

Sponsored By: Joint Appropriations Committee

AN ACT relating to state funded facilities; providing appropriations for state funded capital construction; providing for conditions and other requirements related to state funded capital construction projects; amending supplemental coverage for university revenue bonds to extend the program and expand it to include community college district revenue bonds; establishing accounts; providing for continuous appropriations as specified; specifying duties of the state construction department and the department of administration and information; requiring reports; providing definitions; providing funding and conditions of mineral impacted road projects; providing for real property lease negotiations as specified; providing additional appropriations; authorizing a loan for a veterans' skilled nursing care facility; and providing for effective dates.

2/14/2018 Bill Number Assigned  
2/15/2018 S Received for Introduction  
2/16/2018 S Introduced and Referred to S02 - Appropriations  
27-2-1-0-0

**ROLL CALL**

**Ayes:** Senator(s) Anderson, Anselmi-Dalton, Baldwin, Barnard, Bebout, Boner, Burns, Case, Christensen, Coe, Dockstader, Driskill, Ellis, Emerich, Hastert, Kinskey, Landen, Meier, Moniz, Nethercott, Pappas, Perkins, Peterson, Rothfuss, Scott, Von Flatern, Wasserburger

**Nays:** Senator(s) Bouchard, Hicks

**Excused:** Senator Agar

**Ayes** 27      **Nays** 2      **Excused** 1      **Absent** 0      **Conflicts** 0

2/20/2018 S02 - Appropriations:Recommend Amend and Do Pass 5-0-0-0-0

**ROLL CALL**

**Ayes:** Senator(s) Burns, Dockstader, Driskill, Hastert, Landen

**Ayes** 5      **Nays** 0      **Excused** 0      **Absent** 0      **Conflicts** 0

2/20/2018 S Placed on General File

**SF0121SS001/ADOPTED**

Page 1-line 4 Delete "providing for".  
Page 1-line 5 Delete entirely.  
Page 1-line 10 Delete "creating a task force;".  
Page 1-line 11 Delete entirely.  
Page 1-line 12 Delete line through "specified;".  
Page 1-line 14 Delete "providing for".  
Page 1-line 15 Delete entirely.  
Page 2-line 1 Delete "intercollegiate athletics facilities;".  
Page 2-line 6 Delete "21-18-319 and"; delete "are" and insert "is".  
Page 2-lines 9 through 23 Delete entirely.  
Pages 3 through 8 Delete entirely.  
Page 9-lines 1 through 3 Delete entirely.

Page 10-line 13 Delete "and 21-18-102(a)(xxiii) are" and insert "is".

Page 11-lines 9 through 14 Delete entirely.

Page 14-line 19 Delete entirely.

Page 16-lines 15 and 16 Delete entirely.

Page 16-line 27 Delete entirely.

Page 17-lines 4 through 6 Delete entirely.

Page 26-lines 5 through 23 Delete entirely and insert:

"PROGRAM

OSLI-Forestry Level III	6,866,375		6,866,375
A&I-State Fac.-Casper I <sup>1.</sup>	13,000,000		13,000,000
A&I-State Fac.-Casper II <sup>1.,5.</sup>	7,000,000		7,000,000
CC-CWC Ag/Animal Science <sup>2.</sup>	5,250,000	5,250,000 PR	10,500,000
CC-NWCCD Tech Ed Ctr. <sup>2.</sup>	6,500,000	6,500,000 PR	13,000,000
CC-LCCC Ludden Library <sup>8.</sup>		5,000,000 PR	5,000,000
CC-LCCC Residence Hall		13,000,000 PR	13,000,000
CC-LCCC Children's Ctr.		2,900,000 PR	2,900,000
CC-NWCCD Residence Hall		11,162,785 PR	11,162,785
State Parks-Health/Safety <sup>3.</sup>	500,000	3,500,000 SR	4,000,000
State Parks-Terr. Prison		210,000 SR	210,000
State Parks-Water Fac.	300,000	1,700,000 SR	2,000,000
Dept. of Health-Facs. I <sup>4.</sup>	45,000,000		45,000,000
Dept. of Health-Facs. II <sup>4.</sup>	25,000,000		25,000,000
<del>DOC WMCB Buildout</del>		<del>13,500,000 T5</del>	<del>13,500,000</del>
WSP Repairs <sup>6.,7.</sup>		7,750,000 T5	7,750,000

TOTALS	108,616,375	800,000	<del>70,472,785</del>	<del>179,889,160</del>
			56,972,785	166,389,160".

Page 28-line 17 After "2018" insert "AND INTERFUND LOAN".

Page 28-line 20 Delete entirely and insert "Sections 8 and 9 is amended to read:".

Page 31-after line 21 Insert:

[INTERFUND LOAN]

**Section 9.** In addition to the authority provided under W.S. 9-1-417 the state treasurer and the state auditor may utilize up to one hundred fifty million dollars (\$150,000,000.00) in interfund loans from the unexpended, unobligated balance of the legislative stabilization reserve account for deposit to the strategic investments and projects account as necessary to meet appropriations from that account and contract obligations of the ~~department of administration and information state construction department~~ and University of Wyoming incurred for purposes of this act. The state treasurer and the state auditor shall not utilize interfund loans under this section to meet appropriations for Mineral impacted roads in section 7, priority VI and section 8, priority V, appropriations for the Ludden library in section 7, priority II, ~~or~~ appropriations for the Capitol bldg. rehabilitation and restoration account in section 7, priority V and section 8, priority IV or the appropriation for the University science initiative in section 8, priority II of this act."

Pages 42 through 46 Delete entirely.

Page 47-lines 1 through 21 Delete entirely.

Page 48-lines 1 through 9 Delete entirely.

Page 48-lines 11 through 23 Delete entirely.

Pages 49 through 54 Delete entirely.

Page 55-line 13                   After "9" delete "," and insert "and"; delete  
  "and 15".  
To the extent required by this amendment: adjust totals; and renumber  
as necessary. BURNS, CHAIRMAN

**SF0121SW001/WITHDRAWN**

**SF0121SW002/WITHDRAWN**

**SF0121SW003/WITHDRAWN**

**SF0121SW004/WITHDRAWN**

2/23/2018       S COW:Passed

2/27/2018       Motion to suspend SR 8-1:Passed 30-0-0-0-0

**ROLL CALL**

**Ayes:** Senator(s) Agar, Anderson, Anselmi-Dalton, Baldwin, Barnard, Bebout, Boner, Bouchard, Burns, Case, Christensen, Coe, Dockstader, Driskill, Ellis, Emerich, Hastert, Hicks, Kinskey, Landen, Meier, Moniz, Nethercott, Pappas, Perkins, Peterson, Rothfuss, Scott, Von Flatern, Wasserburger

**Ayes** 30       **Nays** 0       **Excused** 0       **Absent** 0       **Conflicts** 0

**SF0121S2001/WITHDRAWN**

**SF0121S2002/ADOPTED**

Page 17-line 12                   Delete "one hundred million dollars".  
Page 17-line 13                   Delete "(\$100,000,000.00)" and insert "sixty  
million dollars (\$60,000,000.00)".  
Page 17-line 17                   After "only" insert "after the University  
provides matching funds of forty million  
dollars (\$40,000,000.00) from reserve funds and  
then only".  
Page 17-line 18                   After "facility" delete "and" and insert ".".  
DOCKSTADER

**ROLL CALL**

**Ayes:** Senator(s) Agar, Barnard, Bebout, Boner, Bouchard, Burns, Case, Christensen, Coe, Dockstader, Driskill, Hicks, Kinskey, Perkins, Peterson, Scott, Von Flatern, Wasserburger

**Nays:** Senator(s) Anderson, Anselmi-Dalton, Baldwin, Ellis, Emerich, Hastert, Landen, Meier, Moniz, Nethercott, Pappas, Rothfuss

**Ayes** 18       **Nays** 12       **Excused** 0       **Absent** 0       **Conflicts** 0

**SF0121S2003/ADOPTED**

**(CORRECTED COPY)**

Page 1-line 10                   Delete the Senate standing committee amendment  
(SF0121SS001/A) to this line.  
Page 48-lines 11 through 23       Delete the Senate standing committee  
amendment (SF0121SS001/A) to these lines.  
Pages 49 through 54               Delete the Senate standing committee amendment  
(SF0121SS001/A) to these lines. LANDEN,  
DOCKSTADER

**SF0121S2004/FAILED**

Page 1-lines 4 and 5           Delete the standing committee amendment  
(SF0121SS001/A) to these lines.

Page 2-line 6 Delete the standing committee amendment (SF0121SS001/A) to this line.

Page 2-lines 9 through 23 Delete the standing committee amendment (SF0121SS001/A) to these lines and further amend as follows:

Page 2-line 14 After "capital construction" insert "or renovation".

Page 2-line 18 Delete "thirty million dollars (\$30,000,000.00)" and insert "sixty million dollars (\$60,000,000.00)".

Pages 3 through 8 Delete the standing committee amendment (SF0121SS001/A) to these pages and further amend as follows:

Page 4-lines 8 through 13 Delete entirely and insert "shall be determined by the state loan and investment board;".

Page 9-lines 1 through 3 Delete the standing committee amendment (SF0121SS001/A) to these lines.

Page 10-line 13 Delete the standing committee amendment (SF0121SS001/A) to this line.

Page 11-lines 9 through 14 Delete the standing committee amendment (SF0121SS001/A) to these lines.

To the extent required by this amendment: adjust totals; and renumber as necessary. NETHERCOTT

#### **ROLL CALL**

**Ayes:** Senator(s) Anselmi-Dalton, Baldwin, Case, Coe, Emerich, Hastert, Kinskey, Meier, Nethercott, Pappas, Peterson, Rothfuss

**Nays:** Senator(s) Agar, Anderson, Barnard, Bebout, Boner, Bouchard, Burns, Christensen, Dockstader, Driskill, Ellis, Hicks, Landen, Moniz, Perkins, Scott, Von Flatern, Wasserburger

**Ayes** 12    **Nays** 18    **Excused** 0    **Absent** 0    **Conflicts** 0

#### **SF0121S2005/ADOPTED (CORRECTED COPY)**

Page 48-lines 11 through 23 Delete the Senate standing committee amendment (SF0121SS001/A) to these lines entirely.

Pages 49 through 54 Delete the Senate standing committee amendment (SF0121SS001/A) to these pages entirely and further amend as follows:

Page 54-line 18 After "owned" insert "real"; delete "of".

Page 54-line 19 Delete "any kind will" and insert "that is used for student housing, including residence halls, apartments and fraternity and sorority housing, shall". BURNS

#### **SF0121S2006/ADOPTED**

Page 14-line 5 Under GENERAL FUND increase amount by "4,250,000"; Under OTHER FUNDS increase amount by "4,250,000".

Page 14-line 6 Under GENERAL FUND decrease amount by "4,250,000"; Under OTHER FUNDS decrease amount by "4,250,000".

To the extent required by this amendment: adjust totals; and renumber as necessary. PERKINS

#### **ROLL CALL**

**Ayes:** Senator(s) Agar, Anderson, Anselmi-Dalton, Baldwin, Barnard, Bebout, Boner, Bouchard, Burns, Case, Christensen, Coe, Dockstader, Driskill, Ellis, Emerich, Hastert, Kinskey, Landen, Meier, Moniz, Nethercott, Pappas, Perkins, Peterson, Rothfuss, Scott, Von Flatern, Wasserburger

**Nays:** Senator Hicks

**Ayes** 29      **Nays** 1      **Excused** 0      **Absent** 0      **Conflicts** 0

**SF0121S2007/ADOPTED**

Page 1-line 10      Delete "creating an advisory task force;".

Page 14-line 18      Delete entirely.

Page 16-lines 12 and 13      Delete entirely.

Pages 18 through 23      Delete entirely.

Page 24-lines 1 through 3      Delete entirely.

Page 30-line 16      Strike entirely.

Page 30-line 17      Delete entirely.

Page 31-line 4      Strike entirely.

Page 32-line 8      Delete "and the Casper state office building".

Page 55-line 13      Delete "6,".

To the extent required by this amendment: adjust totals; and renumber as necessary. MEIER

**ROLL CALL**

**Ayes:** Senator(s) Agar, Anselmi-Dalton, Baldwin, Boner, Bouchard, Burns, Case, Coe, Dockstader, Driskill, Ellis, Emerich, Hastert, Hicks, Kinskey, Meier, Moniz, Nethercott, Pappas, Peterson, Rothfuss, Scott, Wasserburger

**Nays:** Senator(s) Anderson, Barnard, Bebout, Christensen, Landen, Perkins, Von Flatern

**Ayes** 23      **Nays** 7      **Excused** 0      **Absent** 0      **Conflicts** 0

2/27/2018      S 2nd Reading:Passed

**SF0121S3001/ADOPTED**

Page 30-line 19      Delete entirely.

Page 31-lines 12 and 13      Delete entirely.

To the extent required by this amendment: adjust totals; and renumber as necessary. BURNS

**ROLL CALL**

**Ayes:** Senator(s) Agar, Anderson, Anselmi-Dalton, Baldwin, Barnard, Bebout, Boner, Bouchard, Burns, Christensen, Coe, Dockstader, Driskill, Ellis, Emerich, Hastert, Hicks, Kinskey, Landen, Meier, Moniz, Nethercott, Pappas, Perkins, Peterson, Rothfuss, Scott, Von Flatern, Wasserburger

**Nays:** Senator Case

**Ayes** 29      **Nays** 1      **Excused** 0      **Absent** 0      **Conflicts** 0

**SF0121S3002/ADOPTED**

Page 17-line 17      In the Dockstader second reading amendment (SF0121S2002/A) to this line, after "reserve funds" insert "or other sources of funding".  
SCOTT

**SF0121S3003/FAILED**

Delete the Meier second reading amendment (SF0121S2007/A) entirely.  
LANDEN

**ROLL CALL**

**Ayes:** Senator(s) Anderson, Baldwin, Barnard, Christensen, Landen, Perkins, Von Flatern

**Nays:** Senator(s) Agar, Anselmi-Dalton, Bebout, Boner, Bouchard, Burns, Case, Coe, Dockstader, Driskill, Ellis, Emerich, Hastert, Hicks, Kinskey, Meier, Moniz, Nethercott, Pappas, Peterson, Rothfuss, Scott, Wasserburger

**Ayes** 7      **Nays** 23      **Excused** 0      **Absent** 0      **Conflicts** 0

**SF0121S3004/WITHDRAWN**

**SF0121S3005/ADOPTED**

Page 55-line 13      Delete the Senate standing committee amendment (SF0121SS001/A) to this line. BURNS

**SF0121S3006/ADOPTED**

Page 17-line 13      In the Dockstader second reading amendment (SF0121S2002/A) to this line; delete "sixty million dollars (\$60,000,000.00)" and insert "eighty million dollars (\$80,000,000.00)".

Page 17-line 17      In the Dockstader second reading amendment (SF0121S2002/A) to this line, delete "forty million dollars (\$40,000,000.00)" and insert "twenty million dollars (\$20,000,000.00)".

To the extent required by this amendment: adjust totals; and renumber as necessary. MEIER, NETHERCOTT

**ROLL CALL**

**Ayes:** Senator(s) Anderson, Anselmi-Dalton, Burns, Christensen, Coe, Driskill, Ellis, Emerich, Hastert, Landen, Meier, Moniz, Nethercott, Pappas, Rothfuss, Scott, Wasserburger

**Nays:** Senator(s) Agar, Baldwin, Barnard, Bebout, Boner, Bouchard, Case, Dockstader, Hicks, Kinskey, Perkins, Peterson, Von Flatern

**Ayes** 17      **Nays** 13      **Excused** 0      **Absent** 0      **Conflicts** 0

**SF0121S3007/WITHDRAWN**

**SF0121S3008/ADOPTED**

Page 2-line 2      After "appropriations;" insert "authorizing a loan for a veterans' skilled nursing care facility;".

Page 54-after line 20      Insert:  
"[VETERANS' SKILLED NURSING CENTER-LOAN AUTHORIZATION]

**Section 16.**

(a) The state construction department through the veterans' commission and the department of health is authorized to borrow from the legislative stabilization reserve account up to thirty-five percent (35%) of the actual development costs for a facility with the number of beds authorized by the United States department of veterans affairs for limited level I/II and III planning and design, permit procurement, project land procurement, construction engineering and ultimate construction and operations of a veterans' skilled nursing center that shall be designed and constructed according to a "green house" look-alike concept for alternative elder care. Amounts borrowed under this subsection shall be deposited in the veterans' skilled nursing special revenue account. The department of health shall repay amounts

borrowed under this subsection from operations revenue deposited to the veterans' skilled nursing special revenue account. Repayment of the amounts borrowed under this subsection shall occur annually on June 30, after costs and maintenance for the center are paid until the total loan amount is amortized, which shall not be later than fifteen (15) years from the date of construction completion of the veterans' skilled nursing center or as required for receipt of federal funds, whichever is earlier. Interest charged on the amounts borrowed under this subsection shall be at a rate equal to the average interest earned on pooled investments of state funds in the four (4) calendar quarters preceding the quarter in which the loan occurred.

(b) The director of the state construction department shall report to the joint appropriations committee and the joint transportation, highways and military affairs interim committee within thirty (30) days of exercise of the loan authority under subsection (a) of this section. On or before September 1 of each year, the state construction department through the veterans' commission and department of health shall report to the joint appropriations committee and joint transportation, highways and military affairs interim committee the total amounts repaid to the legislative stabilization reserve account."

Page 55-line 3

Delete "**Section 16.**" and insert "**Section 17.**".

Page 55-line 13

In the Senate standing committee amendment (SF0121SS001/A) to this line, after "9" delete "and" and insert ","; after "10" insert "and 16".

To the extent required by this amendment: adjust totals; and renumber as necessary. MEIER

#### ROLL CALL

**Ayes:** Senator(s) Agar, Anderson, Anselmi-Dalton, Baldwin, Barnard, Bebout, Boner, Bouchard, Burns, Case, Christensen, Coe, Dockstader, Driskill, Ellis, Hastert, Hicks, Kinskey, Landen, Meier, Moniz, Nethercott, Pappas, Perkins, Peterson, Rothfuss, Scott, Wasserburger

**Nays:** Senator Von Flatern

**Excused:** Senator Emerich

**Ayes** 28      **Nays** 1      **Excused** 1      **Absent** 0      **Conflicts** 0

#### SF0121S3009/ADOPTED

Page 1-line 5

Delete entirely including the standing committee amendment (SF0121SS001/A) to this line and insert "amending supplemental coverage for university revenue bonds to extend the program and expand it to include community college district revenue bonds;"

Page 10-line 13

Delete the standing committee amendment (SF0121SS001/A) to this line; delete "and 21-18-102(a)(xxiii)" and insert ", 9-4-601(d)(vii) and 9-4-1003(a), (b)(intro), (c), (d)(intro), (i), (ii), (iii)(intro), (B)(intro), (II), (III), (C) and by creating a new subsection (e)".

Page 11-after line 7

Insert and renumber as necessary:

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

(d) Any revenue received under subsection (a) of this section in excess of two hundred million dollars (\$200,000,000.00) shall be distributed as follows:

(vii) From the amounts that would otherwise be distributed to the budget reserve account under paragraph (iv) of this subsection, amounts necessary to make the required revenue bond payments as provided by W.S. 9-4-1003(d), but in no event more than eighteen million dollars (\$18,000,000.00) for university of Wyoming revenue bonds annually and four million dollars (\$4,000,000.00) for community college district revenue bonds annually;

**9-4-1003. Supplemental coverage program for university and community college district revenue bonds.**

(a) The state loan and investment board shall administer a university and community college district revenue bond supplemental coverage program in accordance with this section and may promulgate rules to implement it. This program applies to bonds issued by the University of Wyoming under W.S. 21-17-402 through 21-17-450 ~~on or before November 1, 2015, only~~ and bonds issued by a community college district under W.S. 21-18-313. The program is intended to benefit the university and community college districts by providing supplemental coverage for payment of bonded indebtedness ~~of the university thereby~~ reducing the interest rate at which the bonds may be issued.

(b) If the university or a community college district seeks supplemental coverage for its revenue bonds under this program, the university or community college district shall apply to the board on forms prescribed by the board following legislative authorization ~~of the university~~ to issue revenue bonds. In no case shall the board approve supplemental coverage for bonds if the sale of the bonds would reduce the ratio of university or community college district pledged revenue that is available for debt servicing to the cost of annual interest and principal payments to a level of less than two and five tenths (2.5) one and five-tenths (1.5) to one (1). The board shall review the application and determine whether to approve the application based upon:

(c) The board may determine to provide supplemental coverage for revenue bonds under this section and may impose terms, conditions and limits on that supplemental coverage as it finds, in its discretion, are necessary to protect state funds and ensure the viability of the program. In addition, the board may provide supplemental coverage for refunding of university or community college district revenue bonds. ~~issued on or before November 1, 2015 provided the refunding is not combined with any bonds issued after November 1, 2015.~~ A decision by the board not to approve supplemental coverage for revenue bonds under this section is not subject to judicial review under the Wyoming Administrative Procedure Act.

(d) As a condition of participating in the supplemental coverage program under this section, the university or a community college district shall enter into agreements necessary to provide that:

(i) The state of Wyoming, through the state treasurer, shall assume responsibility for and make all payments to the university's or the community college district's paying agent in the amount necessary to pay principal and interest on the bonds subject to the supplemental coverage;

(ii) The university or a community college district shall deposit funds with the state by a certain date and in a sufficient amount so that the state can make the entire principal and interest payment to the ~~university's~~ paying agent in a timely manner;



(iii) If the university or a community college district fails to comply with paragraph (ii) of this subsection:

(B) To the extent that the university or a community college district has not deposited sufficient funds with the state to comply with paragraph (ii) of this subsection, the state is deemed to have loaned and the university or community college district is deemed to have borrowed those funds subject to the following terms and conditions:

(II) The loan, including principal and interest, shall be repaid from revenues from the university's or community college district's general fund that are neither state appropriations ~~to the university~~ nor pledged revenues under W.S. 21-17-404(a)(xiv)(A) or 21-18-313(b) or ad valorem taxes. The loan is not deemed to be a general obligation of the university or the community college district, and the state shall not require repayment from any source other than as provided in this subdivision;

(III) The university or community college district may make additional payments on the loan.

(C) The state loan and investment board may require the university or a community college district to modify its fiscal practices and its general operations if the board determines that there is a substantial likelihood that the university or community college district will not be able to make future payments required under paragraph (ii) of this subsection.

(e) The aggregate sum of community college district revenue bonds for which supplemental coverage may be provided in accordance with this section shall not exceed sixty million dollars (\$60,000,000.00)."

To the extent required by this amendment: adjust totals; and renumber as necessary. MEIER, LANDEN, NETHERCOTT

#### ROLL CALL

**Ayes:** Senator(s) Agar, Anderson, Anselmi-Dalton, Baldwin, Barnard, Bebout, Boner, Burns, Case, Christensen, Coe, Dockstader, Driskill, Ellis, Emerich, Hastert, Hicks, Kinskey, Landen, Meier, Moniz, Nethercott, Pappas, Perkins, Peterson, Rothfuss, Scott, Von Flatern, Wasserburger

**Nays:** Senator Bouchard

**Ayes** 29      **Nays** 1      **Excused** 0      **Absent** 0      **Conflicts** 0

#### SF0121S3010/WITHDRAWN

#### SF0121S3011/ADOPTED

Delete the Landen second reading amendment (SF0121S2003/AC) entirely.

Delete the Burns second reading amendment (SF01212005/AC) entirely.

Delete the Burns third reading amendment (SF0121S3005/A) entirely.

To the extent required by this amendment: adjust totals; and renumber as necessary. BEBOUT

#### ROLL CALL

**Ayes:** Senator(s) Agar, Anderson, Anselmi-Dalton, Baldwin, Barnard, Bebout, Boner, Bouchard, Burns, Case, Christensen, Coe, Dockstader, Driskill, Ellis, Emerich, Hastert, Hicks, Kinskey, Landen, Meier, Moniz, Nethercott, Pappas, Perkins, Peterson, Rothfuss, Scott, Von Flatern, Wasserburger

**Ayes** 30      **Nays** 0      **Excused** 0      **Absent** 0      **Conflicts** 0

2/28/2018 S 3rd Reading:Passed 27-3-0-0-0

**ROLL CALL**

**Ayes:** Senator(s) Agar, Anderson, Anselmi-Dalton, Baldwin, Barnard, Bebout, Boner, Burns, Christensen, Coe, Dockstader, Driskill, Ellis, Emerich, Hastert, Hicks, Kinskey, Landen, Meier, Moniz, Nethercott, Pappas, Perkins, Peterson, Rothfuss, Von Flatern, Wasserburger

**Nays:** Senator(s) Bouchard, Case, Scott

**Ayes** 27      **Nays** 3      **Excused** 0      **Absent** 0      **Conflicts** 0

3/1/2018 H Received for Introduction

3/1/2018 H Introduced and Referred to H02 - Appropriations

3/5/2018 H02 - Appropriations:Recommend Amend and Do Pass 7-0-0-0-0

**ROLL CALL**

**Ayes:** Representative(s) Burkhart, Larsen, Nicholas, Schwartz, Sommers, Walters, Wilson

**Ayes** 7      **Nays** 0      **Excused** 0      **Absent** 0      **Conflicts** 0

3/5/2018 H Placed on General File

**SF0121HS001/ADOPTED (TO ENGROSSED COPY)**

That Substitute No. 1 for SF0121 Engrossed DO PASS.

NICHOLAS, CHAIRMAN

3/6/2018 H COW:Passed

3/7/2018 H 2nd Reading:Laid Back

**SF0121H2001/ADOPTED (TO ENGROSSED COPY)**

**[TO SUBSTITUTE BILL No. 1]**

Page 1-line 14 After "property" insert "disposition and".  
Page 17-line 18 Delete "18" and insert "19".  
Page 23-line 5 After "act." insert "To the extent unobligated, unexpended funds are available,".  
Page 23-line 6 After "years" insert "2018,".  
Page 23-line 29 After "act." insert "To the extent unobligated, unexpended funds are available,".  
Page 24-line 2 After "years" insert "2018,".  
Page 61-line 19 After "is" delete balance of line.  
Page 61-line 20 Delete line through "housing," and insert "within, adjacent to, contiguous with or east of the university campus in Laramie, Wyoming".  
Page 63-after line 18 Insert the following new section and renumber as necessary:

"[GOVERNOR'S RESIDENCE]"

**Section 18.**

(a) The state building commission shall undertake negotiations to sell, trade or otherwise dispose of the governor's residence located at 5001 Central Avenue in Cheyenne, Wyoming and the buildings, grounds and property thereto attached. Any disposition of real property under this subsection shall be in accordance with W.S. 9-2-1016(b)(viii), except that the net proceeds shall be deposited in the state building commission contingency fund.

(b) There is appropriated two hundred and fifty thousand dollars (\$250,000.00) from the general fund to the state construction department for the purposes of moving, rental payments and associated costs necessary to ensure a site and buildings are available to be used

exclusively for the residence of the governor pursuant to W.S. 9-1-213 and 9-5-103. Notwithstanding any other provision of law, these funds shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation shall revert as provided by law on June 30, 2020."

Page 64-line 3 Delete "18" and insert "19".

Page 64-line 13 Delete "and 17" and insert ", 17 and 18".

To the extent required by this amendment: adjust totals and renumber as necessary. NICHOLAS

3/8/2018 H 2nd Reading:Passed

**SF0121H3001/FAILED**

**(TO ENGROSSED COPY)**

**[TO SUBSTITUTE BILL No. 1]**

Page 3-after line 15 Insert and renumber as necessary:

"(C) That the applicant has made diligent efforts to exhaust all other options for funding the project including federal grant and loan opportunities, state grant and loan opportunities and any other reasonable source for funding;"

Page 3-line 17 Delete "(C)" and insert "(D)".

Page 4-line 13 After "rate" delete balance of line.

Page 4-lines 14 through 16 Delete entirely.

Page 4-line 17 Delete "borrowing entity" and insert "equal to the rate for a United States treasury security of a similar term."

Page 4-line 18 After "repayment." insert "An origination fee for a loan loss reserve fund shall be one-half percent (.5%) of the loan amount. The origination fee shall be paid to a loss reserve account for the treasurer to pay for a nonrecoverable loss in the case of default of a loan under this subsection."

Page 5-line 19 After "rate" delete "of one and one-half percent (1.5%)" and insert "equal to the rate for a United States treasury security of a similar term".

Page 5-line 21 After "repayment." insert "An origination fee for a loan loss reserve fund shall be one-half percent (.5%) of the loan amount. The origination fee shall be paid to a loss reserve account for the treasurer to pay for a nonrecoverable loss in the case of default of a loan under this subsection."

Page 10-line 9 After "rate" delete "of".

Page 10-lines 10 through 14 Delete entirely and insert "equal to the rate for a United States treasury security of a similar term;"

Page 13-line 20 After "subsection" insert "." and delete "multiplied".

Page 13-line 21 Delete entirely.

Page 13-line 22 Delete entirely. MADDEN, BURKHART, KINNER, OBERMUELLER

**SF0121H3002/ADOPTED**

**(TO ENGROSSED COPY)**

**[TO SUBSTITUTE BILL No. 1]**

Page 1-line 7 After "duties of" insert "the state building commission,;"

Page 1-line 14 Delete the Nicholas second reading amendment (SF0121H2001/A) to this line.

Page 63-after line 18 Delete the Nicholas second reading amendment (SF0121H2001/A) to this line; insert the following new section and renumber as necessary:

"[GOVERNOR'S RESIDENCE]

**Section 18.**

(a) The state building commission shall review the security facility requirements of the Governor's residence and the buildings and grounds related to the residence, and authorize modifications to non-personnel security measures for the residence, buildings and grounds as it determines appropriate. In authorizing modifications, the commission shall consider the provisions of this section in regard to the potential construction of a new governor's residence.

(b) The state building commission shall:

(i) Review and evaluate at least three (3) potential locations to construct a new governor's residence or to modify another existing building to serve as the governor's residence. The commission may consider modification of the existing governor's residence as well, but the alternative of modification shall be in addition to at least three (3) other locations;

(ii) Determine the potential cost for a new governor's residence at each location, including associated grounds and buildings, together with necessary non-personnel security measures;

(iii) Study the feasibility of leasing a temporary facility to serve as the governor's residence until modification or construction of a governor's residence is completed;

(iv) Determine estimated revenues to the state by the sale of the current governor's residence and grounds;

(v) Propose a schedule for construction of a new governor's residence, which may include modification of the existing governor's residence or another existing building to serve as a governor's residence.

(c) If the state building commission determines that a viable location for a new governor's residence has been identified and that security or other issues make continued use of the current governor's residence not practical, it may authorize negotiations to sell the current governor's residence and grounds. The commission may enter into an agreement to sell the residence and grounds or to provide a right of first refusal to a potential buyer, but any agreement shall be contingent upon legislative appropriation of sufficient funds to construct a new governor's residence enacted in the 2019 general session.

(d) The state building commission shall provide a report of its actions under subsections (b) and (c) of this section to the management council of the legislature and to the joint appropriations committee not later than November 1, 2018. The commission shall include in the report:

(i) A prioritization of at least three (3) locations for a new governor's residence. The modification of the current residence may be included as one (1) of the locations;

(ii) Estimated costs associated with each location, which may include potential modification of traffic flows in coordination with officials of the city of Cheyenne;

(iii) An evaluation of each location based upon meeting security needs;

(iv) An evaluation of the suitability of each location to meet the dignity of the office;

(v) Other considerations the commission determines advisable in considering the location of the governor's residence.

(e) The management council and joint appropriations committee shall consult regarding the report and may sponsor legislation for introduction in the 2019 general and budget session, either separately or jointly, as council and committee determine appropriate.

(f) There is appropriated four hundred thousand dollars (\$400,000.00) from the legislative stabilization reserve account to the state building commission. This appropriation shall be for the period beginning with the effective date of this section and ending June 30, 2020. This appropriation shall only be expended for the purposes of this section. Notwithstanding any other provision of law, this appropriation shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation shall revert as provided by law on June 30, 2020. This appropriation shall not be included in the state building commission's 2021-2022 standard biennial budget request."

To the extent required by this amendment: adjust totals; and renumber as necessary. NICHOLAS

**SF0121H3003/ADOPTED**

**(TO ENGROSSED COPY)**

**[TO SUBSTITUTE BILL No. 1]**

Page 1-line 6 After "accounts;" insert "dedicating and providing for the distribution of funds to school major maintenance and other continuous appropriations and".

Page 16-line 13 After "(viii)" insert ", 9-4-220, 9-4-719(b)".

Page 17-after line 7 Insert:

**"9-4-220. Strategic investments and projects account created; purposes.**

(a) The strategic investments and projects account created by 2013 Wyoming Session Laws, Chapter 73, Section 4, Section 300(e) is continued and codified. Funds within the account shall only be expended by legislative appropriation. The governor may include appropriation requests from funds available within the strategic investments and projects account within his biennial budget requests for one-time expenditures as he deems necessary subject to subsection (b) of this section. All funds within the account shall be invested by the state treasurer and all investment earnings from the account shall be credited to the general fund.

(b) For fiscal year 2021 and in each fiscal year thereafter unencumbered and unobligated funds available for expenditure in the strategic investments and projects account shall be expended for the following purposes and subject to the following:

(i) An amount equal to forty-five percent (45%) of the maximum amount which may be credited to the strategic investments and projects account pursuant to W.S. 9-4-719(q) shall be credited to a school major maintenance subaccount. Funds within the subaccount shall be expended only for school major maintenance obligations of the state. For purposes of accounting and investing only, the school major maintenance subaccount shall be treated as a separate account from the strategic investments and projects account;

(ii) Funds in excess of the amount calculated under paragraph (i) of this subsection may be expended as appropriated by the legislature.

**9-4-719. Investment earnings spending policy permanent funds.**

(b) There is created the permanent Wyoming mineral trust fund reserve account. Beginning July 1, 2016 for fiscal year 2017 and each fiscal year thereafter, the state treasurer shall transfer unobligated funds from this account to the general fund as necessary to ensure that an amount equal to two and one-half percent (2.5%) of the previous five (5) year average market value of the permanent Wyoming mineral trust fund, calculated on the first day of the fiscal year, is available for expenditure annually during each fiscal year. As soon as possible after the end of each of the fiscal years beginning on and after July 1, 2017, after making any transfer required pursuant to paragraph (i) of this subsection, revenues in this account in excess of one hundred fifty percent (150%) of the spending policy amount in subsection (d) of this section shall be credited to the permanent Wyoming mineral trust fund. For fiscal year 2021 and for each fiscal year thereafter:

(i) As soon as practicable after the end of the fiscal year, after making any other transfers provided by law from the permanent Wyoming mineral trust fund reserve account, but prior to calculating the balance of the account under this subsection, the state treasurer shall transfer from the account an amount equal to the difference between the full amount to be credited to the school major maintenance subaccount pursuant to W.S. 9-4-220(b)(i) and the amount actually credited to that subaccount in the applicable fiscal year."

To the extent required by this amendment: adjust totals; and renumber as necessary. HARSHMAN, LARSEN, NICHOLAS, SCHWARTZ

3/9/2018 H 3rd Reading:Passed 43-16-0-0-1

**ROLL CALL**

**Ayes:** Representative(s) Allen, Barlow, Blake, Bovee, Brown, Burkhart, Byrd, Connolly, Court, Dayton, Eklund, Eyre, Flitner, Freeman, Furphy, Gierau, Greear, Haley, Halverson, Harshman, Henderson, Hunt, Kinner, Kirkbride, Larsen, Lindholm, Loucks, MacGuire, Nicholas, Northrup, Obermueller, Olsen, Paxton, Pelkey, Pownall, Schwartz, Simpson, Sommers, Stith, Sweeney, Walters, Wilson, Zwonitzer

**Nays:** Representative(s) Biteman, Blackburn, Clausen, Clem, Edwards, Gray, Hallinan, Jennings, Laursen, Lone, Madden, Miller, Piiparinen, Salazar, Steinmetz, Winters

**Conflicts:** Representative Crank

**Ayes** 43      **Nays** 16      **Excused** 0      **Absent** 0      **Conflicts** 1

3/10/2018 S Received for Concurrence

3/10/2018 S Concur:Failed 1-29-0-0-0

**ROLL CALL**

**Ayes:** Senator Rothfuss

**Nays:** Senator(s) Agar, Anderson, Anselmi-Dalton, Baldwin, Barnard, Bebout, Boner, Bouchard, Burns, Case, Christensen, Coe, Dockstader, Driskill, Ellis, Emerich, Hastert, Hicks, Kinskey, Landen, Meier, Moniz, Nethercott, Pappas, Perkins, Peterson, Scott, Von Flatern, Wasserburger

**Ayes** 1      **Nays** 29      **Excused** 0      **Absent** 0      **Conflicts** 0

3/10/2018 S Appointed JCC01 Members

3/10/2018	Senator(s) Bebout, Perkins, Von Flatern H Appointed JCC01 Members Representative(s) Nicholas, Larsen, Walters
3/10/2018	JCC Requested a New Committee to be Appointed
3/10/2018	Pursuant to JR 2-1(c):S Appointed JCC02 Members Senator(s) Bebout, Perkins, Von Flatern
3/10/2018	Pursuant to JR 2-1(c): H Appointed JCC02 Members Representative(s) Nicholas, Larsen, Walters
3/15/2018	S postponed indefinitely