

HOUSE BILL NO. HB0264

Business ready communities.

Sponsored by: Representative(s) Parady, Anderson, R.,
Boswell, Illoway, Luthi and Walsh

A BILL

for

1 AN ACT relating to administration of government;
2 establishing a program to provide funding for cities,
3 towns, counties and joint powers boards for infrastructure
4 development; establishing an account for the program;
5 providing funding for the program; providing for
6 administration; providing for a continuous appropriation
7 and making other appropriations; and providing for an
8 effective date.

9

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

11

12 **Section 1.** W.S. 9-12-601 through 9-12-603 are created
13 to read:

14

15

ARTICLE 6

16

COMMUNITY INFRASTRUCTURE PROGRAM

1

2 **9-12-601. Wyoming business ready community program;**
3 **purpose; creation; rulemaking.**

4

5 (a) It is the purpose of this article to promote
6 economic development at the city, town and county level in
7 order to create additional economic health and a stronger
8 state economy.

9

10 (b) The council shall establish and administer a
11 Wyoming business ready community program as provided by
12 this article. Any city, town or county may submit an
13 application to the council for a grant or loan under the
14 program on forms prescribed by and subject to rules
15 promulgated by the council. Grants or loans may be applied
16 for by a joint powers board with the approval of all
17 participating agencies to the joint powers agreement.
18 Grants and loans may be made by the council for economic
19 development infrastructure projects, including the purchase
20 of land, telecommunications infrastructure, rights of way,
21 airports, sewer and water projects, roads, or other
22 infrastructure determined by the council to be consistent
23 with the purposes of this article. In adopting rules and
24 making grants and loans under this article the council

1 shall require all projects to be related to economic
2 development infrastructure, which shall not include
3 rehabilitation or expansion of existing infrastructure
4 unless the applicant demonstrates the rehabilitation or
5 expansion is necessary to retain an existing business or to
6 facilitate the relocation of a business to the locality of
7 the applicant.

8

9 (c) Grants shall be matching grants as determined by
10 the council. Loans shall be made at no or low interest
11 rates.

12

13 (d) Grants or loans shall be made under this article,
14 only if the applicant demonstrates that upon receipt of the
15 grant or loan, all projected project costs will be funded.
16 The application shall identify the source of all funds to
17 be used for the project.

18

19 (e) Grants or loans may be used to fund project costs
20 in accordance with approved applications and rules of the
21 council. Grant or loan funds may be used to contract with
22 community development organizations and state development
23 organizations in accordance with the purposes of this
24 article and approved applications.

1

2 (f) If the council deems it necessary to secure a
3 loan under this article, no security other than pledges of
4 specified revenue to repay the loan shall be required. No
5 loans shall be made without the written opinion of the
6 attorney general certifying the legality of the transaction
7 and all documents connected therewith. An election
8 approving the project and borrowing for the project by the
9 qualified electors of the borrowing entity shall be
10 required only if the attorney general determines such an
11 election is otherwise required by law.

12

13 (g) Repayments of loans under this section shall be
14 credited to the business ready community account.

15

16 (h) As used in this article:

17

18 (i) "Community development organization" means
19 as defined by W.S. 9-12-301(a)(ii);

20

21 (ii) "State development organization" means as
22 defined by W.S. 9-12-301(a)(iv).

23

1 **9-12-602. Wyoming business ready community program**
2 **account.**

3

4 (a) There is created within the special revenue fund,
5 the business ready community account. Funds shall be
6 credited to the account as provided by this section and as
7 otherwise provided by law. Funds in the account are
8 continuously appropriated to the council to be used only
9 for grants or loans authorized to be made under this
10 article.

11

12 (b) Monthly, the state treasurer shall transfer from
13 the general fund to the business ready community account an
14 amount equal to one-twelfth (1/12) of twenty-five million
15 dollars (\$25,000,000.00) times the average annual rate of
16 return on all monies within the permanent Wyoming mineral
17 trust fund in the previous fiscal year.

18

19 **9-12-603. Council duties; actions on grant and loan**
20 **applications.**

21

22 All complete applications to participate in the grant and
23 loan program established under this article which conform
24 with the criteria established by law and rules promulgated

1 under this article which are submitted to the council shall
2 be considered by the council. The council shall approve or
3 disapprove each application it considers in accordance with
4 this article and rules of the council.

5

6 **Section 2.** W.S. 9-4-601(b)(i), (iv) and by creating
7 a new paragraph (v) and 9-12-102(a)(viii) are amended to
8 read:

9

10 **9-4-601. Distribution and use; funds, accounts,**
11 **cities and towns benefited; exception for bonus payments.**

12

13 (b) The state treasurer shall ascertain and withhold
14 all bonus payments received from the federal government
15 attributable to coal, oil shale or geothermal leases of
16 federal land within Wyoming and shall distribute it as
17 follows:

18

19 (i) Subject to paragraph (v) of this subsection,
20 fifty percent (50%), the first seven million five hundred
21 thousand dollars (\$7,500,000.00) of which shall be
22 distributed as follows, but for the fiscal years beginning
23 July 1, 2004 and ending June 30, 2014 any amount in excess
24 of seven million five hundred thousand dollars

1 (\$7,500,000.00) shall be deposited in accordance with
2 paragraph (v) of this subsection, and thereafter any amount
3 in excess of seven million five hundred thousand dollars
4 (\$7,500,000.00) per year shall be deposited into the school
5 capital construction account established under W.S.
6 21-15-111(a)(i);

7

8 (iv) ~~For the fiscal year commencing July 1,~~
9 ~~1994, and for each fiscal year thereafter~~ And:

10

11 (A) Ten percent (10%) but not to exceed one
12 million six hundred thousand dollars (\$1,600,000.00) per
13 year, to an earmarked revenue fund account which may be
14 expended by the community college commission in accordance
15 with and in addition to appropriations available under W.S.
16 21-18-205(c). For the fiscal years beginning July 1, 2004
17 and ending June 30, 2014, any amount in excess of one
18 million six hundred thousand dollars (\$1,600,000.00) shall
19 be deposited in accordance with paragraph (v) of this
20 subsection. Thereafter any amount in excess of one million
21 six hundred thousand dollars (\$1,600,000.00) together with
22 any unexpended revenues within the account at the end of
23 any biennial budget period shall be credited to the school

1 capital construction account established under W.S.
2 21-15-111(a)(i);

3

4 (B) For the fiscal years beginning July 1,
5 2004 and ending June 30, 2014, forty percent (40%) to be
6 deposited in accordance with paragraph (v) of this
7 subsection and thereafter to the school capital
8 construction account established under W.S.
9 21-15-111(a)(i).

10

11 (v) For the fiscal years beginning July 1, 2004
12 and ending June 30, 2014, after making the distributions
13 provided for in paragraphs (i) and (iv) of this subsection
14 the following amounts, reduced in accordance with this
15 paragraph, shall be deposited in the business ready
16 community account established by W.S. 9-12-602. The
17 amounts specified in this paragraph shall be reduced by the
18 amount deposited to the business ready community account
19 pursuant to W.S. 9-12-602(b). After the amounts are
20 deposited in accordance with this paragraph, any remaining
21 amounts shall be deposited in the school capital
22 construction account established under W.S.
23 21-15-111(a)(i):

24

1 (A) For the fiscal year commencing July 1,
2 2004 - seven million five hundred thousand dollars
3 (\$7,500,000.00);

4
5 (B) For the fiscal year commencing July 1,
6 2005 - ten million dollars (\$10,000,000.00);

7
8 (C) For the fiscal year commencing July 1,
9 2006 - twelve million five hundred thousand dollars
10 (\$12,500,000.00);

11
12 (D) For each fiscal year beginning with the
13 fiscal year commencing July 1, 2007 through the fiscal year
14 ending June 30, 2014 - fifteen million dollars
15 (\$15,000,000.00).

16
17 **9-12-102. Definitions.**

18
19 (a) As used in this act, the following terms have the
20 following meanings, except where the context clearly
21 indicates otherwise:

22
23 (viii) "This act" means W.S. 9-12-101 through
24 ~~9-12-401~~ 9-12-603.

1

2 **Section 3.**

3

4 (a) There is appropriated from the budget reserve
5 account to the permanent Wyoming mineral trust fund,
6 twenty-one million dollars (\$21,000,000.00). This
7 appropriation shall be reduced by the amount of any deposit
8 to the permanent Wyoming mineral trust fund of funds de-
9 appropriated in section 324 of 2003 House Bill 0001.

10

11 (b) There is appropriated from the general fund to
12 the business ready community account created by W.S.
13 9-12-602, five million dollars (\$5,000,000.00). There is
14 additionally appropriated to the business ready community
15 account, three million four hundred thousand dollars
16 (\$3,400,000.00) from the capital construction account
17 funded by W.S. 9-4-601(a)(vi) and (b)(i).

18

19 **Section 4.** This act is effective July 1, 2003.

20

21

(END)