

ENROLLED ACT NO. 12, HOUSE OF REPRESENTATIVES

SIXTY-THIRD LEGISLATURE OF THE STATE OF WYOMING
2016 BUDGET SESSION

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

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

Section 1.

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

(b) As used in this section:

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

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

(c) The amounts appropriated from the school capital construction account under this section are for the biennial period commencing July 1, 2016 and ending June 30, 2018. As authorized under W.S. 21-15-119(a)(iii), the school facilities commission shall submit a supplemental budget request for the period beginning July 1, 2017 and ending June 30, 2018, for any emergency or unanticipated need, or for any refinement or modification of a project funded under this section, subject to any constraints and

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other requirements imposed by the governor under W.S. 9-2-1013.

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

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

(f) In addition to accounting requirements imposed under W.S. 28-11-301(c)(iv), the school facilities department shall report at least once each year, the deployment of amounts to fund projects under this section and previous appropriations in accordance with the deployment schedule, depicting project progression and, if applicable, the rationale for deviation from the estimated schedule. The reports, as approved by the commission, shall be submitted by the department to the select committee on school facilities, the joint appropriations committee and the governor.

(g) The following amounts are appropriated from the

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school capital construction account to the school facilities commission for the biennial period commencing July 1, 2016 and ending June 30, 2018, for the specified purposes:

(i) For design projects:

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

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

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

(C) The school facilities commission, through the department, shall provide for a separate accounting of those projects receiving supplemental appropriations under subparagraph (A) of this paragraph,

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

(ii) For capital construction projects:

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

Condition
Needs

Index Priority	School District	Project	Maximum Amount
Capacity	Campbell #1	High School	\$ 3,800,395*
Capacity	Laramie #1	Elementary School	\$ 2,214,953*
16	Big Horn #4	Elementary School	\$ 2,186,845*
Capacity	Big Horn #3	Modular lease	\$ 16,800
Capacity	Big Horn #3	Modular lease	\$ 16,800
Capacity	Carbon #1	Elementary School	\$ 657,581
Capacity	Sweetwater #2	Middle School	\$ 200,000**
77	Converse #1	Modular	\$ 334,176
93	Converse #1	Modular	\$ 334,176
100	Converse #1	Modular	\$ 334,176
332	Park #6	Elementary School	\$ 398,792
Total			\$10,494,694

(B) Appropriations under subparagraph (A) of this paragraph which are denoted with one (1) asterisk, are supplemented by previous appropriations for that specific construction project, resulting in total

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construction funding for that project greater than the amount appropriated under subparagraph (A) of this paragraph;

(C) The school facilities commission, through the department, shall provide for a separate accounting of those projects receiving supplemental appropriations under subparagraph (A) of this paragraph, and separately report expenditures of those amounts to the select committee on school facilities and to the joint appropriations committee, together with processes and mechanisms directed at reducing future project cost overages;

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

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only be available for expenditure as specifically authorized by the legislature.

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

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

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

(vi) In addition to allowable expenditures pursuant to W.S. 21-3-110(a)(x) for leases executed by school districts, for the purposes of charter school

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leases, up to four hundred thousand dollars (\$400,000.00) is appropriated to the school facilities department, to distribute to each school district with a charter school in the district, approved and operating during the 2014-2015 school year in accordance with W.S. 21-3-301 through 21-3-314, which requires a lease for the operation of the charter school's educational program in the applicable school year. The amounts to be distributed under this paragraph shall be reduced to the extent the amounts are duplicative of any costs funded or paid for by alternative mechanisms. The funds appropriated under this paragraph shall be distributed for expenses incurred during school year 2016-2017 to qualifying school districts based upon the proration of the total qualifying costs of all qualifying school districts.

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

ORIGINAL HOUSE
BILL NO. HB0052

ENGROSSED

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Section 3. This act is effective July 1, 2016.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk