

**WORKING DRAFT**

HOUSE BILL NO. \_\_\_\_\_

State building commission.

Sponsored by: Select Committee on Capital Financing and Investments

A BILL

for

1 AN ACT relating to the administration of government;  
2 providing for a secretary to the state building commission;  
3 specifying duties; providing for recommendations of the  
4 state building commission to be reflected in the proposed  
5 state budget; transferring a position and associated  
6 budget; and providing for an effective date.

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

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**\*\*\* STAFF COMMENTS \*\*\***

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**This bill implements Representative Luthi's motion calling for one person to be placed as an employee of the SBC; that person to act as the secretary to the SBC and for the SBC's recommendations on state capcon to be included in the Governor's proposed budget.**

1           **Section 1.**       W.S. 9-2-1013(d)(i), 9-5-101 by  
2       creating a new subsection (d) and 9-5-106(b) are  
3       amended to read:

4                           **\*\*\* STAFF COMMENTS \*\*\***

5       **The following requires the SBC's recommendations**  
6       **to be included in the Governor's proposed budget.**  
7       **It does not require the Governor's proposal to be**  
8       **based upon the SBC's recommendations.**  
9

10           **9-2-1013. State budget; distribution of copies to**  
11       **legislators; copies and reports of authorizations.**

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13           (d) In addition to the items contained in subsection  
14       (a) of this section and notwithstanding any other  
15       recommendations made by the governor, the state budget  
16       shall also include the governor's recommendations for  
17       appropriations for the ensuing two (2) years, or if a  
18       supplemental budget request, the remainder of the budget  
19       period, subject to the following:

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21           (i) The state budget shall include the  
22       governor's recommendations for a total appropriation from  
23       the school foundation program account and based upon  
24       recommendations of the school facilities commission under  
25       W.S. 21-15-119, a total appropriation for school capital  
26       construction purposes for both fiscal years. The state

1 budget shall include the state building commission's and  
2 governor's recommendations for appropriations for state  
3 capital construction based upon the needs assessment and  
4 construction schedule under W.S. 9-5-107 and 9-5-108 for  
5 both fiscal years;

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7 **9-5-101. State building commission; composition;**  
8 **general powers and duties; conflicts of interest.**

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10 (d) The state building commission shall employ a  
11 secretary who shall administratively implement any rules of  
12 the commission adopted under this article and perform such  
13 other duties and functions of the commission as may be  
14 assigned by the commission.

15 **\*\*\* STAFF COMMENTS \*\*\***

16 **The exact parameters of the motion regarding type**  
17 **of employment etc. were not set. The following**  
18 **are two alternatives.**

19  
20 The secretary of the commission shall be employed upon  
21 a majority vote of the commission and serve at the pleasure  
22 of a majority of the commission. The commission shall  
23 establish compensation for its secretary subject to  
24 legislative budget authorization.

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1       The commission secretary shall be subject to rules of  
2 the personnel division of the department of administration  
3 and information.

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5       **9-5-106. State building commission; powers relative**  
6 **to use of state buildings; rules authorized; exceptions.**

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8       ~~(b) The secretary to the commission under W.S. 9-2-~~  
9 ~~1016(b)(xxi) shall administratively implement any rules of~~  
10 ~~the state building commission adopted under this section.~~

11 The director of the department of administration and  
12 information may adopt rules and regulations which make  
13 violation of rules adopted by the commission under  
14 subsection (a) of this section grounds for disciplinary  
15 action for any state employee violating the rules of the  
16 state building commission regarding operation, management  
17 or use of state buildings.

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19       **Section 2.** W.S. 9-2-1016(b)(xxi) is repealed.

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21       **Section 3.** The position of the manager of the  
22 construction management section within the authorized  
23 budget of the department of administration and information  
24 together with the budget associated for that position shall

1 be transferred to the state building commission. The  
2 position shall act as secretary to the commission in  
3 accordance with this act.

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5 **Section 4.** This act is effective July 1, 2005.

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7 **\*\*\* STAFF COMMENTS \*\*\***

8 **The repealed provision follows:**

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10 **9-2-1016. General services division.**

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12 (b) For the purpose of this subsection the term "agencies"  
13 does not include the University of Wyoming, community  
14 college districts, or school districts. It does not include  
15 the department of transportation except as to paragraphs  
16 (xi), (xii) and (xiii) of this subsection. The department  
17 through the general services division shall:

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19 ~~(xxi) Designate the administrator of the division to~~  
20 ~~function as secretary to the state building commission who~~  
21 ~~will administratively implement the commission's rules;~~

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