

SENATE FILE NO. SF0119

State funded capital construction.

Sponsored by: Joint Appropriations Committee

A BILL

for

1 AN ACT relating to state funded capital construction; creating  
2 accounts; providing definitions; providing appropriations for  
3 purposes related to state funded capital construction;  
4 modifying prior appropriations; making certain appropriations  
5 subject to specified terms and conditions; providing for the  
6 reversion and transfer of funds; creating a subcommittee;  
7 providing for the acceptance of gifts of real property;  
8 requiring reporting; specifying funding priorities; and  
9 providing for effective dates.

10

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

12

13 **Section 1.** W.S. 9-4-225 is created to read:

14

15 **9-4-225. Capitol square preservation account.**

16

1 The capitol square preservation account is created. The state  
2 treasurer may accept federal grants and other contributions,  
3 grants, gifts, transfers, bequests and donations of money from  
4 any source for deposit into the account. Funds within the  
5 account shall only be expended upon legislative appropriation.  
6 All funds within the account shall be invested by the state  
7 treasurer and all investment earnings from the account shall  
8 be credited to the general fund.

9

10 **Section 2.** W.S. 9-4-203(a)(xiii) and 9-4-207(d)(intro)  
11 and (i) are amended to read:

12

13 **9-4-203. Definitions.**

14

15 (a) As used in this act:

16

17 (xiii) "This act" means W.S. 9-4-201 through  
18 ~~9-4-224~~ 9-4-225.

19

20 **9-4-207. Disposition of unexpended appropriations.**

21

22 (d) Appropriations for the purposes specified in this  
23 subsection shall be excluded from reverting pursuant to

1 subsections (a) through (c) of this section but may revert as  
2 provided in this subsection. Appropriations ~~which do not~~  
3 ~~revert pursuant to~~ specified in this subsection shall be  
4 expended only on the projects for which the funds were  
5 appropriated. Funds subject to this subsection are  
6 appropriations:

7

8 (i) For capital outlays, provided that any  
9 unexpended funds remaining upon completion of a project shall  
10 revert to the account from which the funds were appropriated  
11 if no other use of the reverted funds is specified by law;

12

13 **Section 3.**

14

15 (a) As used in the noncodified sections of this act:

16

17 (i) "Appropriation" means the authorizations  
18 granted by the legislature under this act to make expenditures  
19 from and to incur obligations against the general and other  
20 funds as specified;

21

22 (ii) "Approved budget" means as defined in W.S.  
23 9-2-1005(e);

1

2 (iii) "FF" means federal funds;

3

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

5

6 (v) "SR" means an agency's account within the  
7 special revenue fund;

8

9 (vi) "S0" means other funds identified by footnote;

10

11 (vii) "S13" means the strategic investments and  
12 projects account;

13

14 (viii) "T5" means the penitentiary permanent land  
15 fund.

16

17 (b) Appropriations for projects in this act remain in  
18 effect until the project is completed, unless otherwise  
19 provided. The amounts appropriated for projects under this  
20 act shall be expended only on the projects specified and any  
21 unexpended, unobligated funds remaining upon completion of a  
22 project shall revert as provided by law. The amounts  
23 appropriated in this act are intended to provide a maximum

1 amount for each project and shall not be construed to be an  
2 entitlement or guaranteed amount.

3

4

[CAPITAL CONSTRUCTION]

5

6

**Section 4.**

7

8

(a) The following sums of money are appropriated for the  
9 capital construction projects specified:

10

11

(i) Appropriations for projects with state funding  
12 administered through the state construction department:

13

14

1	GENERAL	FEDERAL	OTHER	TOTAL
2	FUND	FUNDS	FUNDS	APPROPRIATION
3	FOR	\$	\$	\$
4	<b>Section 027. CAPITAL CONSTRUCTION PROJECTS</b>			
5				
6	PROGRAM			
7	SBC- Contingency <sup>1</sup> .		8,000,000 S13	8,000,000
8	SCD- Lvl I & Lvl II <sup>9</sup> .		2,250,000 S13	2,250,000
9	Mil- Army NG Vehicle			
10	Maint. Shop	16,895,000		16,895,000
11	State Parks- Maint.			
12	Outdoor Rec. <sup>2</sup> .		6,000,000 SR	6,000,000
13	State Parks- Water Fac.		300,000 SR	300,000
14	State Parks- Quebec 01 Fac.		25,000 SR	25,000
15	CWC- Jackson Outreach Ctr. <sup>3</sup> .		7,577,330 PR	
16			7,577,330 S13	15,154,660
17	NWC- Student Center <sup>3</sup> .		10,199,171 PR	
18			10,199,171 S13	20,398,342
19	WWCC- Nursing Fac. <sup>3</sup> .		1,900,000 PR	
20			1,900,000 S13	3,800,000
21	LCCC- RAC Reno. <sup>3</sup> .		9,029,400 PR	
22			9,029,400 S13	18,058,800
23	WWCC- Mechanical Rep.		11,740,000 S13	11,740,000
24	NWCCD- Construction Tech.			
25	Ctr. <sup>3, 4</sup> .		5,000,000 PR	
26			5,000,000 S13	10,000,000
27	DOC- WWC HVAC Replace		2,000,000 T5	2,000,000
28	DOC- HF Admin. Bldg. <sup>5</sup> .		5,000,000 S0	5,000,000
29	SCD- Tonkin Demo-Rehab. <sup>6</sup> .		5,600,000 S13	5,600,000
30	SCD- Chancery Court <sup>7</sup> .	777,168		777,168
31	State Facilities Const. <sup>8</sup> .	_____	4,000,000 S13	4,000,000
32	TOTALS	777,168	16,895,000	112,326,802
33				

34 1. Of this other funds appropriation, one million six hundred fifty-nine  
 35 thousand four hundred fifty dollars (\$1,659,450.00)S13 is appropriated for  
 36 security fencing at the governor's residence.

37

1 2. Of this other funds appropriation, three million dollars  
2 (\$3,000,000.00)SR is appropriated for facility remedies of concessionaires  
3 within Hot Springs state park as determined by the department of state  
4 parks and cultural resources. This appropriation shall not be transferred  
5 or expended for any other purpose and any unexpended, unobligated funds  
6 remaining from this appropriation on June 30, 2022 shall revert to the  
7 state parks and cultural resources special revenue account created by W.S.  
8 36-4-121(h). Notwithstanding W.S. 36-4-121(h), any reverted funds from  
9 this appropriation are reappropriated for the outdoor recreation office  
10 and facilities.

11  
12 3. Of these other funds appropriations, the strategic investments and  
13 projects account appropriation shall be matched in a ratio of one dollar  
14 (\$1.00) from the strategic investments and projects account to one dollar  
15 (\$1.00) of matching funds from the community college. Construction costs  
16 shall be borne in equal amounts from the strategic investments and  
17 projects account appropriation and matching funds from the community  
18 college. Any unexpended, unobligated funds remaining upon completion of  
19 the project shall revert to the strategic investments and projects account  
20 and the community college in proportion to the contribution to the total  
21 construction costs of the project.

22  
23 4. The northern Wyoming community college district is authorized to  
24 expend up to five million dollars (\$5,000,000.00)S13 in other funds,  
25 matched by an equal amount of other, community college funds to acquire  
26 property, construct a construction technology center or both.

27

1 5. Of this other funds appropriation, five million dollars  
2 (\$5,000,000.00)S0 is appropriated from the Wyoming state penitentiary  
3 capital construction account within the strategic investments and projects  
4 account.

5

6 6. Of this other funds appropriation, five million six hundred thousand  
7 dollars (\$5,600,000.00)S13 is appropriated for partial demolition of the  
8 Tonkin facility in Riverton, Wyoming and to refurbish the remaining  
9 portion of the facility for future occupancy by state agencies.

10

11 7. This general fund appropriation is appropriated for capital outlay  
12 expenditures associated with the chancery court within the Casper state  
13 office building.

14

15 8. Funds from this appropriation shall be deposited in the state  
16 facilities construction account. In addition to prior appropriations from  
17 the state facilities construction account, there is appropriated four  
18 million dollars (\$4,000,000.00) from the state facilities construction  
19 account to the state construction department for abatement activities at  
20 the Wyoming life resource center.

21

22 9. (a) The legislature is approving the following projects for study and  
23 design:

24

25 (i) Department of administration and information - master  
26 plan studies for Cheyenne area state buildings - levels I and II;

27



1           (ii) Office of state parks and cultural resources - museum  
2 expansion - levels I and II;

3

4           (iii) Department of family services - Wyoming girls' school  
5 Stolt administration-education building - levels I and II;

6

7           (iv) Department of family services - Wyoming boys' school  
8 facility maintenance storage facility - levels I and II;

9

10          (v) Department of corrections - Wyoming women's center main  
11 building expansion and maintenance addition - level II;

12

13          (vi) Department of corrections - security electronics  
14 integration - level II;

15

16          (vii) Northern Wyoming community college district - Gillette  
17 college new academic center - level II.

18

19          (ii) Appropriations for University of Wyoming  
20 projects:

21

22

1	GENERAL	FEDERAL	OTHER	TOTAL
2	FUND	FUNDS	FUNDS	APPROPRIATION
3	\$	\$	\$	\$
4				
5	PROGRAM			
6	UW-Trustees'			
7	Capital Projects <sup>1</sup>	_____	_____	500,000 S13
8	TOTALS		500,000	500,000
9				

10 1. (a) Of this other funds appropriation, five hundred thousand dollars  
11 (\$500,000.00)S13 is appropriated to the University of Wyoming for the  
12 capital construction project specified in this footnote. This  
13 appropriation shall be matched in a ratio of one dollar (\$1.00) from the  
14 strategic investments and projects account to one dollar (\$1.00) of  
15 matching funds from any other source. This appropriation shall be expended  
16 directly on providing facilities for the departments of limitary science  
17 and aerospace studies.

18  
19 (b) This appropriation shall not be subject to the requirements of  
20 W.S. 21-16-1001 through 21-16-1003 or 21-16-1401 through 21-16-1403.

21  
22 [AMENDMENTS-CAPITAL CONSTRUCTION]

23  
24 **Section 5.**

25  
26 (a) 2019 Wyoming Session Laws, Chapter 205, Section 5(a)  
27 is amended to read:

1

2

[CAPITOL COMPLEX]

3

4

**Section 5.**

5

6 (a) The state loan and investment board shall  
7 consult with the city of Cheyenne to identify the  
8 most efficient means to construct a stormwater  
9 interceptor to protect the capitol building and  
10 Herschler building from surface and subsurface  
11 stormwater runoff. Upon agreement between the board  
12 and the city on the most efficient means to  
13 construct the interceptor and after the city's  
14 presentation to the board of plans to undertake  
15 necessary construction, the board may grant the city  
16 not more than three million dollars (\$3,000,000.00)  
17 to construct the stormwater interceptor, water  
18 infrastructure, sewer infrastructure or surface  
19 improvements or to compensate the city for any  
20 related expenditures that would be efficiently  
21 addressed through the concurrent construction of the  
22 stormwater interceptor. The project may provide  
23 protection for other facilities or residences in the

1 city but shall be designed primarily to provide  
2 protection to the capitol building, Herschler  
3 building and other state facilities. Of the  
4 unobligated, unencumbered balance in the  
5 construction management flex contingency account,  
6 most recently appropriated to in 2015 Wyoming  
7 Session Laws, Chapter 142, Section 345, there is  
8 appropriated three million dollars (\$3,000,000.00)  
9 to the state loan and investment board. This  
10 appropriation shall only be expended for purposes of  
11 this subsection. Notwithstanding any other provision  
12 of law, this appropriation shall not be transferred  
13 or expended for any other purpose and any  
14 unexpended, unobligated funds remaining from this  
15 appropriation shall revert as provided by law on  
16 June 30, ~~2020~~2022.

17  
18 (b) This section is effective immediately.  
19

20 [CAPITOL SQUARE PRESERVATION]  
21

22 **Section 6.**  
23

1           (a) The chairman of the management council of the  
2 legislature shall appoint three (3) members of the management  
3 council and the governor shall appoint three (3) members of  
4 the state building commission or their designees to create a  
5 subcommittee to jointly oversee development of the design  
6 plans, construction of the interpretive exhibits and  
7 wayfinding in the capitol, the capitol extension and the  
8 Herschler building. The subcommittee shall:

9

10           (i) In developing recommendations for design and  
11 construction documents for the interpretive exhibits, be  
12 guided by the schematic design documents developed as part of  
13 the capitol square project which are on file with the  
14 legislative service office;

15

16           (ii) Report its recommendations to the management  
17 council and the state building commission for final approval.

18

19           (b) The legislative service office and construction  
20 management division of the state construction department shall  
21 staff the subcommittee created by this section. The  
22 legislative service office, the state construction department,  
23 the department of education, the office of tourism, the

1 department of state parks and cultural resources and other  
2 state entities as determined appropriate by the subcommittee  
3 shall provide support for the design and construction of the  
4 exhibits and wayfinding systems.

5

6 (c) There is appropriated four million five hundred  
7 thousand dollars (\$4,500,000.00) from the strategic  
8 investments and projects account to the capitol square  
9 preservation account.

10

11 (d) There is appropriated four million two hundred fifty  
12 thousand dollars (\$4,250,000.00) from the capitol square  
13 preservation account to the state construction department.  
14 The state construction department shall be the fiscal and  
15 contracting agent for expenditure of this appropriation.  
16 After consultation with the subcommittee created under this  
17 section, the state construction department shall expend this  
18 appropriation for the purposes of:

19

20 (i) Development of design and construction  
21 documents and the construction of interpretative exhibits for  
22 the capitol and the capitol extension in accordance with the

1 recommendations approved by the management council and the  
2 state building commission;

3

4 (ii) Design, construction and installation of a  
5 wayfinding system and signage for the capitol, the capitol  
6 extension and the Herschler building in accordance with the  
7 recommendations approved by the management council and the  
8 state building commission.

9

10 (e) There is appropriated two hundred fifty thousand  
11 dollars (\$250,000.00) from the capitol square preservation  
12 account to the legislative service office. Subject to the  
13 approval of management council, this appropriation may be  
14 expended for purposes of any of the following:

15

16 (i) Custom window treatments within meeting rooms  
17 occupied by the legislature in the capitol building;

18

19 (ii) Noise reduction and echo cancellation  
20 improvements in meeting rooms occupied by the legislature in  
21 the capitol building and the capital extension;

22

1           (iii) Acquisition of maquettes of the statues  
2 displayed in the capitol rotunda.

3

4           [DEPARTMENT OF TRANSPORTATION PRIORITIES]

5

6           **Section 7.**

7

8           (a) The department of transportation and the highway  
9 commission shall prioritize funding for the construction of  
10 safety pullouts and passing lanes, widening of the highway or  
11 other road improvements for an energy impacted state highway  
12 in southern Johnson county.

13

14           (b) The department of transportation shall report to the  
15 joint appropriations committee by October 1, 2020 on  
16 expenditures under this section.

17

18           [NWCCD ACCEPTANCE OF GIFT]

19

20           **Section 8.** The northern Wyoming community college  
21 district is authorized to accept the transfer of ownership of  
22 two (2) facilities totaling approximately twenty-nine thousand  
23 seven hundred twenty (29,720) square feet to be used to house



1 a construction technology program. These facilities shall be  
2 included within computation of major maintenance in accordance  
3 with W.S. 21-18-225 until the facilities are no longer owned  
4 by the community college district.

5

6 [DEPOSIT OF REVERSIONS TO THE STATE BUILDING COMMISSION  
7 CONTINGENCY ACCOUNT]

8

9 **Section 9.**

10

11 (a) Any unexpended, unobligated appropriations from the  
12 general fund, budget reserve account or strategic investments  
13 and projects account for capital outlays remaining in a  
14 capital construction project budget appropriated in this act  
15 that are reverted in accordance with W.S. 9-4-207(d)(i), as  
16 amended by this act, shall be immediately transferred as  
17 follows:

18

19 (i) The first one million six hundred fifty-nine  
20 thousand four hundred fifty dollars (\$1,659,450.00) that are  
21 reverted shall be transferred to the state building commission  
22 contingency account and are further appropriated for use by  
23 the state building commission; and

1

2 (ii) Thereafter, any additional funds that are  
3 reverted shall be transferred to the general fund.

4

5 [STATE FAIR TOURISM FUND EXPENDITURE]

6

7 **Section 10.** The department of agriculture is authorized  
8 to accept up to forty thousand dollars (\$40,000.00) from a  
9 chamber of commerce, a municipality or a private donation and  
10 to distribute any funds collected to the state fair board to  
11 expend for installation of an electronic message board on the  
12 state fairgrounds.

13

14 [STATE FAIR PUBLIC-PRIVATE PARTNERSHIP FOR LODGING FACILITIES]

15

16 **Section 11.** The state fair board shall pursue public-  
17 private partnership opportunities for the construction and  
18 operation of lodging facilities on the state fairgrounds. The  
19 Attorney General's Office shall advise the board regarding  
20 legal issues relating to the construction and operation of the  
21 privately funded facilities. Upon request of the board, the  
22 state building commission may direct the construction  
23 management department to assist the board in determining

1 appropriate steps to undertake in constructing facilities on  
2 state owned property. If the board determines a public-private  
3 partnership is feasible, it shall recommend to the state  
4 building commission that the project be undertaken, specifying  
5 the recommended financing of the facility and related required  
6 infrastructure. The state building commission shall determine  
7 the feasibility of the project and if the commission  
8 determines the project is feasible, it shall submit its  
9 recommendations for the project, including recommended  
10 legislative authorization and any necessary appropriations as  
11 a separate component in its report to the legislature under  
12 W.S. 9-5-107(c). Upon the enactment of legislation authorizing  
13 the construction of the project, the state fair board may  
14 execute agreements as necessary to construct and operate the  
15 facilities and may expend funds as authorized. The department  
16 of agriculture is authorized to accept on behalf of the state  
17 fair board private funds of up to twelve million six hundred  
18 thousand dollars (\$12,600,000.00) to be used for the project.  
19 Any private funds accepted pursuant to this section shall be  
20 subject to an agreement executed by the department of  
21 agriculture, the state fair board and the private party  
22 providing the funds. The agreement shall specify that the  
23 expenditure of the funds shall be subject to legislative

1 authorization and that neither the state nor the state fair  
2 board shall be liable in any manner for failing to undertake  
3 the project. If legislative authorization is not provided for  
4 the project any funds accepted by the department of  
5 agriculture shall be returned, without interest, to the  
6 private party not later than March 31, 2021. Any agreement  
7 entered into pursuant to this section shall be subject to the  
8 approval of the attorney general.

9

10 [EFFECTIVE DATE]

11

12 **Section 12.**

13

14 (a) As used in this act, "effective immediately" means  
15 effective immediately upon completion of all acts necessary  
16 for a bill to become law as provided by Article 4, Section 8  
17 of the Wyoming Constitution.

18

19 (b) This section is effective immediately.

20

1           (c) Except as otherwise provided, this act is effective  
2 July 1, 2020.

3

4

(END)