	Big Horn #4	Elementary School	\$ 2,186,845*
22	Capacity	Big Horn #3	Modular lease	\$ 16,800
23	Capacity	Big Horn #3	Modular lease	\$ 16,800

1	Capacity	Carbon #1	Elementary School	\$ 657,581
2	Capacity	Sweetwater #2	Middle School	\$ 200,000**
3	77	Converse #1	Modular	\$ 334,176
4	93	Converse #1	Modular	\$ 334,176
5	100	Converse #1	Modular	\$ 334,176
6	332	Park #6	Elementary School	<u>\$ 398,792</u>
7	Total			\$10,494,694

8

9 (B) Appropriations under subparagraph (A)
10 of this paragraph which are denoted with one (1) asterisk,
11 are supplemented by previous appropriations for that
12 specific construction project, resulting in total
13 construction funding for that project greater than the
14 amount appropriated under subparagraph (A) of this
15 paragraph;

16

17 (C) The school facilities commission,
18 through the department, shall provide for a separate
19 accounting of those projects receiving supplemental
20 appropriations under subparagraph (A) of this paragraph,
21 and separately report expenditures of those amounts to the
22 select committee on school facilities and to the joint
23 appropriations committee, together with processes and

1 mechanisms directed at reducing future project cost
2 overages;

3
4 (D) In addition to the appropriation under
5 subparagraph (A) of this paragraph denoted with two (2)
6 asterisks, six million six hundred ninety-eight thousand
7 seven hundred ninety dollars (\$6,698,790.00) as contained
8 in 2014 Wyoming Session Laws, Chapter 82, Section
9 1(e)(iii)(B) for the construction of an elementary school
10 in Sweetwater County School District No. 2, is hereby
11 reappropriated for the purpose of addressing the elementary
12 school capacity issues as identified by the district and
13 the proposed reconfiguration of grade levels as approved by
14 the director of the school facilities department and the
15 state superintendent pursuant to W.S. 21-13-309(m)(vi). The
16 school facilities commission, through the department, shall
17 provide for a separate accounting of those projects
18 receiving funds under this paragraph, and separately report
19 expenditures of those amounts to the select committee on
20 school facilities and to the joint appropriations
21 committee. In the event the cost of construction of the
22 remedy or remedies identified under this subparagraph
23 exceed the total amount identified, no funds shall be

1 expended as appropriated under this subparagraph and shall
2 only be available for expenditure as specifically
3 authorized by the legislature.

4

5 (iii) For land acquisitions, including land
6 leases, up to six hundred fifty-four thousand six hundred
7 dollars (\$654,600.00) for land acquisitions approved by the
8 school facilities commission for the facility needs of
9 Laramie County School District No. 1 and Washakie County
10 School District No. 2;

11

12 (iv) For unanticipated costs associated with the
13 design and construction of projects funded under this
14 section, up to four hundred fifty-nine thousand one hundred
15 seventy-four dollars (\$459,174.00). The school facilities
16 commission, through the department, shall provide for a
17 separate accounting of those projects receiving
18 supplemental appropriations under this paragraph, and
19 separately report expenditures of those amounts to the
20 select committee on school facilities and to the joint
21 appropriations committee;

22

1 (v) In addition to the allowable expenditures
2 pursuant to law of amounts appropriated for major
3 maintenance expenses under 2016 SF 0001, Section 2, Section
4 027, a school district may expend up to ten percent (10%)
5 of the amount distributed under the major maintenance
6 program for the period commencing July 1, 2016 and ending
7 July 1, 2018 for safety and security building and facility
8 needs. No expenditure shall be made under this paragraph
9 without the approval of the director of the school
10 facilities department;

11

12 (vi) In addition to allowable expenditures
13 pursuant to W.S. 21-3-110(a)(x) for leases executed by
14 school districts, for the purposes of charter school
15 leases, up to four hundred thousand dollars (\$400,000.00)
16 is appropriated to the school facilities department, to
17 distribute to each school district with a charter school in
18 the district, approved and operating during the 2014-2015
19 school year in accordance with W.S. 21-3-301 through
20 21-3-314, which requires a lease for the operation of the
21 charter school's educational program in the applicable
22 school year. The amounts to be distributed under this
23 paragraph shall be reduced to the extent the amounts are

1 duplicative of any costs funded or paid for by alternative
2 mechanisms. The funds appropriated under this paragraph
3 shall be distributed for expenses incurred during school
4 year 2016-2017 to qualifying school districts based upon
5 the proration of the total qualifying costs of all
6 qualifying school districts.

7

8 **Section 2.** In addition to the amounts appropriated
9 under Section 1 of this act, eighty million dollars
10 (\$80,000,000.00) is appropriated from the legislative
11 stabilization reserve account to the school facilities
12 commission. This appropriation shall be for the period
13 beginning July 1, 2017 and ending June 30, 2018. This
14 appropriation shall only be available for expenditure as
15 specifically authorized by the legislature. As required
16 under W.S. 21-15-119(a), and not later than September 1,
17 2016, the school facilities commission shall report
18 proposed expenditures of the amounts appropriated under
19 this section, along with a prioritized list of projects
20 pursuant to W.S. 21-15-117 and the results of the condition
21 needs assessment to be conducted over the 2016 interim by
22 the school facilities department, to the select committee
23 on school facilities and the joint appropriations

1 committee.

2

3 **Section 3.**

4

5 (a) Except as provided under subsection (b) of this
6 section, this act is effective July 1, 2016.

7

8 (b) Section 2 of this act is effective immediately
9 upon completion of all acts necessary for a bill to become
10 law as provided by Article 4, Section 8 of the Wyoming
11 Constitution.

12

13

(END)