

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:*

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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.

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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 under the program on
14 forms prescribed by and subject to rules promulgated by the
15 council. Grants may be applied for by a joint powers board
16 with the approval of all participating agencies to the
17 joint powers agreement. Grants may be made by the council:

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19 (i) For infrastructure development necessary or
20 convenient for economic development within the boundaries
21 of the applying entity;

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23 (ii) For business parks within the boundaries of
24 the applying entity;

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2 (iii) For beautification projects within the
3 boundaries of the applying entity;

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5 (iv) For other capital construction projects
6 determined by the council to be consistent with the
7 purposes of this article.

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9 (c) Grants shall be used to finance not more than:

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11 (i) Fifty percent (50%) of the cost of any
12 portion of a project; or

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14 (ii) Seventy-five percent (75%) of the cost of
15 any portion of a project, if qualified for this greater
16 amount under rules adopted by the council. In adopting
17 rules to implement this subsection, the council shall
18 consider the economic impact of projects and the ability of
19 applicants to fund remaining project costs.

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21 (d) Grants shall be made under this article, only if
22 the applicant demonstrates that upon receipt of the grant,
23 all projected project costs will be funded. The application

1 shall identify the source of all funds to be used for the
2 project.

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4 (e) Grants may be used to fund project costs in
5 accordance with approved applications and rules of the
6 council. Grant funds may be used to contract with
7 community development organizations and state development
8 organizations in accordance with the purposes of this
9 article and approved applications.

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11 (f) As used in this article:

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

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

18

19 (iii) "Within the boundaries of the applying
20 entity", for applications from a joint powers board, shall
21 mean within the boundaries of any participating agency in
22 the joint powers agreement.

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 authorized to be made under this article.

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

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18 **9-12-603. Council duties; actions on grant**
19 **applications.**

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21 All complete applications to participate in the grant
22 program established under this article which conform with
23 the criteria established by law and rules promulgated under
24 this article which are submitted to the council shall be

1 considered by the council. The council shall approve or
2 disapprove each application it considers in accordance with
3 this article and rules of the council.

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

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

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

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

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

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

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10 (A) Ten percent (10%) but not to exceed one
11 million six hundred thousand dollars (\$1,600,000.00) per
12 year, to an earmarked revenue fund account which may be
13 expended by the community college commission in accordance
14 with and in addition to appropriations available under W.S.
15 21-18-205(c). For the fiscal years beginning July 1, 2004
16 and ending June 30, 2014, any amount in excess of one
17 million six hundred thousand dollars (\$1,600,000.00) shall
18 be deposited in accordance with paragraph (v) of this
19 subsection. Thereafter any amount in excess of one million
20 six hundred thousand dollars (\$1,600,000.00) together with
21 any unexpended revenues within the account at the end of
22 any biennial budget period shall be credited to the school
23 capital construction account established under W.S.
24 21-15-111(a) (i);

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

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

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

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

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

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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).

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

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

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

