

ENROLLED ACT NO. 44, SENATE

SIXTY-SECOND LEGISLATURE OF THE STATE OF WYOMING
2013 GENERAL SESSION

AN ACT relating to school facilities projects; providing appropriations for school facility projects for the remainder of the biennial period commencing July 1, 2012; providing definitions; modifying construction schedule parameters; and providing for effective dates.

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

Section 1.

(a) As used in this section:

(i) "Needs index priority" means the needs index priority used by the school facilities commission in developing 2013 supplemental budget recommendation for the fiscal year beginning July 1, 2013, and ending June 30, 2014;

(ii) "Previous" means continuation of projects prioritized by needs indices in effect prior to the index developed for the 2013 supplemental budget recommendation for the fiscal year beginning July 1, 2013, and ending June 30, 2014.

(b) The following amounts are appropriated from the school capital construction account to the school facilities commission for the remainder of the fiscal biennium beginning July 1, 2012, and ending June 30, 2014, for the specified purposes:

(i) For design projects:

(A) Up to four million nineteen thousand forty-one dollars (\$4,019,041.00) subject to the prescribed maximum amounts:

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Needs Index Priority	School District	Project	Maximum Amount
Previous (7)	Carbon #1	High School	\$ 303,488*
Previous (57)	Park #1	Middle School	\$ 110,945*
Previous 3	Fremont #21 Natrona #1	K-8 School Elementary School	\$ 2,406,464* \$ 616,308*
9	Goshen #1	Elementary School	\$ 406,316*
Phased	Big Horn #2	High School	\$ 175,520*
Total			\$ 4,019,041

(B) Appropriations under subparagraph (A) of this paragraph which are asterisked (*), are supplemented by previous appropriations for that specific design project, resulting in total design funding for that project greater than the amount appropriated under this subparagraph.

(ii) Notwithstanding the introductory provision of this subsection, for the period commencing July 1, 2013, and ending June 30, 2014, for capital construction projects:

(A) Up to one hundred seventy million nine hundred eighty-six thousand four hundred eighty-one dollars (\$170,986,481.00) subject to following maximum amounts:

Needs Index Priority	School District	Project	Maximum Amount
Previous (57)	Park #1	Middle School	\$20,829,927*
Previous (7)	Carbon #1	High School	\$ 2,023,250*
Previous	Fremont #21	K-8 School	\$10,629,235*

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3	Natrona #1	Elementary	\$ 7,178,085*
9	Goshen #1	Elementary	\$ 6,267,812
13	Albany #1	High School	\$62,793,354
16	Uinta #1	Elementary School	\$17,739,919
17	Fremont #14	Elementary School	\$15,214,785
21	Laramie #1	Junior High School	\$ 4,000,000
25	Natrona #1	Alternative High School	\$16,318,523
Phased	Big Horn #2	High School	\$ 4,218,261
Phased	Campbell #1	Elementary School	<u>\$ 3,773,330</u>
Total			\$170,986,481

(B) Appropriations under subparagraph (A) of this paragraph which are asterisked (*), are supplemented by previous appropriations for that specific construction project, resulting in total construction funding for that project greater than the amount appropriated under this subparagraph.

(iii) Up to two million four hundred thirty-two thousand nine hundred forty-two dollars (\$2,432,942.00) for the following demolition projects subject to prescribed maximum amounts:

Needs Index Priority	School District	Project	Maximum Amount
N/A	Natrona #1	Admin Bldg	\$ 50,000
N/A	Washakie #1	Demolition	\$ 150,000
N/A	Park #1	High School Design/Demolition	<u>\$2,232,942</u>
Total			\$2,432,942

(iv) Up to two million nine hundred fifty thousand dollars (\$2,950,000.00) for land acquisitions approved by the school facilities commission. Prior to

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expenditure of this appropriation, the school facilities department shall report proposed acquisitions to the cochairmen of the joint appropriations committee and the select school facilities committee. Expenditures under this paragraph shall at minimum address the land acquisition needs for a future 6-12 school building in Big Horn School District No. 4 and future elementary school buildings in Campbell County School District No. 1, Fremont County School District No. 25 and Sheridan County School District No. 2;

(v) Up to six million six hundred fifty-six thousand twenty dollars (\$6,656,020.00) for the following ancillary building projects, subject to the prescribed maximum amounts:

Needs Index Priority	School District	Project	Maximum Amount
N/A	Lincoln #2	Admin Building	\$3,182,251
N/A	Carbon #1	Bus Barn	<u>\$3,473,769</u>
Total			\$6,656,020

(vi) Up to one million five hundred fifty-one thousand two hundred sixty dollars (\$1,551,260.00) for the following track construction projects, subject to the prescribed maximum amounts:

Needs Index Priority	School District	Project	Maximum Amount
N/A	Johnson #1	Renovation of High School Track	\$ 50,619
N/A	Lincoln #1	Study of Track	

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N/A	Laramie #2	Remedy Renovation of High School Sports Field and Track	\$ 25,000 <u>\$1,475,641</u>
Total			<u>\$1,551,260</u>

(vii) For component level projects:

(A) Up to four million five hundred ninety-seven thousand three hundred dollars (\$4,597,300.00), subject to the following maximum amounts:

Component Projects Category	School District	Project	Maximum Amount
e.	Platte #2	Elementary/ High School	\$ 150,000
s.	Carbon #1	K-12 School	\$ 500,000
e.	Campbell #1	Elementary School	\$ 460,000
e.	Platte #2	Ancillary Building	\$ 15,000
s.	Campbell #1	Elementary School	\$ 92,000
s.	Goshen #1	High School	\$ 650,000
s., i.	Platte #1	Elementary School	\$ 450,000
s.	Campbell #1	7-12 School	\$ 150,000
s.	Fremont #25	K-3 School	\$ 156,800
s.	Fremont #25	4-5 School	\$ 96,000
c.	Campbell #1	Elementary School	\$ 200,000
c.	Campbell #1	Elementary School	\$ 241,500
c.	Campbell #1	Elementary School	\$ 126,500
s.	Campbell #1	Elementary School	\$ 632,500
c.	Campbell #1	Elementary School	\$ 92,000
s.	Campbell #1	7-12 School	\$ 135,000
s.	Laramie #2	Elementary School	\$ 65,000
c.	Weston #1	Bus Barn	<u>\$ 385,000</u>
Total			<u>\$4,597,300</u>

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(B) As used in subparagraph (A) of this paragraph, the following component project categories are defined as follows:

(I) "c." means a building component with a life expectancy of twenty (20) years or more;

(II) "e." means the building envelope or protective shell;

(III) "i." means illumination building components;

(IV) "s." means components pertaining to building safety, security or health.

(viii) Up to six million two hundred forty-two thousand nine hundred fifteen dollars (\$6,242,915.00) for unanticipated costs associated with design, construction and component level projects funded under this subsection;

(ix) Ten million dollars (\$10,000,000.00) for planning and design remedies to address school building capacity needs as identified by the school facilities commission and reported to the select committee on school facilities and the joint appropriations committee by March 31, 2013.

(c) From amounts appropriated by 2012 Wyoming Session Laws, Chapter 16, Section 1(d), five hundred seventeen thousand three hundred thirty-four dollars (\$517,334.00) shall be paid by the school facilities department to Natrona county school district no. 1 for reimbursement of amounts expended for the acquisition and demolition of

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properties involved in a high school renovation project site.

Section 2. 2012 Wyoming Session Laws, Chapter 16, Section 1(c)(viii)(E) and (d) is amended to read:

(c) The following amounts are appropriated from the school capital construction account to the school facilities commission for the 2013-2014 biennium for the specified purposes:

(viii) For capital construction projects:

(E) In expending funds for capital construction projects appropriated under this paragraph—2012 Wyoming Session Laws, Chapter 16, Section 1(c)(viii), for capital construction projects funded under the 2013 supplemental appropriation and for capital construction projects funded under prior biennial appropriations which are expended on and after the effective date of this act, the director of the department, in consultation with the governor, shall develop a construction schedule in consideration of parameters established by this subparagraph. These parameters are not intended to be quantifiable. The parameters are to be established for use in efficiently administering available resources and in scheduling capital construction projects in a manner maximizing taxpayer's value in deploying resources. Any decision rendered by the director under this subparagraph is a discretionary determination not subject to judicial review; a school district's only relief is to the Wyoming

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legislature. The construction schedule developed in accordance with this subparagraph shall consider parameters that:

(I) ~~Maximizes~~ Maximize cost savings at or below project ~~budget~~ amounts ~~specified under this paragraph~~ appropriated by law;

(II) ~~Optimizes~~ Optimize Wyoming workforce opportunities at a predictable and manageable level;

(III) ~~Provides~~ Provide for construction throughout the state in a manner as uniform as is possible; and

(IV) ~~Prevents~~ Prevent unnecessary delays in initiating and implementing building and facility remedies.

(d) ~~Effective July 1, 2013,~~ Up to one hundred nineteen million two hundred thirty-eight thousand three hundred eight dollars (\$119,238,308.00) is appropriated from the school capital construction account to the school facilities commission for the high school construction and renovation project addressing needs index priority 19 in Natrona county school district no. 1.

Section 3. An amount is appropriated from the permanent land fund holding account created by 2012 Wyoming Session Laws, Chapter 16, Section 1(j)(iv), as necessary to ensure a positive balance is maintained within the school capital construction account as of June 30, 2014.

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Section 4. 2012 Wyoming Session Laws, Chapter 16, Section 2(c) is repealed.

Section 5.

(a) Except as provided in subsection (b) of this section, 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.

(b) Notwithstanding subsection (a) of this section, section 1(b)(ii) of this act is effective July 1, 2013.

(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