

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

24

1 (d) An estimated schedule for deploying projects
2 funded by amounts appropriated under this section and
3 projects funded by previous appropriations, as adopted by
4 the school facilities commission and contained within
5 Appendix A to the 2015-2016 biennial budget submitted by
6 the commission under W.S. 21-15-119, shall be used by the
7 school facilities department in guiding the expenditure of
8 appropriated funds. The estimated schedule developed under
9 this subsection shall be based upon information, processes,
10 events and expenditures and shall not be binding upon the
11 department or the commission. Amounts appropriated under
12 this section and previous appropriations shall not be
13 construed to be an entitlement or guaranteed amount and
14 shall be expended by the commission and department to
15 ensure adequate, efficient and cost effective school
16 buildings and facilities in accordance with W.S.
17 21-15-114(a)(vii). In addition to accounting requirements
18 imposed under W.S. 28-11-301(c)(iv), the school facilities
19 department shall develop a process for reporting at least
20 once each year, the deployment of amounts funding projects
21 under this section and previous appropriations in
22 accordance with the deployment schedule, depicting project
23 progression and if applicable, the rationale for deviation
24 from the estimated schedule. The reports, as approved by

1 the commission, shall be submitted by the department to the
 2 select committee on school facilities, the joint education
 3 interim committee, the joint appropriations interim
 4 committee and the governor.

5

6 (e) The following amounts are appropriated from the
 7 school capital construction account to the school
 8 facilities commission for the fiscal biennium beginning
 9 July 1, 2014, and ending June 30, 2016, for the specified
 10 purposes:

11

12 (i) For planning projects:

13

14 (A) Up to one hundred thousand dollars
 15 (\$100,000.00), subject to the prescribed maximum amounts:

16

17 Condition

18 Needs

19 Index	School		Maximum
20 Priority	District	Project	Amount
21			
22 Capacity	Washakie #1	Elementary School	\$ 50,000
23 7	Washakie #2	K-12 School	<u>\$ 50,000</u>
24 Total			\$ 100,000

1

2 (B) In addition to the amounts appropriated
3 under subparagraph (A) of this paragraph, up to two hundred
4 fifty thousand dollars (\$250,000.00) for planning projects
5 approved by the school facilities commission. Except as
6 otherwise specified in this subparagraph, the amounts
7 appropriated under this subparagraph shall only be
8 available for expenditure as specifically authorized by the
9 legislature. The school facilities commission may through
10 the school facilities department, use the B-11 process as
11 provided under W.S. 9-2-1005(b) to expend amounts
12 appropriated under this subparagraph prior to legislative
13 authorization required under this subparagraph. In
14 reporting to the legislature proposed expenditures of
15 amounts appropriated under this subparagraph, the
16 commission shall include the evaluation of remedies
17 addressing facility needs for Campbell County School
18 District No. 1, Fremont County School District No. 1,
19 Laramie County School District No. 1, Natrona County School
20 District No. 1, Niobrara County School District No. 1 and
21 Sheridan County School District No. 2.

22

23 (ii) For design projects:

24

1 (A) Up to fourteen million three hundred
 2 nineteen thousand seven hundred twenty-two dollars
 3 (\$14,319,722.00), subject to the prescribed maximum
 4 amounts:

5
 6 Condition
 7 Needs

8	Index	School		Maximum
9	Priority	District	Project	Amount
10				
11	Previous (21)	Lincoln #1	High School	\$ 104,580*
12	Capacity	Uinta #6	Elementary School	\$ 308,778
13	Capacity	Park #6	Elementary School	\$ 741,623
14	Capacity	Carbon #1	Elementary Schools	\$ 1,202,979
15	Capacity	Sweetwater #2	Alternative High School	\$ 627,954
16	Capacity	Natrona #1	Elementary School	\$ 563,021
17	Capacity	Laramie #1	Elementary School	\$ 177,758
18	1	Big Horn #4	Middle-High School	\$ 2,650,821
19	5	Albany #1	Elementary School	\$ 1,704,640
20	16	Big Horn #4	Elementary School	\$ 1,231,041
21	17	Laramie #1	Junior High School	\$ 3,921,327
22	59	Laramie #2	Elementary School	<u>\$ 1,085,200</u>
23	Total			\$14,319,722

24

1 (B) For the period commencing July 1, 2015,
2 and ending June 30, 2016, and in addition to the amounts
3 appropriated under subparagraph (A) of this paragraph, six
4 million one thousand five hundred ninety-four dollars
5 (\$6,001,594.00) for design projects approved by the school
6 facilities commission. The amounts appropriated under this
7 subparagraph shall only be available for expenditure as
8 specifically authorized by the legislature. The school
9 facilities commission shall, within its report to the
10 legislature for the proposed expenditure of amounts
11 appropriated under this subparagraph, include the design of
12 project remedies addressing the needs of Campbell County
13 School District No. 1, Laramie County School District No. 1
14 and Washakie County School District No. 2;

15

16 (C) Appropriations under subparagraph (A)
17 of this paragraph which are asterisked (*), are
18 supplemented by previous appropriations for that specific
19 design project, resulting in total design funding for that
20 project greater than the amount appropriated under this
21 subparagraph.

22

23 (iii) For capital construction projects:

24

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

6

7 Condition

8 Needs

9	Index	School		Maximum
10	Priority	District	Project	Amount
11				
12	Previous	Albany #1	High School	\$ 2,587,631*
13	(13)			
14	Previous	Goshen #1	Elementary School	\$ 3,316,252*
15	(9)			
16	Previous	Natrona #1	High School/Shared	
17	(5, 19)		Facility	<u>\$ 4,000,000*</u>
18	Total			\$ 9,903,883

19

20 (B) Up to two hundred twenty million nine
 21 hundred fifteen thousand two hundred sixty-one dollars
 22 (\$220,915,261.00), subject to the following maximum
 23 amounts:

24

1	Condition			
2	Needs			
3	Index	School		Maximum
4	Priority	District	Project	Amount
5				
6	Previous (21)	Lincoln #1	High School	\$ 1,058,420*
7	Previous (59)	Fremont #21	K-8 School	\$ 2,318,614*
8	Capacity	Campbell #1	Elementary School	\$ 1,737,147
9	Capacity	Campbell #1	High School	\$30,102,065
10	Capacity	Sweetwater #1	Elementary School	\$16,035,699
11	Capacity	Big Horn #3	Middle School	\$ 4,693,706
12	Capacity	Campbell #1	Elementary School	\$16,035,699
13	Capacity	Laramie #1	Elementary School	\$18,357,703
14	Capacity	Natrona #1	Elementary School	\$13,310,333
15	Capacity	Fremont #25	Elementary School	\$13,677,531
16	Capacity	Sheridan #1	Elementary School	\$12,998,595
17	Capacity	Lincoln #2	Elementary School	\$ 2,788,453
18	Capacity	Weston #1	Elementary School	\$ 2,338,561
19	Capacity	Sweetwater #2	Elementary School	\$ 9,726,522
20	Capacity	Fremont #21	High School	\$16,441,037
21	Capacity	Natrona #1	Elementary School	\$ 4,092,089
22	Capacity	Laramie #1	Elementary School	\$ 867,464
23	Capacity	Sweetwater #2	Elementary School	\$ 6,698,790
24	Capacity	Crook #1	Elementary School	\$13,604,770

1	1	Big Horn #4	Middle/High School	\$17,701,657
2	4	Natrona #1	Elementary School	\$ 168,310
3	6	Sweetwater #2	K-8 School	\$ 165,710
4	16	Big Horn #4	Elementary School	\$ 7,981,998
5	59	Laramie #2	Elementary School	<u>\$ 8,014,388</u>
6	Total			\$220,915,261

7

8

(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;

14

15

(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.

24

1 (iv) For demolition projects:

2

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

6

7 Condition

8 Needs

9 Index	School		Maximum
10 Priority	District	Project	Amount
11			
12 N/A	Natrona #1	Elementary School	\$ 58,133
13 N/A	Natrona #1	Junior High School	\$2,560,208
14 N/A	Platte #1	Bus Barn	<u>\$ 64,713</u>
15 Total			\$2,683,054

16

17 (B) For the period commencing July 1, 2015,
18 and ending June 30, 2016, and in addition to the amounts
19 appropriated under subparagraph (A) of this paragraph, five
20 hundred thousand dollars (\$500,000.00) for demolition
21 projects approved by the school facilities commission. The
22 amounts appropriated under this subparagraph shall only be
23 available for expenditure as specifically authorized by the
24 legislature. Proposed expenditures of amounts appropriated

1 under this subparagraph as reported to the legislature by
2 the school facilities commission shall include remedies for
3 the demolition needs for Campbell County School District
4 No. 1 and Natrona County School District No. 1.

5

6 (v) For land acquisitions:

7

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

1

2 (B) For the period commencing July 1, 2015,
3 and ending June 30, 2016, and in addition to the amounts
4 appropriated under subparagraph (A) of this paragraph,
5 seven hundred fifty thousand dollars (\$750,000.00) for land
6 acquisitions approved by the school facilities commission.
7 The amounts appropriated under this subparagraph shall only
8 be available for expenditure as specifically authorized by
9 the legislature. In reporting proposed expenditures of
10 amounts appropriated under this subparagraph to the
11 legislature, the school facilities commission shall include
12 acquisitions addressing the facility needs for Albany
13 County School District No. 1, Campbell County School
14 District No. 1, Laramie County School District No. 1, Park
15 County School District No. 1, Washakie County School
16 District No. 1 and Washakie County School District No. 2.
17 A separate report of proposed expenditures under this
18 subparagraph shall be submitted by the commission to the
19 cochairmen of the joint education interim committee;

20

21 (C) In addition to subparagraph (A) of this
22 section, up to two million dollars (\$2,000,000.00) for land
23 acquisitions if opportunities become available to school
24 districts and the land acquisition is used to meet school

1 facility design guidelines established by the school
 2 facility commission and the acquisition is approved by the
 3 commission. Prior to expenditure of this appropriation,
 4 the school facilities department shall report proposed land
 5 acquisitions to the cochairmen of the joint appropriations
 6 interim committee and the joint education interim
 7 committee, and the chairman and vice-chairman of the select
 8 committee on school facilities.

9

10 (vi) For ancillary building projects:

11

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

15

16 Condition

17 Needs

18	Index	School		Maximum
19	Priority	District	Project	Amount
20				
21	N/A	Carbon #2	Bus Barn	\$ 568,749
22	N/A	Carbon #2	Bus Barn	<u>\$ 523,958</u>
23	Total			\$1,092,707

24

1 (B) For the period commencing July 1, 2015,
2 and ending June 30, 2016, and in addition to the amounts
3 appropriated under subparagraph (A) of this paragraph, one
4 million dollars (\$1,000,000.00) for ancillary building
5 projects approved by the school facilities commission. The
6 amount appropriated under this subparagraph shall only be
7 available for expenditure as specifically authorized by the
8 legislature. Within its report to the legislature on
9 proposed expenditures of amounts appropriated under this
10 subparagraph, the school facilities commission shall
11 include remedies addressing the ancillary building needs
12 for Campbell County School District No. 1, Crook County
13 School District No. 1, Goshen County School District No. 1,
14 Park County School District No. 6, Teton County School
15 District No. 1 and Uinta County School District No. 6.

16

17 (vii) For track construction projects:

18

19 (A) Up to one million dollars
20 (\$1,000,000.00), subject to the prescribed maximum amounts:

21

22 Condition

1	Needs			
2	Index	School		Maximum
3	Priority	District	Project	Amount
4				
5	N/A	Converse #2	Artificial Turf at	
6			Maximum State	
7			Contribution	\$ 500,000
8	N/A	Goshen #1	Artificial Turf at	
9			Maximum State	
10			Contribution	<u>\$ 500,000</u>
11	Total			\$1,000,000

12

13 (viii) For component level projects:

14

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

18

19 Component

20	Projects	School		Maximum
21	Category	District	Project	Amount
22				
23	c.	Fremont #25	High School HVAC	\$2,277,298
24	s.	Converse #2	Parking Lot/Demo	\$ 296,752

1	s.	Weston #7	Parking Lot	\$1,165,367
2	c.	Sweetwater #2	Fuel Tanks	\$ 470,000
3	c.	Fremont #25	Bus Barn	\$1,873,354
4	c.	Campbell #1	Elementary School	
5			HVAC	<u>\$ 127,575</u>
6	Total			\$6,210,346

7

8 (B) As used in subparagraph (A) of this
 9 paragraph, the following component project categories are
 10 defined as follows:

11

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

14

15 (II) "e." means the building envelope
 16 or protective shell;

17

18 (III) "i." means illumination building
 19 components;

20

21 (IV) "s." means components pertaining
 22 to building safety, security or health.

23

1 (C) The school facilities commission,
2 through the department, shall refine the process used in
3 identifying, reviewing and prioritizing school district
4 building component level needs, giving full consideration
5 to the proper use of major maintenance in addressing
6 building adequacy in the most efficient and cost effective
7 manner. The commission and department shall report
8 progress and recommendations on process refinement to the
9 select committee on school facilities on or before
10 September 1, 2014.

11

12 (ix) For the period commencing July 1, 2015, and
13 ending June 30, 2016, up to nine million dollars
14 (\$9,000,000.00) for security projects approved by the
15 school facilities commission. The amount appropriated
16 under this paragraph shall only be available for
17 expenditure as specifically authorized by the legislature;

18

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

24

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

13

14 **Section 2.**

15

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

18

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

6

7

(END)