

HOUSE BILL NO. HB0042

School facilities appropriations.

Sponsored by: Joint Appropriations Interim Committee

A BILL

For

1 AN ACT relating to school facilities projects; providing
2 appropriations for school facility projects for the
3 biennial period July 1, 2014 through June 30, 2016;
4 providing definitions; requiring reporting; and providing
5 for effective dates.

6

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

8

9 **Section 1.**

10

11 (a) This act shall consist of the 2015-2016 biennial
12 school capital construction appropriation.

13

14 (b) As used in this section:

15

16 (i) "Condition needs index priority" means the
17 condition needs index priority used by the school

1 facilities commission in developing the remediation
2 schedule for the 2015-2016 biennial budget recommendation
3 in accordance with W.S. 21-15-117(a)(i);

4

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

8

9 (iii) "Previous" means continuation of projects
10 prioritized by condition needs indices in effect prior to
11 the index developed for the 2015-2016 biennial budget
12 recommendation;

13

14 (iv) "Building adequacy standards" means the
15 uniform statewide standards for the adequacy of school
16 buildings and facilities necessary for providing
17 educational programs prescribed by law for public schools,
18 as adopted by the school facilities commission under W.S.
19 21-15-115, except as otherwise provided by this paragraph.
20 The building adequacy standards for those buildings and
21 facilities funded under this section and for those
22 buildings and facilities funded under 2012 Wyoming Session
23 Laws, Chapter 16, and 2013 Wyoming Session Laws, Chapter
24 129, which at minimum have completed the project value

1 engineering design phase, and in order to meet requirements
2 of the Wyoming high school activities association for
3 competition gymnasiums, shall allow for ceiling height
4 limitations at a minimum of twenty-five (25) feet.

5

6 (c) The amounts appropriated from the school capital
7 construction account under this act are for the biennial
8 period commencing July 1, 2014, and ending June 30, 2016.
9 As authorized under W.S. 21-15-119(a)(iii), the school
10 facilities commission shall submit a supplemental budget
11 request for the period beginning July 1, 2015, and ending
12 June 30, 2016, for any emergency or unanticipated need, or
13 for any refinement or modification of a project funded
14 under this section, subject to any constraints and other
15 requirements imposed by the governor under W.S. 9-2-1013.

16

17 (d) An estimated schedule for deploying projects
18 funded by amounts appropriated under this section and
19 projects funded by previous appropriations, as adopted by
20 the school facilities commission and contained within
21 Appendix A to the 2015-2016 biennial budget submitted by
22 the commission under W.S. 21-15-119, shall be used by the
23 school facilities department in guiding the expenditure of
24 appropriated funds. The estimated schedule developed under

1 this subsection shall be based upon information, processes,
2 events and expenditures and shall not be binding upon the
3 department or the commission. Amounts appropriated under
4 this section and previous appropriations shall not be
5 construed to be an entitlement or guaranteed amount and
6 shall be expended by the commission and department to
7 ensure adequate, efficient and cost effective school
8 buildings and facilities in accordance with W.S.
9 21-15-114(a)(vii). In addition to accounting requirements
10 imposed under W.S. 28-11-301(c)(iv), the school facilities
11 department shall develop a process for reporting at least
12 once each year, the deployment of amounts funding projects
13 under this section and previous appropriations in
14 accordance with the deployment schedule, depicting project
15 progression and if applicable, the rationale for deviation
16 from the estimated schedule. The reports, as approved by
17 the commission, shall be submitted by the department to the
18 select committee on school facilities, the joint education
19 interim committee, the joint appropriations interim
20 committee and the governor.

21

22 (e) The following amounts are appropriated from the
23 school capital construction account to the school
24 facilities commission for the fiscal biennium beginning

1 July 1, 2014, and ending June 30, 2016, for the specified
2 purposes:

3

4 (i) For planning projects:

5

6 (A) Up to one hundred thousand dollars
7 (\$100,000.00), subject to the prescribed maximum amounts:

8

9 Condition

10 Needs

11 Index	School	Maximum	
12 Priority	District	Project	Amount
13			
14 Capacity	Washakie #1	Elementary School	\$ 50,000
15 7	Washakie #2	K-12 School	<u>\$ 50,000</u>
16 Total			\$ 100,000

17

18 (B) In addition to the amounts appropriated
19 under subparagraph (A) of this paragraph, up to two hundred
20 fifty thousand dollars (\$250,000.00) for planning projects
21 approved by the school facilities commission. Except as
22 otherwise specified in this subparagraph, the amounts
23 appropriated under this subparagraph shall only be
24 available for expenditure as specifically authorized by the

1 legislature. The school facilities commission may through
2 the school facilities department, use the B-11 process as
3 provided under W.S. 9-2-1005(b) to expend amounts
4 appropriated under this subparagraph prior to legislative
5 authorization required under this subparagraph. In
6 reporting to the legislature proposed expenditures of
7 amounts appropriated under this subparagraph, the
8 commission shall include the evaluation of remedies
9 addressing facility needs for Campbell County School
10 District No. 1, Fremont County School District No. 1,
11 Laramie County School District No. 1, Natrona County School
12 District No. 1, Niobrara County School District No. 1 and
13 Sheridan County School District No. 2.

14

15 (ii) For design projects:

16

17 (A) Up to fourteen million three hundred
18 nineteen thousand seven hundred twenty-two dollars
19 (\$14,319,722.00), subject to the prescribed maximum
20 amounts:

21

22 Condition

1	Needs			
2	Index	School		Maximum
3	Priority	District	Project	Amount
4				
5	Previous (21)	Lincoln #1	High School	\$ 104,580*
6	Capacity	Uinta #6	Elementary School	\$ 308,778
7	Capacity	Park #6	Elementary School	\$ 741,623
8	Capacity	Carbon #1	Elementary Schools	\$ 1,202,979
9	Capacity	Sweetwater #2	Alternative High School	\$ 627,954
10	Capacity	Natrona #1	Elementary School	\$ 563,021
11	Capacity	Laramie #1	Elementary School	\$ 177,758
12	1	Big Horn #4	Middle-High School	\$ 2,650,821
13	5	Albany #1	Elementary School	\$ 1,704,640
14	16	Big Horn #4	Elementary School	\$ 1,231,041
15	17	Laramie #1	Junior High School	\$ 3,921,327
16	59	Laramie #2	Elementary School	<u>\$ 1,085,200</u>
17	Total			\$14,319,722

18

19 (B) For the period commencing July 1, 2015,
20 and ending June 30, 2016, and in addition to the amounts
21 appropriated under subparagraph (A) of this paragraph, six
22 million one thousand five hundred ninety-four dollars
23 (\$6,001,594.00) for design projects approved by the school
24 facilities commission. The amounts appropriated under this

1 subparagraph shall only be available for expenditure as
2 specifically authorized by the legislature. The school
3 facilities commission shall, within its report to the
4 legislature for the proposed expenditure of amounts
5 appropriated under this subparagraph, include the design of
6 project remedies addressing the needs of Campbell County
7 School District No. 1, Laramie County School District No. 1
8 and Washakie County School District No. 2;

9

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

16

17 (iii) For capital construction projects:

18

19 (A) Up to nine million nine hundred three
20 thousand eight hundred eighty-three dollars (\$9,903,883.00)
21 for projects funded by previous appropriations addressing
22 building needs as prioritized under the condition needs
23 index, subject to the prescribed maximum amounts:

24

1	Condition			
2	Needs			
3	Index	School		Maximum
4	Priority	District	Project	Amount
5				
6	Previous	Albany #1	High School	\$ 2,587,631*
7	(13)			
8	Previous	Goshen #1	Elementary School	\$ 3,316,252*
9	(9)			
10	Previous	Natrona #1	High School/Shared	
11	(5, 19)		Facility	<u>\$ 4,000,000*</u>
12	Total			\$ 9,903,883

13

14 (B) Up to two hundred twenty million nine

15 hundred fifteen thousand two hundred sixty-one dollars

16 (\$220,915,261.00), subject to the following maximum

17 amounts:

18				
19	Condition			
20	Needs			
21	Index	School		Maximum
22	Priority	District	Project	Amount
23				
24	Previous	(21) Lincoln #1	High School	\$ 1,058,420*

1	Previous (59)	Fremont #21	K-8 School	\$ 2,318,614*
2	Capacity	Campbell #1	Elementary School	\$ 1,737,147
3	Capacity	Campbell #1	High School	\$30,102,065
4	Capacity	Sweetwater #1	Elementary School	\$16,035,699
5	Capacity	Big Horn #3	Middle School	\$ 4,693,706
6	Capacity	Campbell #1	Elementary School	\$16,035,699
7	Capacity	Laramie #1	Elementary School	\$18,357,703
8	Capacity	Natrona #1	Elementary School	\$13,310,333
9	Capacity	Fremont #25	Elementary School	\$13,677,531
10	Capacity	Sheridan #1	Elementary School	\$12,998,595
11	Capacity	Lincoln #2	Elementary School	\$ 2,788,453
12	Capacity	Weston #1	Elementary School	\$ 2,338,561
13	Capacity	Sweetwater #2	Elementary School	\$ 9,726,522
14	Capacity	Fremont #21	High School	\$16,441,037
15	Capacity	Natrona #1	Elementary School	\$ 4,092,089
16	Capacity	Laramie #1	Elementary School	\$ 867,464
17	Capacity	Sweetwater #2	Elementary School	\$ 6,698,790
18	Capacity	Crook #1	Elementary School	\$13,604,770
19	1	Big Horn #4	Middle/High School	\$17,701,657
20	4	Natrona #1	Elementary School	\$ 168,310
21	6	Sweetwater #2	K-8 School	\$ 165,710
22	16	Big Horn #4	Elementary School	\$ 7,981,998
23	59	Laramie #2	Elementary School	<u>\$ 8,014,388</u>
24	Total			\$220,915,261

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

(C) Appropriations under subparagraphs (A) and (B) 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 these subparagraphs;

(D) 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 these amounts to the select school facilities committee and to the joint appropriations interim committee, together with processes and mechanisms directed at reducing future project cost overages.

(iv) For demolition projects:

(A) Up to two million six hundred eighty-three thousand fifty-four dollars (\$2,683,054.00), subject to the prescribed maximum amounts:

1 Condition

2 Needs

3 Index	School		Maximum
4 Priority	District	Project	Amount
5			
6 N/A	Natrona #1	Elementary School	\$ 58,133
7 N/A	Natrona #1	Junior High School	\$2,560,208
8 N/A	Platte #1	Bus Barn	<u>\$ 64,713</u>
9 Total			\$2,683,054

10

11 (B) For the period commencing July 1, 2015,
 12 and ending June 30, 2016, and in addition to the amounts
 13 appropriated under subparagraph (A) of this paragraph, five
 14 hundred thousand dollars (\$500,000.00) for demolition
 15 projects approved by the school facilities commission. The
 16 amounts appropriated under this subparagraph shall only be
 17 available for expenditure as specifically authorized by the
 18 legislature. Proposed expenditures of amounts appropriated
 19 under this subparagraph as reported to the legislature by
 20 the school facilities commission shall include remedies for
 21 the demolition needs for Campbell County School District
 22 No. 1 and Natrona County School District No. 1.

23

24 (v) For land acquisitions:

1

2 (A) Up to six million seven hundred fifty-
3 four thousand six hundred dollars (\$6,754,600.00) for land
4 acquisitions approved by the school facilities commission.
5 Prior to expenditure of this appropriation, the school
6 facilities department shall report proposed acquisitions to
7 the cochairmen of the joint appropriations interim
8 committee and the joint education interim committee, and
9 the chairman and vice-chairman of the select committee on
10 school facilities. Expenditures under this paragraph shall
11 address the land acquisition needs for future school
12 buildings in Campbell County School District No. 1, Crook
13 County School District No. 1, Fremont County School
14 District No. 25, Laramie County School District No. 1 (two
15 (2) schools), Natrona County School District No. 1, Park
16 County School District No. 1, Sweetwater County School
17 District No. 1 and land leasing expenses for a school
18 building in Laramie County School District No. 1;

19

20 (B) For the period commencing July 1, 2015,
21 and ending June 30, 2016, and in addition to the amounts
22 appropriated under subparagraph (A) of this paragraph,
23 seven hundred fifty thousand dollars (\$750,000.00) for land
24 acquisitions approved by the school facilities commission.

1 The amounts appropriated under this subparagraph shall only
2 be available for expenditure as specifically authorized by
3 the legislature. In reporting proposed expenditures of
4 amounts appropriated under this subparagraph to the
5 legislature, the school facilities commission shall include
6 acquisitions addressing the facility needs for Albany
7 County School District No. 1, Campbell County School
8 District No. 1, Laramie County School District No. 1, Park
9 County School District No. 1, Washakie County School
10 District No. 1 and Washakie County School District No. 2.
11 A separate report of proposed expenditures under this
12 subparagraph shall be submitted by the commission to the
13 cochairmen of the joint education interim committee;

14

15 (C) In addition to subparagraph (A) of this
16 section, up to two million dollars (\$2,000,000.00) for land
17 acquisitions if opportunities become available to school
18 districts and the land acquisition is used to meet school
19 facility design guidelines established by the school
20 facility commission and the acquisition is approved by the
21 commission. Prior to expenditure of this appropriation,
22 the school facilities department shall report proposed land
23 acquisitions to the cochairmen of the joint appropriations
24 interim committee and the joint education interim

1 committee, and the chairman and vice-chairman of the select
2 committee on school facilities.

3

4 (vi) For ancillary building projects:

5

6 (A) Up to one million ninety-two thousand
7 seven hundred seven dollars (\$1,092,707.00), subject to the
8 prescribed maximum amounts:

9

10 Condition

11 Needs

12 Index	School		Maximum
13 Priority	District	Project	Amount
15 N/A	Carbon #2	Bus Barn	\$ 568,749
16 N/A	Carbon #2	Bus Barn	<u>\$ 523,958</u>
17 Total			\$1,092,707

18

19 (B) For the period commencing July 1, 2015,
20 and ending June 30, 2016, and in addition to the amounts
21 appropriated under subparagraph (A) of this paragraph, one
22 million dollars (\$1,000,000.00) for ancillary building
23 projects approved by the school facilities commission. The
24 amount appropriated under this subparagraph shall only be

1 available for expenditure as specifically authorized by the
 2 legislature. Within its report to the legislature on
 3 proposed expenditures of amounts appropriated under this
 4 subparagraph, the school facilities commission shall
 5 include remedies addressing the ancillary building needs
 6 for Campbell County School District No. 1, Crook County
 7 School District No. 1, Goshen County School District No. 1,
 8 Park County School District No. 6, Teton County School
 9 District No. 1 and Uinta County School District No. 6.

10

11 (vii) For track construction projects:

12

13 (A) Up to one million dollars
 14 (\$1,000,000.00), subject to the prescribed maximum amounts:

15

16 Condition

17 Needs

18	Index	School		Maximum
----	-------	--------	--	---------

19	Priority	District	Project	Amount
----	----------	----------	---------	--------

20

21	N/A	Converse #2	Artificial Turf at	
22			Maximum State	

23			Contribution	\$ 500,000
----	--	--	--------------	------------

24	N/A	Goshen #1	Artificial Turf at	
----	-----	-----------	--------------------	--

1		Maximum State	
2		Contribution	<u>\$ 500,000</u>
3	Total		\$1,000,000

4

5 (viii) For component level projects:

6

7 (A) Up to six million two hundred ten
 8 thousand three hundred forty-six dollars (\$6,210,346.00),
 9 subject to the following maximum amounts:

10

11 Component

12	Projects	School		Maximum
13	Category	District	Project	Amount
15	c.	Fremont #25	High School HVAC	\$2,277,298
16	s.	Converse #2	Parking Lot/Demo	\$ 296,752
17	s.	Weston #7	Parking Lot	\$1,165,367
18	c.	Sweetwater #2	Fuel Tanks	\$ 470,000
19	c.	Fremont #25	Bus Barn	\$1,873,354
20	c.	Campbell #1	Elementary School	
21			HVAC	<u>\$ 127,575</u>
22	Total			\$6,210,346

23

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

4

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

7

8 (II) "s." means components pertaining
9 to building safety, security or health.

10

11 (C) The school facilities commission,
12 through the department, shall refine the process used in
13 identifying, reviewing and prioritizing school district
14 building component level needs, giving full consideration
15 to the proper use of major maintenance in addressing
16 building adequacy in the most efficient and cost effective
17 manner. The commission and department shall report
18 progress and recommendations on process refinement to the
19 select committee on school facilities on or before
20 September 1, 2014.

21

22 (ix) For the period commencing July 1, 2015, and
23 ending June 30, 2016, up to nine million dollars
24 (\$9,000,000.00) for security projects approved by the

1 school facilities commission. The amount appropriated
2 under this paragraph shall only be available for
3 expenditure as specifically authorized by the legislature;

4

5 (x) For the unanticipated costs associated with
6 design, construction, demolition, ancillary building,
7 security and component level projects funded under this
8 subsection, ten million four hundred fourteen thousand
9 ninety-six dollars (\$10,414,096.00);

10

11 (xi) Up to six million four hundred eighty-one
12 thousand two hundred seventy-seven dollars (\$6,481,277.00)
13 to reimburse the amounts appropriated for the unanticipated
14 costs associated with the design, construction and
15 component level projects funded under 2013 Wyoming Session
16 Laws, Chapter 129, Section 1(b)(viii) appropriation. The
17 school facilities commission, through the department, shall
18 separately account for the amounts appropriated under this
19 paragraph as used to fund the planning and design costs
20 addressing the remedies of school buildings identified and
21 funded under 2013 Wyoming Session Laws, Chapter 129,
22 Section 1(b)(ix).

23

24 **Section 2.**

1

2 (a) Except as provided by subsection (b) of this
3 section, this act is effective July 1, 2014.

4

5 (b) Notwithstanding subsection (a) of this section,
6 section 1(e)(i)(A), (iii)(A) and (xi) of this act is
7 effective immediately upon completion of all acts necessary
8 for a bill to become law as provided by Article 4, Section
9 8 of the Wyoming Constitution.

10

11

(END)