

SENATE FILE NO. SF0016

Prison construction program.

Sponsored by: Joint Judiciary Interim Committee

A BILL

for

1 AN ACT relating to corrections; establishing a prison
2 construction program as specified; requiring requests for
3 proposals as specified; authorizing contracts as specified;
4 providing for specified programming at correctional
5 facilities; requiring an evaluation of corrections system;
6 providing appropriations; specifying funding methods; and
7 providing for an effective date.

8

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

10

11 **Section 1.**

12

13 (a) The department of corrections shall, in
14 cooperation with the department of administration and
15 information and using the procedures specified in W.S.
16 9-2-1027 through 9-2-1033, conduct a competitive bidding
17 process using requests for proposals for the design and

1 construction or expansion of correctional facilities and
2 programs in accordance with American correctional
3 association standards to achieve the best value for the
4 state in accordance with a scoring matrix to be developed
5 by the department of corrections and approved by the state
6 building commission as follows:

7

8 (i) At the Wyoming honor farm in Riverton, an
9 additional fifty (50) minimum security beds and sufficient
10 building space to accommodate an expansion of programs for
11 counseling and treatment with respect to cognitive
12 thinking, criminal thinking, behavior modification,
13 parenting, family violence, alcohol and substance abuse,
14 job skills and special needs, and training programs to
15 enhance educational and vocational skills, traditional
16 prison industries programs which teach basic technical and
17 job-seeking and retention skills, and a correctional
18 industries program specified under W.S. 25-13-101 et seq.;

19

20 (ii) At the Wyoming state penitentiary in
21 Rawlins, an additional thirty-two (32) beds in the
22 intensive alcohol and substance abuse treatment facility to
23 provide intensive alcohol and substance abuse treatment and
24 counseling and sufficient building space to accommodate an

1 expansion of programs for counseling and treatment with
2 respect to cognitive thinking, criminal thinking, behavior
3 modification, parenting, family violence, alcohol and
4 substance abuse, job skills and special needs, and training
5 programs to enhance educational and vocational skills,
6 traditional prison industries programs which teach basic
7 technical and job-seeking and retention skills, and a
8 correctional industries program specified under W.S.
9 25-13-101 et seq.;

10

11 (iii) At the Wyoming women's center in Lusk:

12

13 (A) One hundred eight (108) additional
14 minimum security beds and sixteen (16) additional beds to
15 provide intensive alcohol and substance abuse treatment and
16 counseling;

17

18 (B) An enlargement of the kitchen and
19 dining facilities to accommodate the additional inmates
20 that may be housed at the Wyoming women's center under
21 subparagraph (A) of this paragraph;

22

23 (C) The construction of sufficient space to
24 increase capacity for counseling and treatment with respect

1 to cognitive thinking, criminal thinking, behavior
2 modification, parenting, family violence, alcohol and
3 substance abuse, job skills and special needs, training
4 programs to enhance educational and vocational skills,
5 traditional prison industries programs which teach basic
6 technical and job-seeking and retention skills, and
7 implementation of a corrections industries program
8 specified under W.S. 25-13-101 et seq.;

9

10 (iv) Two (2) medium security male facilities,
11 each with a minimum capacity of four hundred (400) beds
12 expandable to six hundred (600) beds, and each with thirty-
13 two (32) additional beds for intensive alcohol and
14 substance abuse treatment and each with fifteen (15)
15 additional beds for special management inmates. These
16 facilities shall be located in two (2) separate locations
17 in the state. Either facility may be located adjacent to an
18 existing correctional facility. Each facility shall have
19 sufficient space to accommodate administrative functions of
20 the facility, food preparation and dining for inmates and
21 staff, medical treatment, programming for counseling and
22 treatment with respect to cognitive thinking, criminal
23 thinking, behavior modification, parenting, family
24 violence, alcohol and substance abuse, job skills and

1 special needs, training programs to enhance educational and
2 vocational skills, traditional prison industries programs
3 which teach basic technical and job-seeking and retention
4 skills, and implementation of a corrections industries
5 program specified under W.S. 25-13-101 et seq.

6

7 (b) The construction and expansion authorized under
8 subsection (a) of this section may be procured under a
9 single contract, or under any combination of contracts.
10 Bids shall be awarded on the basis of best value to the
11 state considering the following factors: price,
12 functionality to the state correctional system, adequacy of
13 infrastructure and availability of potential workforce. Any
14 request for proposal in the competitive bidding process for
15 the new facilities specified under paragraph (a)(iv) of
16 this section shall include at a minimum:

17

18 (i) Site selection and acquisition;

19

20 (ii) Costs for obtaining governmental approval
21 and permitting when necessary;

22

23 (iii) Design of the facilities;

24

1 (iv) Total project and construction costs;

2

3 (v) Fixed equipment and furnishings costs;

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5 (vi) Proposed method of financing the projects
6 by the developer;

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8 (vii) The commitment to use Wyoming materials
9 and labor in accordance with chapter 6, articles 1 and 2 of
10 title 16 of the Wyoming Statutes.

11

12 (c) After completion of the competitive bidding
13 process authorized under subsection (a) of this section,
14 the department of administration and information, general
15 services division, with the approval of the state building
16 commission, may let contracts for the construction or
17 expansion of the facilities specified under subsection (a)
18 of this section.

19

20 (d) The department of corrections and the department
21 of administration and information shall cooperate to
22 provide for the possible dismantling of the Wyoming state
23 penitentiary vacant north facility that is no longer usable

1 to ensure that, to the extent feasible, materials of the
2 dismantled facility may be salvaged and recycled.

3

4 (e) The department of corrections shall construct a
5 secure treatment alcove at the Niobrara County hospital
6 building in Lusk to include two (2) secure treatment beds
7 to allow for the medical treatment of inmates from that
8 facility. The department shall also provide by contract for
9 on-site and off-site medical treatment for inmates of the
10 Wyoming women's center.

11

12 **Section 2.**

13

14 (a) There is appropriated from the general fund to
15 the department of corrections two hundred thirty thousand
16 dollars (\$230,000.00) to implement, in consultation with
17 the department of administration and information, the
18 purposes of subsections (a) and (b) of section 1 of this
19 act.

20

21 (b) There is appropriated from the general fund to
22 the department of corrections fifty thousand dollars
23 (\$50,000.00), or as much thereof as necessary to construct

1 the secure treatment alcove specified in subsection (e) of
2 section 1 of this act.

3

4 (c) There is appropriated from the general fund to
5 the department of administration and information fifty
6 thousand dollars (\$50,000.00) to conduct an independent
7 evaluation and programmatic critique of the corrections
8 system. Results of the evaluation shall be reported to the
9 capital building commission and the joint judiciary interim
10 committee not later than November 1, 2003.

11

12 **Section 3.**

13

14 (a) Notwithstanding section 2 of this act, the
15 projects described in this act may be funded by any
16 combination of the following methods:

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18 (i) Legislative appropriation;

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20 (ii) Issuance of general obligation debt; or

21

22 (iii) Lease-purchase of the improvements from a
23 nonprofit corporate lessor. Any lease payments made by the
24 state under a lease-purchase agreement under this paragraph

1 shall represent credit toward an equity buildup in the
2 leased properties. At the end of the lease and matching
3 debt term, ownership of the facilities shall transfer to
4 the state. The department of corrections may request
5 appropriations for lease payments under this paragraph in
6 its annual budget.

7

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

12

13

(END)