

SENATE FILE NO. SF0162

State funded capital construction.

Sponsored by: Joint Appropriations Committee

A BILL

for

1 AN ACT relating to state funded capital construction;
2 establishing accounts; providing definitions; providing
3 appropriations and increasing prior appropriations for purposes
4 related to state funded capital construction; modifying prior
5 appropriations; making certain appropriations subject to
6 specified terms and conditions; providing matching funds for
7 specified projects; authorizing legislative meeting facilities;
8 providing an appropriation for an advisory task force related
9 to state facilities; requiring reports; and providing for an
10 effective date.

11

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

13

14 **Section 1.** W.S. 9-4-224 and 9-4-225 are created to read:

15

16 **9-4-224. Governor's residence account created; purposes.**

1

2 The governor's residence account is created. Funds within the
3 account shall only be expended upon legislative appropriation.
4 All funds within the account shall be invested by the state
5 treasurer as authorized by law and all investment earnings from
6 the account shall be credited to the general fund.

7

8 **9-4-225. Wyoming veterans' home account created;**
9 **purposes.**

10

11 The Wyoming veterans' home account is created. Funds within
12 the account shall only be expended upon legislative
13 appropriation. All funds within the account shall be invested
14 by the state treasurer as authorized by law and all investment
15 earnings from the account shall be credited to the general fund.

16

17 **Section 2.**

18

19 (a) As used in this act:

20

21 (i) "Appropriation" means the authorizations granted
22 by the legislature under this act to make expenditures from and

1 to incur obligations against the general and other funds as
2 specified;

3

4 (ii) "Approved budget" means as defined in W.S.
5 9-2-1005(e);

6

7 (iii) "FF" means federal funds;

8

9 (iv) "PR" means private funding sources;

10

11 (v) "RA" means the permanent Wyoming mineral trust
12 fund reserve account;

13

14 (vi) "SR" means an agency's account within the
15 special revenue fund;

16

17 (vii) "S6" means the school capital construction
18 account within the special revenue fund;

19

20 (viii) "T5" means the penitentiary permanent land
21 fund;

22

1 (ix) "S10" means the legislative stabilization
2 reserve account;

3

4 (x) "S13" means the strategic investments and
5 projects account.

6

7 [AMENDMENTS-CAPITAL CONSTRUCTION]

8

9 **Section 3.** 2018 Wyoming Session Laws, Chapter 136, Section
10 4(a)(i) is amended to read:

11

12 [CAPITAL CONSTRUCTION]

13

14 **Section 4.**

15

16 (a) The following sums of money are
17 appropriated for the capital construction projects
18 specified. Appropriations for these projects remain
19 in effect until the project is completed, unless
20 otherwise provided. Appropriated funds under this
21 section shall be expended only on the projects
22 specified and any unused funds remaining at project
23 completion shall revert to the accounts from which

1 they were appropriated. The amounts appropriated in
 2 this section are intended to provide a maximum amount
 3 for each project and shall not be construed to be an
 4 entitlement or guaranteed amount:

5
 6 (i) Appropriations for projects with state
 7 funding administered through the state construction
 8 department:

9		GENERAL	FEDERAL	OTHER	TOTAL
10	APPROPRIATION	FUND	FUNDS	FUNDS	APPROPRIATION
11	FOR	\$	\$	\$	\$
12					
13	Section 027. CAPITAL CONSTRUCTION PROJECTS				
14					
15	PROGRAM				
16	SBC Contingency	9,000,000			9,000,000
17	NWCCD- Health Science Bldg.	385,000			385,000
18	LCCC- PE Building Reno			7,300,000 PR	7,300,000
19	NWCC- Performing Arts Ctr. ¹⁺²	495,000		495,000 PR	990,000
20		<u>149,500</u>		<u>149,500 PR</u>	<u>299,000</u>
21	NWCC- Student Center ¹⁺²	550,000		550,000 PR	1,100,000
22		<u>137,500</u>		<u>137,500 PR</u>	<u>275,000</u>
23	LCCC- Albany Cty Campus			1,300,000 PR	1,300,000
24	CC- Visual Arts Bldg. ¹⁺²	5,750,000		5,750,000 PR	11,500,000
25	CC- Ag & Equine Center ¹⁺³	2,000,000		2,000,000 PR	4,000,000
26	WWCC- Mechanical Repairs ⁴	1,071,200			1,071,200
27		<u>3,131,200</u>			<u>3,131,200</u>
28	LCCC- Fine Arts Bldg. ¹	7,000,000		7,000,000 PR	14,000,000

1		GENERAL	FEDERAL	OTHER	TOTAL
2	APPROPRIATION	FUND	FUNDS	FUNDS	APPROPRIATION
3	FOR	\$	\$	\$	\$
4					
5	Mil- Cheyenne Readiness		28,900,000		28,900,000
6	Mil- Guernsey Readiness		22,300,000		22,300,000
7	Mil- Guernsey Air Tower		17,000,000		17,000,000
8	DFS- Maghee Bldg. Remodel ¹⁰⁻	<u>2,170,000</u>			<u>2,170,000</u>
9		<u>2,230,000</u>			<u>2,230,000</u>
10	State Parks- Health/Safety			4,300,000 SR	4,300,000
11	State Parks- Terr. Prison			210,000 SR	210,000
12	State Parks- Water Fac.			770,000 SR	770,000
13	DOC- WSP Repairs and				
14	Contingency ^{5.,6.}			8,184,125 T5	8,184,125
15	State Facilities Const. ^{7.}			7,500,000 RA	
16				7,500,000 S10	15,000,000
17	State Facilities - Casper ^{8.}	5,000,000			5,000,000
18	LCCC- Crossroads			1,200,000 PR	1,200,000
19	<u>Mil- Vet Skilled Nursing ¹¹⁻</u>	<u>5,000,000</u>	<u>9,300,000</u>		<u>14,300,000</u>
20	<u>OSLI- Fire Academy Lvl II</u>	<u>300,000</u>			<u>300,000</u>
21	<u>WDH- Veteran's Home I & II</u>	<u>600,000</u>			<u>600,000</u>
22	<u>NWCC- Cody Hall</u>			<u>3,000,000 PR</u>	<u>3,000,000</u>
23	<u>NWCCD- Health Science Bldg.</u>	<u>6,718,104</u>		<u>6,718,105 PR</u>	<u>13,436,209</u>
24	<u>NWCCD- Culinary Arts</u>	<u>2,181,984</u>		<u>2,181,984 PR</u>	<u>4,363,968</u>
25	<u>DOC- WSP Roof Replacement</u>	<u>4,219,973</u>			<u>4,219,973</u>
26	<u>DOC- Honor Farm Admin Bldg.</u>	<u>250,000</u>			<u>250,000</u>
27	<u>CWC- Ag & Animal Science</u>	<u>3,926,792</u>		<u>3,926,792 PR</u>	<u>7,853,584</u>
28	<u>Vet Home Constr. Acct. ^{12.}</u>	<u>10,000,000</u>			<u>10,000,000</u>
29	<u>Governor Residence Acct. ^{13.}</u>			<u>5,000,000 S13</u>	<u>5,000,000</u>
30	<u>Wind River Res. Memorial ^{14.}</u>	<u>50,000</u>			<u>50,000</u>
31					

1		GENERAL	FEDERAL	OTHER	TOTAL
2	APPROPRIATION	FUND	FUNDS	FUNDS	APPROPRIATION
3	FOR	\$	\$	\$	\$
5	<u>WDH-WLRC Abatement ^{15.}</u>	<u>3,500,000</u>			<u>3,500,000</u>
6	<u>Capitol Contingency &</u>				
7	<u>Enhancements ^{16.}</u>	<u>2,500,000</u>		<u>2,500,000</u> <u>S13</u>	<u>5,000,000</u>
8	<u>Mil- Veterans Museum ^{17.}</u>			<u>2,500,000</u> <u>S13</u>	<u>2,500,000</u>
9		_____	_____	_____	_____
10	TOTALS	<u>33,421,200</u>	<u>68,200,000</u>	<u>54,059,125</u>	<u>155,680,325</u>
11		<u>74,030,053</u>	<u>77,500,000</u>	<u>79,128,006</u>	<u>230,658,059</u>

13 1. As a condition of this general fund appropriation, the community college
14 to which the funds are appropriated shall expend the entire appropriation of
15 other funds prior to the release of any general funds appropriated for
16 purposes of the authorized capital construction project.

18 2. Casper College shall complete requirements specified in footnotes 1 and
19 3 of this section for the Casper College-Agriculture and Equine Center
20 appropriation before release of the general fund appropriation for the Casper
21 College-Visual Arts Building.

23 3. For the Casper College-Agriculture and Equine Center, any funds expended
24 pursuant to 2014 Wyoming Session Laws, Chapter 26, Section 3, Section 006,
25 footnote 5, up to seven hundred fifty thousand dollars (\$750,000.00), shall
26 be considered expenditures of other funds for purposes of footnote 1 of this
27 section if the Casper College-Agriculture and Equine Center is constructed
28 on the property acquired from that expenditure.

1

2 4. Of this general fund appropriation, five hundred thousand dollars
3 (\$500,000.00) shall only be expended upon a determination by the governor,
4 in consultation with Western Wyoming Community College and the state
5 construction department, that insufficient appropriations are available to
6 address emergency repair needs related to building system failures at the
7 college.

8

9 5. Of this other funds appropriation, three million one hundred eighty-four
10 thousand one hundred twenty-five dollars (\$3,184,125.00)T5, or as much
11 thereof as is available, is effective immediately and shall be expended on
12 water mitigation projects, maintenance and repairs at the Wyoming state
13 penitentiary recommended pursuant to the penal facility peer review study
14 conducted under 2017 Wyoming Session Laws, Chapter 120, Section 332 and on
15 file with the legislative service office.

16

17 6. Of this other funds appropriation, five million dollars
18 (\$5,000,000.00)T5, or as much thereof as is available, shall be expended for
19 operations, major maintenance, capital construction, repairs or inmate
20 relocation in the event hazardous conditions resulting from subsurface
21 movement or other building failure at any correctional facility of the
22 department of corrections warrants an immediate response. Expenditures of
23 the appropriation subject to this footnote shall be made only upon the
24 approval of the governor after consultation with the joint appropriations
25 committee. The department of corrections shall report quarterly to the joint
26 appropriations committee on expenditures made from this appropriation
27 subject to this footnote. Any unexpended, unobligated funds remaining from

1 the appropriation subject to this footnote shall revert as provided by law
2 on June 30, 2020.

3
4 7. Funds from this appropriation shall be deposited in the state facilities
5 construction account. This appropriation shall be effective immediately.

6
7 8. Funds from this appropriation shall be deposited to the Casper state
8 facilities account created in W.S. 9-4-223.

9
10 9. Not more than fifty percent (50%) of total amounts expended for the level
11 II feasibility study for the authorized capital construction project shall
12 be paid from this general fund appropriation.

13
14 10. Of this general fund appropriation, sixty thousand dollars (\$60,000.00)
15 shall only be expended for costs of abatement associated with the remodel of
16 the Maghee building in Fremont County.

17
18 11. This general fund and federal funds appropriation shall not be effective
19 if 2019 House Bill 0082 is enacted into law.

20
21 12. Funds from this appropriation shall be deposited into the Wyoming
22 veterans' home account created by W.S. 9-4-225.

23
24 13. Funds from this appropriation shall be deposited into the governor's
25 residence account created by W.S. 9-4-224.

26

1 14. This general fund appropriation shall only be expended for purposes of
2 the Wind River Reservation memorial for which nonstate funds provide at least
3 a dollar for dollar match.

4
5 15. Funds from this appropriation shall be deposited into the state
6 facilities construction account. In addition to amounts appropriated in
7 2017 Wyoming Session Laws, Chapter 78 and 2018 Wyoming Session Laws, Chapter
8 136 for the Wyoming state hospital and Wyoming life resource center, up to
9 three million five hundred thousand dollars (\$3,500,000.00) from the state
10 facilities construction account is appropriated for abatement activities at
11 the Wyoming life resource center.

12
13 16. This other funds appropriation shall only be expended for completing
14 shelled space, providing public amenities, enhancing public information and
15 for further improvements beyond the original scope of the capitol building
16 rehabilitation and restoration project pursuant to W.S. 9-5-112. This
17 general funds appropriation shall first be expended as contingency for the
18 capitol building rehabilitation and restoration project pursuant to W.S.
19 9-5-112. If any funds remain from this general fund appropriation upon
20 completion of the original scope of the project, the balance shall only be
21 used for completing shelled space, providing public amenities, enhancing
22 public information and for further improvements beyond the original scope of
23 the capitol building rehabilitation pursuant to W.S. 9-5-112.

24
25 17. This general fund appropriation shall be deposited to an account which
26 shall be held by the state treasurer for purposes of construction related
27 activities for the Wyoming veterans' memorial museum. Funds subject to this

1 footnote shall only be available for expenditure to the extent cash or cash
2 equivalent contributions are actually received by the state for the purposes
3 of this footnote. At any time accumulated contributions total at least one
4 hundred thousand dollars (\$100,000.00) or when this general fund
5 appropriation is fully matched, the state treasurer shall distribute matching
6 contributions from this general fund appropriation for purposes of this
7 footnote in an amount equal to the amount of contributions received.

8

9

[WILDLIFE CROSSINGS]

10

11 **Section 4.**

12

13 (a) There is appropriated four million two hundred
14 thousand dollars (\$4,200,000.00) from the strategic investments
15 and projects account to the department of transportation. This
16 appropriation shall only be expended subject to the following
17 conditions:

18

19 (i) Funds shall only be expended to provide for
20 wildlife conservation efforts related to the transportation
21 system, including wildlife crossings and game fences;

22

1 (ii) The department of transportation and game and
2 fish department shall develop an eligible list of identified
3 and necessary wildlife crossing projects throughout the state;

4

5 (iii) Funds from this appropriation shall only be
6 expended on identified projects upon receipt of funds as a
7 percentage of the total contribution from appropriated funds
8 under this section of at least:

9

10 (A) Five percent (5%) by a political
11 subdivision, nongovernmental organization or private entity.
12 The political subdivision or private entity shall identify the
13 project from the eligible list defined in paragraph (ii) of this
14 subsection for which it is contributing matching funds;

15

16 (B) Twenty percent (20%) by the game and fish
17 department from any funds under the department's authority or
18 grants to the game and fish department for wildlife crossing
19 projects; and

20

21 (C) Two hundred percent (200%) by the
22 department of transportation from any funds under the

1 department's authority other than the appropriation in this
2 section.

3

4 (iv) The game and fish department and the department
5 of transportation shall, after consultation with the political
6 subdivisions, nongovernmental organizations or private entities
7 providing contributions, select projects for completion from
8 the eligible list of projects defined in paragraph (ii) of this
9 subsection that have been matched as required in paragraph (iii)
10 of this subsection.

11

12 [HEALTH FACILITIES TASK FORCE]

13

14 **Section 5.** There is appropriated forty thousand dollars
15 (\$40,000.00) from the general fund to the legislative service
16 office. This appropriation shall only be expended for the
17 purpose of funding salary, mileage and per diem of legislative
18 members of the joint legislative and executive task force on
19 department of health facilities as constituted in 2017 Wyoming
20 Session Laws, Chapter 78. Notwithstanding any other provision
21 of law, this appropriation shall not be transferred or expended
22 for any other purpose and any unexpended, unobligated funds
23 remaining from this appropriation shall revert as provided by

1 law on June 30 of the year following the year in which
2 construction and renovation at the Wyoming state hospital and
3 Wyoming life resource center is complete and the facilities are
4 occupied.

5

6 [AMENDMENTS - CASPER STATE OFFICE BUILDING - LEGISLATIVE
7 MEETING FACILITIES]

8

9 **Section 6.** 2018 Wyoming Session Laws, Chapter 136, Section
10 6(d)(v), by creating a new paragraph (vi) and by creating new
11 subsections (k) and (m) is amended to read:

12

13 [CASPER STATE OFFICE BUILDING -
14 APPROPRIATION AND ADVISORY TASK FORCE]

15

16 **Section 6.**

17

18 (d) The task force shall serve in an advisory
19 role and provide recommendations to the executive
20 branch of government for the procurement of
21 professional services and completion of a level II
22 feasibility study, as described in W.S.
23 9-5-108(a)(ii), level III construction and operation

1 plans, as described in W.S. 9-5-108(a)(iii), and
2 construction of the Casper state office building
3 project. While serving in an advisory role, the task
4 force shall:

5
6 (v) Include in each interim report the
7 status of the legislative meeting rooms and facilities
8 authorized by subsection (k) of this section and any
9 recommendations for legislative action that should be
10 considered during the legislative session immediately
11 following the report as necessary to continue or
12 complete the Casper state office building project;

13
14 (vi) Closely monitor and make
15 recommendations to the state construction department
16 and any entity procured for professional services on
17 all aspects of the legislative meeting rooms and
18 facilities authorized by subsection (k) of this
19 section.

20
21 (k) As part of the level III design,
22 construction and operation plans of the Casper state
23 office building project, there shall be located within

1 the building legislative meeting rooms and
2 facilities. The meeting rooms and facilities shall
3 consist of two (2) meeting rooms with all necessary
4 components to accommodate meetings of joint interim
5 committees of the legislature and such additional
6 areas and facilities as necessary to support the
7 intended functions of the meeting rooms. The meeting
8 rooms and related facilities shall be located in an
9 area of the building that provides for ease of public
10 access and does not unduly disrupt the intended uses
11 of the other occupants of the building. The meeting
12 rooms and facilities shall be under the jurisdiction
13 and control of the legislative service office.
14 Legislative use of the meeting rooms and facilities
15 shall be given first priority, but the rooms and
16 facilities shall be open for use by the executive
17 branch occupants of the building and compatible use
18 by the public. Subject to legislative prioritization,
19 these spaces shall be managed to maximize use for all
20 authorized users and purposes as provided in this
21 subsection. The meeting rooms and facilities shall be
22 designed, constructed, finished, furnished and
23 equipped to provide:

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23

(i) Necessary committee dais space for at least fourteen (14) committee members and necessary staff;

(ii) Appropriate accommodations for witnesses and seating for between thirty-five (35) and one hundred (100) members of the public;

(iii) Appropriate information technology and audio-visual infrastructure and equipment necessary to livestream committee meetings from the room;

(iv) All other appropriate space, areas, facilities, infrastructure, furnishings and equipment necessary to support the intended functions of the meeting rooms.

(m) All necessary expenditures for the meeting rooms and facilities authorized by subsection (k) of this section shall be funded from the appropriation authorized in subsection (j) of this section. If the

1 state construction department and any entity procured
2 for professional services find that additional funds
3 are necessary to complete the meeting rooms and
4 facilities, and the task force recommends the
5 expenditure of additional funds, the task force may
6 include requests for an additional appropriation in
7 its interim reports.

8

9 [UNIVERSITY OF WYOMING MATCHING FUNDS CAPITAL PROJECTS]

10

11 **Section 7.**

12

13 (a) There is appropriated fifteen million dollars
14 (\$15,000,000.00) from the general fund to a holding account,
15 which is hereby created. The investment, distribution,
16 expenditure and matching of funds from this appropriation shall
17 be administered pursuant to this section.

18

19 (b) The appropriation in this section shall be limited to
20 matching qualifying contributions for:

21

22 (i) Renovation of the west side stands within war
23 memorial stadium on the University of Wyoming campus; and

1

2 (ii) Renovation, reconstruction or construction
3 related to corbett pool or a replacement aquatic facility.

4

5 (c) For purposes of this section, "qualifying
6 contribution" means a commitment or transfer of money or other
7 property of a value of not less than ten thousand dollars
8 (\$10,000.00) to the University of Wyoming foundation to be
9 expended exclusively for university intercollegiate athletic
10 facilities specified in subsection (b) of this section. The
11 commitment for a qualifying contribution or the contribution
12 itself shall be made on or after April 1, 2019. Members of a
13 single family may aggregate their individual gifts to meet the
14 minimum dollar threshold required for matching funds. Gifts
15 from nonfamily members in memory of a deceased individual may
16 also be aggregated to meet the minimum dollar threshold required
17 for matching funds. Estate gifts in the form of irrevocable
18 living trusts of at least one million dollars (\$1,000,000.00)
19 shall be considered a qualifying contribution to the extent the
20 University of Wyoming or University of Wyoming foundation elects
21 to provide a like amount of funds from other sources until such
22 time as the gift is realized.

23

1 (d) No funds shall be transferred to the University of
2 Wyoming or expended for any purpose from this appropriation
3 until further action by the legislature.

4

5 (e) Funds appropriated in this section shall be invested
6 solely by the state treasurer as authorized by law until further
7 action by the legislature. All investment earnings shall be
8 credited to the holding account.

9

10 (f) The University of Wyoming or the University of Wyoming
11 foundation may solicit qualifying contributions for the
12 university intercollegiate athletic facilities specified in
13 subsection (b) of this section. In soliciting qualifying
14 contributions, the university and the foundation shall disclose
15 that:

16

17 (i) The funds appropriated in this section will not
18 be available to match any contribution until the legislature
19 acts to authorize distribution of the funds;

20

21 (ii) The goal is to raise contributions in an amount
22 of at least thirty million dollars (\$30,000,000.00) in order to
23 receive appropriated funds in the ratio of one dollar (\$1.00)

1 of state funds to not less than two dollars (\$2.00) of qualifying
2 contributions;

3

4 (iii) The legislature reserves the authority to not
5 authorize the distribution of state funds under this section
6 regardless of the amount of any qualifying contributions
7 received by the university or foundation.

8

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

12

13

(END)