

HOUSE BILL NO. HB0293

UW student housing.

Sponsored by: Representative(s) Harshman, MacGuire, Nicholas
and Sommers and Senator(s) Kost, Moniz,
Perkins and Rothfuss

A BILL

for

1 AN ACT relating to the University of Wyoming; providing for
2 phase 1 and phase 2 of the University of Wyoming student
3 housing project; providing for project parameters and
4 requirements; amending the university supplemental bond
5 program; providing legislative findings; providing a loan to
6 defease existing outstanding University of Wyoming bonds and
7 other initial costs of construction; creating an account;
8 providing an appropriation to the state loan and investment
9 board for grants to the city of Laramie for traffic flow
10 enhancements to mitigate project impacts; providing an
11 appropriation for legislative members of the task force;
12 redirecting federal mineral royalties and requiring a
13 corresponding reduction in the university standard budget
14 request; continuing and providing additional duties to the
15 University of Wyoming task force on housing; modifying

1 membership of the task force; removing a moratorium on
2 construction and construction related activities at the
3 University of Wyoming; and providing for an effective date.

4

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

6

7 **Section 1.**

8

9 (a) The legislature of the state of Wyoming finds that:

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11 (i) As the only university in the state, the
12 University of Wyoming is the cornerstone of higher education
13 in Wyoming, a primary driver of economic development and
14 diversification in Wyoming and critical for the retention of
15 Wyoming youth within the state and the recruitment of talented
16 young people from the region, the nation and the world;

17

18 (ii) Critical to the success of the University of
19 Wyoming's mission is appropriate, functional and attractive
20 student housing;

21

22 (iii) The legislature, the citizens of Wyoming and
23 alumni and friends of the University of Wyoming have invested

1 hundreds of millions of dollars in capital construction and
2 renovations at the University of Wyoming. The benefits of
3 these improvements can only be fully realized if students are
4 provided a student life environment on campus which keeps
5 pace with the academic and athletic facilities at the
6 University of Wyoming;

7

8 (iv) Given that the current housing is dilapidated
9 and more than fifty (50) years old, it is the one fundamental
10 element of the university that now poses the greatest threat
11 to the future growth of the university;

12

13 (v) Given the charge in Article 7, Section 16 of
14 the Wyoming Constitution that instruction at the University
15 of Wyoming be "as nearly free as possible", it is in the
16 interest of the state to provide financial support to the
17 University of Wyoming to develop and construct student
18 housing to enhance the core functions of the university.

19

20 **Section 2.** W.S. 9-4-601(d)(iv) and by creating a new
21 paragraph (ix) and 9-4-1003(a) and (b)(intro) are amended to
22 read:

23

1 **9-4-601. Distribution and use; funds, accounts, cities**
2 **and towns benefited; exception for bonus payments.**

3
4 (d) Except as provided in subsection (k) of this
5 section, any revenue received under subsection (a) of this
6 section in excess of two hundred million dollars
7 (\$200,000,000.00) shall be distributed as follows:

8
9 (iv) Subject to ~~paragraph~~~~paragraphs~~ (vii) and
10 (ix) of this subsection, two-thirds (2/3) to the budget
11 reserve account;

12
13 (ix) For the period beginning July 1, 2019 and
14 ending June 30, 2049, from the amounts that would otherwise
15 be distributed to the budget reserve account under paragraph
16 (iv) of this subsection, the first eight million dollars
17 (\$8,000,000.00) shall be distributed to a separate account
18 for the University of Wyoming. These funds are continuously
19 appropriated to the university upon deposit to the account.
20 The University of Wyoming shall reduce its standard budget
21 request for the 2021-2022 biennium by an amount equal to the
22 maximum amount of funds authorized to be deposited under this
23 paragraph. The University of Wyoming shall acknowledge this

1 reduction of its 2021-2022 budget request pursuant to this
2 paragraph in each standard budget request submitted to the
3 governor's office through June 30, 2049.

4

5 **9-4-1003. Supplemental coverage program for university**
6 **revenue bonds.**

7

8 (a) The state loan and investment board shall
9 administer a university revenue bond supplemental coverage
10 program in accordance with this section and may promulgate
11 rules to implement it. This program applies to bonds issued
12 by the University of Wyoming under W.S. 21-17-402 through
13 21-17-450. ~~on or before November 1, 2015, only.~~ The program
14 is intended to benefit the university by providing
15 supplemental coverage for payment of bonded indebtedness of
16 the university thereby reducing the interest rate at which
17 the bonds may be issued.

18

19 (b) If the university seeks supplemental coverage for
20 its revenue bonds under this program, the university shall
21 apply to the board on forms prescribed by the board following
22 legislative authorization of the university to issue revenue
23 bonds. In no case shall the board approve supplemental

1 coverage for bonds if the sale of the bonds would reduce the
2 ratio of university pledged revenue that is available for
3 debt servicing to the cost of interest and principal payments
4 to a level of less than ~~two and five tenths (2.5)~~ one (1) to
5 one (1). The board shall review the application and determine
6 whether to approve the application based upon:

7

8 **Section 3.**

9

10 (a) There is created the University of Wyoming student
11 housing project. The project shall be completed in phases,
12 as follows:

13

14 (i) Phase 1 of the project shall be intended to
15 replace existing dormitory rooms on the University of Wyoming
16 Laramie campus. Phase 1 of the student housing project shall:

17

18 (A) Provide housing for approximately two
19 thousand (2,000) students. Dormitory buildings shall be
20 constructed to accommodate between three hundred (300) and
21 six hundred (600) students each and shall not exceed six (6)
22 stories of above grade, usable, occupiable space. The
23 dormitory buildings may include classroom space, retail space

1 and all necessary student services recommended by the task
2 force on University of Wyoming housing and approved by the
3 trustees;

4

5 (B) The dormitory buildings and supporting
6 dining services and other student life facilities shall be
7 constructed on the University of Wyoming campus within the
8 following bounded areas: beginning at the southeast corner of
9 the Wyoming Union, thence northeast to the southeast corner
10 of Half Acre Gymnasium, thence north to the east side of
11 McWinnie Hall, following the east side of McWinnie Hall to
12 the southeast corner of the parking lot north of McWinnie
13 Hall, thence west along said south edge of the parking lot to
14 the west edge of the parking lot, thence north along the west
15 edge of the parking lot to the south boundary of Lewis Street,
16 thence west to the intersection of Lewis Street and 13th
17 Street, thence north along 13th Street to Bradley Street,
18 thence east along Bradley Street to the east side of 15th
19 Street, thence south to Sorority Row, thence west to the point
20 of beginning; and the block bounded by Grand Avenue, 14th
21 Street, Ivinson Avenue and 15th Street. Dining services shall
22 be provided within the new dormitory buildings, a new dining
23 facility, and in a renovated Wyoming Union extending to the

1 east of that building as determined by the trustees. The
2 area east of the Wyoming Union shall be a common space that
3 accentuates the history, climate and outdoor nature of
4 Wyoming;

5

6 (C) Support structures for the student
7 housing project and the university, including, but not
8 limited to, parking garages, campus security and utility
9 stations shall be located north of Lewis Street and south of
10 Flint Street as determined by the trustees. Additional
11 parking garages included in the project may be located on the
12 south side of campus as determined by the trustees. Parking
13 added during the project shall result in a net increase in
14 parking spaces available for use by the university community;

15

16 (D) Phase 1 shall include appropriate
17 landscaping and other outdoor amenities to enhance the
18 student living environment, including outdoor recreational
19 activities for students to engage in throughout the entire
20 calendar year;

21

22 (E) In addition, all buildings constructed or
23 renovated in phase 1 shall be constructed in accordance with

1 the report of the task force on University of Wyoming housing
2 submitted on November 1, 2018 to the University of Wyoming
3 board of trustees, the management council and the joint
4 appropriations committee. The report is on file with the
5 legislative service office.

6

7 (ii) Phase 2 of the project shall include
8 demolition and renovation of specified buildings and sites
9 within the existing student housing complex north of Grand
10 Avenue, east of 15th Street, west of 19th Street and south of
11 King Row (Ivinson Avenue). All existing buildings in this
12 specified area shall be demolished or otherwise no longer
13 used for student housing when dormitories in phase 1 are ready
14 for occupancy if recommended by the task force and approved
15 by the board of trustees. The task force may recommend, and
16 the board of trustees may determine that some existing
17 buildings in this area be retained, renovated and repurposed
18 to be used as classroom space, office space, reduced dining
19 facility services and student housing alternatives to student
20 housing completed in phase 1 of the project.

21

22 (b) All student housing constructed during the project
23 shall:

1

2 (i) Strive to create, enhance and sustain living
3 and learning communities on the University of Wyoming campus.
4 The student housing should achieve these goals by providing
5 the appropriate percentage of room types, living spaces and
6 communities, with flexibility for fit and varying price
7 points;

8

9 (ii) Conform to the board of trustees' historic
10 preservation plan, be recommended by the task force on
11 University of Wyoming student housing, be reviewed by the
12 board of trustees' exterior design committee and be approved
13 by the full board of trustees;

14

15 (iii) Include the planning and construction of all
16 necessary components for the new student housing, including:

17

18 (A) Construction of appropriate dining
19 facilities to support the new housing and the overall mission
20 of the university;

21

22 (B) Demolition or renovation of existing
23 student housing;

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2

(C) Adequate and appropriate parking;

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(D) Adequate and appropriate infrastructure;

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(E) A traffic plan focusing primarily on pedestrian traffic first and with secondary provisions for emergency vehicle and delivery traffic to accommodate the project.

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(iv) Be built in a construction method consistent with an expected useful life span that is appropriate for the mission of the student housing and is similar to the useful life expectancy of the campus buildings in proximity to the new student housing on the university campus.

Section 4. There is created the University of Wyoming student housing account. Funds from the account shall be expended for the University of Wyoming student housing project as provided in this act. The treasurer shall disburse funds from the account upon request of the University of Wyoming board of trustees. Funds in the account appropriated under Section 7 of this act may only be expended by the

1 trustees of the university for the payment of principal and
2 interest on any outstanding securities issued by the
3 university as of March 1, 2019 and for other initial costs of
4 construction for phase 1 and phase 2 of the student housing
5 project. Funds in the account shall be invested by the state
6 treasurer's office. Notwithstanding W.S. 9-2-1008 and
7 9-4-207, any earnings from the account shall be credited to
8 the legislative stabilization reserve account. The University
9 of Wyoming shall repay on a twenty (20) year accrual schedule
10 all funds expended by the university from the account at an
11 annually adjusted interest rate of one-quarter of one percent
12 (.25%) higher than the return received by the state in the
13 immediately preceding fiscal year on the portion of the
14 legislative stabilization reserve account that is not
15 invested in equities. The interest rate shall be capped at a
16 maximum rate of four and one-half percent (4.5%) per annum.
17 All interest and principal payments made by the university in
18 repayment of monies expended from the account shall be
19 credited to the legislative stabilization reserve account.
20 The University of Wyoming board of trustees may dedicate any
21 available funds to repay funds expended from this account.
22 Repayment of funds under this section shall commence on July
23 1 of the year following the year in which the funds were

1 expended. Notwithstanding any other provision of law, all
2 unobligated and unencumbered funds in the account on June 30,
3 2029 shall revert to the legislative stabilization reserve
4 account.

5

6 **Section 5.** 2018 Wyoming Session Laws Chapter 136,
7 Section 13(a), (g) and by creating a new subsection (j) is
8 amended to read:

9

10 [TASK FORCE ON UNIVERSITY OF WYOMING HOUSING]

11

12 **Section 13.**

13

14 (a) There is created a task force on
15 University of Wyoming housing comprised of the
16 following members, appointed not later than March
17 31, 2018:

18

19 (i) Two (2) members of the senate,
20 appointed by the president of the senate;

21

1 (ii) Two (2) members of the house of
2 representatives, appointed by the speaker of the
3 house;

4
5 ~~(iii) One (1) employee or elected~~
6 ~~official of the executive branch appointed by the~~
7 ~~governor to serve as his designee;~~

8
9 ~~(iv) One (1) member appointed by the~~
10 ~~treasurer who shall be informed of state funding~~
11 ~~options, state investment goals and public purpose~~
12 ~~investments;~~

13
14 (v) Two (2) members of the board of
15 trustees of the University of Wyoming appointed by
16 the University of Wyoming board of trustees;

17
18 (vi) ~~One (1) member~~ Two (2) members
19 appointed by the president of the University of
20 Wyoming;

21

1 ~~(v)[(vii)] One (1) member appointed by~~
2 ~~the governor with experience in providing large~~
3 ~~scale private student housing in Laramie;~~

4
5 ~~(vi)[(viii)] One (1) member appointed~~
6 ~~by the governor from the University of Wyoming~~
7 ~~foundation with experience in public and private~~
8 ~~finance.~~

9
10 (g) Members of the task force who are
11 government employees or public officials shall be
12 considered on official business of their agency or
13 of the legislature when performing duties as
14 members of the task force. There is appropriated
15 sixteen thousand dollars (\$16,000.00) from the
16 general fund to the legislative service office.
17 ~~This appropriation shall be for the period~~
18 ~~beginning with the effective date of this section~~
19 ~~and ending June 30, 2019.~~ This appropriation shall
20 only be expended for the purpose of funding salary,
21 mileage and per diem of legislative members of the
22 task force for attendance at meetings of the task
23 force. ~~Notwithstanding any other provision of law,~~

1 ~~this appropriation shall not be transferred or~~
2 ~~expended for any other purpose and any unexpended,~~
3 ~~unobligated funds remaining from this appropriation~~
4 ~~shall revert as provided by law on June 30, 2019.~~

5

6 (j) After March 1, 2019 the task force shall:

7

8 (i) Serve in an advisory role and
9 provide recommendations to the University of
10 Wyoming board of trustees for the development,
11 planning and construction of phase 1 and phase 2 of
12 the student housing project;

13

14 (ii) While serving in an advisory role,
15 the task force shall:

16

17 (A) Receive and, when necessary,
18 request information from the University of Wyoming
19 facilities construction management department,
20 student affairs office and other relevant and
21 necessary university personnel to stay informed on
22 all aspects of the student housing project;

23

1 (B) Closely monitor the
2 procurement of professional services and progress
3 on the planning and design of the student housing
4 project;

5
6 (C) When necessary or prudent,
7 make recommendations to the University of Wyoming
8 board of trustees and the University of Wyoming
9 administration regarding any aspect of the student
10 housing project;

11
12 (D) Provide interim reports on the
13 activities of the task force to the joint education
14 interim committee not later than October 1 of each
15 year that the task force is in existence;

16
17 (E) Include in each interim report
18 any recommendations for legislative action that
19 should be considered during the legislative session
20 immediately following the report as necessary to
21 continue, complete or modify any aspect of the
22 student housing project.

23

1 **Section 6.** 2018 Wyoming Session Laws Chapter 136,
2 Section 13(f) and (h) is repealed.

3

4 **Section 7.**

5

6 (a) There is appropriated eighty-eight million dollars
7 (\$88,000,000.00) from the legislative stabilization reserve
8 account to the University of Wyoming student housing account
9 created by this act. Funds from this appropriation may only
10 be expended by the trustees of the university for the payment
11 of principal and interest on any outstanding securities
12 issued by the university before March 1, 2019 and for other
13 initial costs of construction for phase 1 and phase 2 of the
14 student housing project.

15

16 (b) There is appropriated three million five hundred
17 thousand dollars (\$3,500,000.00) from the general fund to the
18 state loan and investment board to provide grants to the city
19 of Laramie to improve traffic efficiency on 9th Street between
20 Ivinson Avenue and Flint Street and 22nd Street between Grand
21 Avenue and Willett Drive to mitigate any potential impacts
22 created by the restricted access to 15th Street from Ivinson
23 Avenue to Lewis Street necessitated by the construction and

1 implementation of the University of Wyoming student housing
2 project. Funds shall be released under this section by the
3 state loan and investment board to the city of Laramie upon
4 submittal of a proposal and cost estimates by the city for
5 traffic efficiency improvements under this subsection.

6

7 (c) There is appropriated forty-four thousand
8 (\$44,000.00) from the general fund to the legislative service
9 office for payment of salary, per diem and mileage for the
10 legislative members of the University of Wyoming student
11 housing task force. Notwithstanding any other provision of
12 law, funds in this account shall revert on June 30, 2020.

13

14 **Section 8.** The University of Wyoming shall reduce its
15 standard budget request for the 2021-2022 biennium by an
16 amount equal to the maximum amount of funds authorized to be
17 deposited to the account for the University of Wyoming under
18 W.S. 9-4-601(d)(ix) during the biennium.

19

1 **Section 9.** This act is effective immediately upon
2 completion of all acts necessary for a bill to become law as
3 provided by Article 4, Section 8 of the Wyoming Constitution.

4

5

(END)