

SENATE FILE NO. SF0077

Community college construction.

Sponsored by: Senator(s) Schiffer and Bebout and
Representative(s) Madden

A BILL

for

1 AN ACT relating to construction of community college
2 facilities; transferring payment authority for construction
3 of and major maintenance for community college facilities
4 to the construction management division of the department
5 of administration and information; specifying required
6 reporting; transferring positions and support funding as
7 specified; and providing for an effective date.

8

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

10

11 **Section 1.** W.S. 21-18-225(a), (f), (g), (j) and (k)
12 is amended to read:

13

14 **21-18-225. College maintenance and capital**
15 **construction funding.**

16

1 (a) As part of its administrative functions, the
2 community college commission shall identify community
3 college building needs, ~~and~~ and develop a prioritized list of
4 community college capital construction projects. ~~and~~ The
5 prioritized community college capital construction projects
6 shall be reported by the commission to the construction
7 management division of the department of administration and
8 information in accordance with subsection (g) of this
9 section. Following review, analysis and study, the
10 construction management division shall forward
11 recommendations for community college capital construction
12 projects to the state building commission. The ~~community~~
13 ~~college commission~~ construction management division shall
14 also submit major maintenance budget requests for college
15 buildings to the legislature in accordance with this
16 section. Major maintenance budget requests shall be based
17 upon the square footage submitted by the commission under
18 subsection (f) of this section and upon a formula, forms,
19 and a format specified by the budget division of the
20 department of administration and information. College
21 building maintenance budget requests submitted by the
22 ~~community college commission~~ construction management
23 division to the legislature and capital construction budget
24 requests forwarded by the state building commission to the

1 legislature shall include only necessary building square
2 footage required for provision of those education programs
3 comprising the statewide college system strategic plan
4 developed and maintained under W.S. 21-18-202(a)(v).

5
6 (f) In addition to subsection (d) of this section and
7 on or before ~~November~~August 1 of each odd-numbered year,
8 the commission shall report college building square footage
9 to the ~~general-services~~construction management division of
10 the department of administration and information as
11 necessary for computation of major maintenance funds for
12 community college buildings. The reported square footage
13 shall be restricted to that square footage necessary for
14 the delivery of education programs comprising the statewide
15 college system strategic plan.

16
17 (g) Upon prioritizing community college construction
18 needs under subsection (d) of this section, the commission
19 shall not later than ~~November 15~~August 1 of each year,
20 report the prioritized list to the ~~general-services~~
21 construction management division of the department of
22 administration and information. In accordance with W.S.
23 9-5-108(a)(ii), the ~~general-services~~construction
24 management division shall review, analyze and study

1 construction needs prioritized under subsection (d) of this
2 section and conduct necessary value engineering analysis,
3 schematic design review, safety and security assessments
4 and other analysis and review prior to submission of
5 recommendations to the state building commission. The state
6 building commission shall consider and incorporate
7 prioritized construction needs recommendations into
8 legislation requesting necessary funding, developed under
9 W.S. 9-5-108(a)(ii)(J), for submission to the legislature
10 for review, authorization and approval. The legislation
11 shall also include a separate appropriation for contingency
12 costs associated with recommended construction projects and
13 a separate appropriation for administrative costs of the
14 ~~general services~~ construction management division for
15 management of the recommended construction projects as
16 required by subsection (j) of this section. The ~~community~~
17 ~~college commission~~ construction management division shall
18 submit a separate budget request for project design and
19 planning funds to be available to assist community colleges
20 with costs incurred in developing and providing necessary
21 plans, designs and other information to the general
22 services division for purposes of this subsection. This
23 request shall also include funds for major maintenance for
24 the square footage reported by the commission under

1 subsection (f) of this section. The ~~general services~~
2 construction management division shall consult with the
3 community college commission in developing recommendations
4 under this subsection.

5
6 (j) Subject to amounts made available by legislative
7 appropriation and to any conditions which may be attached
8 to appropriation expenditures, the ~~commission~~ construction
9 management division of the department of administration and
10 information shall distribute state funds for building
11 construction approved and authorized by the legislature.
12 Distributions of state funds for any approved and
13 authorized construction project shall be in accordance with
14 payment schedules established by rule and regulation of the
15 ~~commission~~ division. Payments by the ~~commission~~ division
16 shall be contingent upon the receipt of any local district
17 funding as may be required by legislative authorization, or
18 ~~commission approved~~ upon receipt of other documentation
19 which may be required by the division certifying the timely
20 receipt of ~~such~~ required local district funds for the
21 capital construction project. ~~as may be required by~~
22 ~~legislative authorization, and~~ Payments to districts shall
23 also ~~include the written approval of the general services~~
24 ~~division, department of administration and information, of~~

1 be attached to prescribed phases of the construction
2 project and the completion of certain project phases.
3 Construction phases for which approval of the division is
4 required shall be specified by ~~commission~~division rule and
5 regulation, clearly prescribing a process for division
6 review and approval of project plans and specifications,
7 project development and project changes and change orders.
8 In carrying out duties under this subsection, the division
9 may execute powers prescribed under W.S. 9-5-108(a)(iii) in
10 coordination with the state building commission and the
11 appropriate community college district. No scheduled
12 payment shall be made by the ~~commission~~construction
13 management division without ~~the approval of the division as~~
14 ~~required by~~compliance with the prescribed process.

15

16 (k) Appropriations for major maintenance shall be
17 distributed by the ~~commission~~construction management
18 division of the department of administration and
19 information to community colleges in amounts determined by
20 the funding formula developed by the general services
21 division, ~~of the department of administration and~~
22 ~~information,~~ subject to restrictions imposed on qualifying
23 square footage pursuant to this section.

24

1 **Section 2.**

2

3 (a) For purposes of carrying out this act:

4

5 (i) For the period commencing July 1, 2013, and
6 ending June 30, 2014, one (1) full-time position is
7 transferred from the Wyoming community college commission
8 to the construction management division of the department
9 of administration and information. In addition, the
10 construction management division is authorized one (1)
11 additional full-time position. These positions shall be
12 included in the division's standard budget;

13

14 (ii) Effective for the period commencing July 1,
15 2013, and ending June 30, 2014, thirty-six thousand twenty-
16 three dollars (\$36,023.00) shall be transferred from the
17 Wyoming community college commission to the construction
18 management division of the department of administration and
19 information to partially fund and support the position
20 transferred under paragraph (i) of this subsection. This
21 position transfer and the associated funding amount shall
22 be included in both the commission's and the division's
23 standard budget;

24

(iii) In addition to paragraph (ii) of this subsection and for the period commencing July 1, 2013, and ending June 30, 2014, one hundred eight thousand dollars (\$108,000.00) from the community college construction management appropriation within the department of administration and information's 2013-2014 biennial budget shall be available to the construction management division for salary and benefits of the positions authorized under this section. This funding amount shall be included in the division's standard budget.

11

(b) Nothing in this section shall be construed to limit the authority of the governor to effect voluntary transfers of positions between agencies as otherwise authorized by law.

16

17 **Section 3.** This act is effective July 1, 2013.

18

19 (END)