

SENATE FILE NO. SF0041

State funded capital construction.

Sponsored by: Joint Appropriations Interim Committee

A BILL

for

1 AN ACT relating to state funded facilities; providing
2 appropriations for state funded capital construction for the
3 biennium commencing July 1, 2016 and ending June 30, 2018;
4 continuing and codifying state facility accounts as specified;
5 continuing the task force on department of health facilities;
6 providing definitions; providing for conditions and other
7 requirements related to state funded capital construction
8 appropriations; repealing provisions related to University of
9 Wyoming matching fund requirements in prior capital
10 construction appropriations; providing for funding of mineral
11 impacted road projects; providing appropriations; providing
12 for carryover appropriations; and providing effective dates.

13

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

15

1 **Section 1.** W.S. 9-4-221 through 9-4-223 are created to
2 read:

3
4 **9-4-221. State facilities construction account created;**
5 **purposes.**

6
7 The state facilities construction account created by 2014
8 Wyoming Session Laws, Chapter 26, Section 300(h) is continued.
9 Funds within the account shall only be expended upon
10 legislative appropriation. All funds within the account shall
11 be invested by the state treasurer and all investment earnings
12 from the account shall be deposited to the account.

13

14 **9-4-222. University of Wyoming science initiative**
15 **account created; purposes.**

16

17 The University of Wyoming science initiative account created
18 by 2015 Wyoming Session Laws, Chapter 142, Section 317(c) is
19 continued. Funds within the account shall only be expended
20 upon legislative appropriation. All funds within the account
21 shall be invested by the state treasurer and all investment
22 earnings from the account shall be credited to the general
23 fund.

1

2 **9-4-223. Casper state facilities account created;**
3 **purposes.**

4

5 The Casper state facilities account created by 2015 Wyoming
6 Session Laws, Chapter 142, Section 346, footnote (f) is
7 continued. Funds within the account shall only be expended
8 upon legislative appropriation. All funds within the account
9 shall be invested by the state treasurer and all investment
10 earnings from the account shall be credited to the general
11 fund.

12

13 **Section 2.**

14

15 (a) As used in section 2 through section 9 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 an approved budget as
23 defined by W.S. 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) "T5" means the penitentiary permanent land
12 fund;

13

14 (viii) "Unappropriated, unobligated and
15 unrestricted federal funds" means funds received by the state
16 of Wyoming from the federal government which:

17

18 (A) The receipt of which is not conditioned or
19 required by federal law, rule or regulation to be expended on
20 a purpose other than one authorized in this act;

21

22 (B) Are not required by Wyoming law to be
23 expended for a purpose other than projects undertaken pursuant

1 to title 24, title 35, article 11 of Wyoming statutes or one
2 authorized in this act; and

3

4 (C) By Wyoming law are to be deposited to the
5 general fund, the Wyoming highway fund, or an account created
6 by Wyoming law and from which funds may only be appropriated
7 upon further action of the legislature.

8

9 [CAPITAL CONSTRUCTION]

10

11 **Section 3.**

12

13 (a) The following sums of money are appropriated for the
14 capital construction projects specified. Appropriations for
15 these projects remain in effect until the project is
16 completed. Appropriated funds under this section shall be
17 expended only on the projects specified and any unused funds
18 remaining at project completion shall revert to the accounts
19 from which they were appropriated. The amounts appropriated in
20 this section are intended to provide a maximum amount for each
21 project and shall not be construed to be an entitlement or
22 guaranteed amount:

23

1 (i) Appropriations for projects with state funding
 2 administered through the department of administration and
 3 information:

4		GENERAL	FEDERAL	OTHER	TOTAL
5		FUND	FUNDS	FUNDS	APPROPRIATION
6	APPROPRIATION				
7	FOR	\$	\$	\$	\$
8					
9	PROGRAM				
10	OSLI-Forestry Level III	6,866,375			6,866,375
11	A&I-State Fac.-Casper I ¹ .	13,000,000			13,000,000
12	A&I-State Fac.-Casper II ^{1,5} .	7,000,000			7,000,000
13	CC-CWC Ag/Animal Science ² .	5,250,000		5,250,000 PR	10,500,000
14	CC-NWCCD Tech Ed Ctr. ² .	6,500,000		6,500,000 PR	13,000,000
15	CC-LCCC Residence Hall			13,000,000 PR	13,000,000
16	CC-LCCC Children's Ctr.			2,900,000 PR	2,900,000
17	CC-NWCCD Residence Hall			11,162,785 PR	11,162,785
18	State Parks-Health/Safety ³ .		500,000	3,500,000 SR	4,000,000
19	State Parks-Terr. Prison			210,000 SR	210,000
20	State Parks-Water Fac.		300,000	1,700,000 SR	2,000,000
21	Dept. of Health-Facs. I ⁴ .	45,000,000			45,000,000
22	Dept. of Health-Facs. II ⁴ .	25,000,000			25,000,000
23	DOC-WMCI Buildout			13,500,000 T5	13,500,000
24	DOC-WSP Repairs ^{6, 7} .			7,750,000 T5	7,750,000
25					
26	TOTALS	108,616,375	800,000	65,472,785	174,889,160

27
 28 1. This appropriation shall be deposited into the Casper state facilities account
 29 and expended pursuant to Option 2 as requested in the department of administration
 30 and information's 2017-2018 biennial budget request with adjacent surface parking.

1

2 2. As a condition of this appropriation, the applicable college must expend the
3 entire appropriation of other funds prior to the release of any general funds
4 appropriated for purposes of the authorized capital construction project.

5

6 3. Of these federal and other funds appropriations, funds may be expended for
7 rehabilitation of existing facilities, but no funds shall be expended for the
8 construction of new facilities without further legislative authorization.

9

10 4. Funds from this appropriation shall be deposited in the state facilities
11 construction account.

12

13 5. This appropriation shall only be expended upon approval of the state building
14 commission for land acquisition purchases pursuant to Option 2 as requested in the
15 department of administration and information's 2017-2018 biennial budget request
16 with adjacent surface parking.

17

18 6. Of this other funds appropriation, seven hundred fifty thousand dollars
19 (\$750,000.00)T5 shall only be expended for consultants in order to facilitate the
20 evaluation of remedies outlined in 2016 Senate File 91. Any consulting contract
21 shall be subject to the approval of the governor after consultation with the select
22 committee created by 2016 Senate File 91.

23

24 7. (a) No funds for repairs or other construction shall be expended from this
25 appropriation unless the governor has first consulted with the select committee
26 created by 2016 Senate File 91, if enacted into law, and in all events the governor
27 has determined:

28

1 (i) That the expenditure will cause a significant portion of the
2 existing facilities to remain useful for a significant life cycle that warrants the
3 expenditure;

4
5 (ii) That if it is determined that replacement of portions of the
6 facility that are damaged due to construction defects should be undertaken, the
7 expenditure of these funds, without additional funding, is warranted; and

8
9 (iii) That repair or replacement of the facility with these funds
10 cannot be delayed until the select committee has completed its work under Senate
11 File 91, as enacted into law.

12
13 (ii) Appropriations for University of Wyoming
14 projects:

15		GENERAL	FEDERAL	OTHER	TOTAL
16	APPROPRIATION	FUND	FUNDS	FUNDS	APPROPRIATION
17	FOR	\$	\$	\$	\$
18	PROGRAM				
19					
20	UW Science Initiative. ¹	51,200,000			51,200,000
21	Engineering Building I	11,500,000			11,500,000
22	West Campus Energy Plant	1,000,000			1,000,000
23	Property Purchases	3,000,000			3,000,000
24	Engineering Building II	3,000,000			3,000,000
25	UW Med Ed - WWAMI Level II	<u>300,000</u>	<u> </u>	<u> </u>	<u>300,000</u>
26	TOTALS	70,000,000	0	0	70,000,000
27					
28					

29 1. The state treasurer shall deposit this appropriation into the University of
30 Wyoming science initiative account.

1

2 (b)(i) Except as provided in paragraph (ii) of this
3 subsection, general funds appropriated in this section shall
4 only be released for purposes of expenditure when a like
5 amount of unappropriated, unobligated and unrestricted federal
6 funds have been received by the state of Wyoming in the fiscal
7 biennium commencing July 1, 2016 as certified by the governor
8 and determined by the state auditor. Upon certification and
9 determination of the receipt and deposit of such federal
10 funds, general funds appropriated in section 2 of this act
11 shall be made available for expenditure in the following
12 order:

13

14 (A) Eleven million five hundred thousand
15 dollars (\$11,500,000.00) for the Engineering Building I;

16

17 (B) One million dollars (\$1,000,000.00) for
18 the West Campus Energy Plant;

19

20 (C) Forty-five million dollars
21 (\$45,000,000.00) for the Dept. of Health - Facs. I;

22

1 (D) Five million three hundred seventy-nine
2 thousand eight hundred forty-nine dollars (\$5,379,849.00) for
3 the OSLI - Forestry Level III;

4

5 (E) Thirteen million dollars (\$13,000,000.00)
6 for A&I - State Fac. - Casper I;

7

8 (F) Five million two hundred fifty thousand
9 dollars (\$5,250,000.00) for CC - CWC Ag/Animal Science;

10

11 (G) Six million five hundred thousand dollars
12 (\$6,500,000.00) for the CC - NWCCD Tech Ed Ctr.;

13

14 (H) Twenty-five million dollars
15 (\$25,000,000.00) for the Dept. of Health - Facs. II;

16

17 (J) Fifty-one million two hundred thousand
18 dollars (\$51,200,000.00) for the UW Science Initiative;

19

20 (K) Three million dollars (\$3,000,000.00) for
21 Property Purchases; and

22

1 (M) Three hundred thousand dollars
2 (\$300,000.00) for UW Med Ed - WWAMI Level II.

3

4 (ii) The restrictions and conditions in paragraph
5 (i) of this subsection shall not apply to:

6

7 (A) One million four hundred eighty-six
8 thousand five hundred twenty-six dollars (\$1,486,526.00) of
9 general funds appropriated for the Forestry Level III Project;
10 and

11

12 (B) Three million dollars (\$3,000,000.00) of
13 general funds appropriated for the Engineering Building II;

14

15 (C) Seven million dollars (\$7,000,000.00) of
16 general funds appropriated for the A&I - State Fac. - Casper
17 II for land acquisition purchases.

18

19 (iii) Federal funds certified by the governor and
20 determined by the state auditor to have met the requirements
21 of paragraph (i) of this subsection, shall be deposited to the
22 general fund if not otherwise provided by law;

23

1 (iv) In addition to any other restrictions, the
2 funds appropriated under subparagraphs (i)(C) and (H) of this
3 subsection shall not be expended for level III planning and
4 design without the approval of the state building commission,
5 subject to the following:

6

7 (A) The total expected cost of the facilities
8 proceeding to level III planning and design shall provide for
9 phases so that a phase may be completed within the funds
10 already appropriated for that purpose; and

11

12 (B) The completed phase will help alleviate
13 operating problems even if the state is unable to construct
14 additional phases or other facilities for an extended period
15 due to lack of resources.

16

17 [DEPARTMENT OF HEALTH FACILITIES TASK FORCE]

18

19 **Section 4.**

20

21 (a) The joint legislative and executive task force on
22 department of health facilities created in 2014 Wyoming

1 Session Laws, Chapter 26, Section 329 as amended by 2015
2 Wyoming Session Laws, Chapter 142 is hereby continued.

3

4 (b) The task force shall be comprised of:

5

6 (i) Three (3) members of the senate, appointed by
7 the president of the senate;

8

9 (ii) Three (3) members of the house of
10 representatives, appointed by the speaker of the house;

11

12 (iii) Two (2) members of executive branch
13 departments appointed by the governor. In considering
14 appointments to the task force who are not members of the
15 legislature, the governor shall consider the expertise
16 required to procure a Level III design study and evaluate
17 options for the Wyoming retirement center as provided in this
18 section.

19

20 (c) The task force shall implement the recommendations
21 for its 2016 work as provided in the January 7, 2016
22 department of health facilities task force final report on
23 file with the legislative service office, including:

1

2 (i) Procuring and supervising a Level III design
3 study for the Wyoming state hospital and the Wyoming life
4 resource center; and

5

6 (ii) Evaluating potential options for the
7 management and ownership structure of the Wyoming retirement
8 center;

9

10 (iii) Providing interim reports on the activities
11 of the task force to the joint appropriations committee and
12 the joint labor, health and social services interim committee
13 not later than November 1, 2016 and November 1, 2017;

14

15 (iv) Providing recommendations for legislative
16 action.

17

18 (d) The task force shall be staffed by the legislative
19 service office. The department of administration and
20 information shall serve in an advisory capacity to the task
21 force and shall provide technical and other relevant
22 information as requested.

23

1 (e) Recommendations of the task force created by this
2 section shall be submitted for legislative action to the joint
3 appropriations committee and the joint labor, health and
4 social services interim committee not later than June 30,
5 2018.

6

7 (f) The task force may contract with experts as
8 necessary to fulfill the duties assigned under this section
9 upon majority vote of the task force and with the approval of
10 the governor. No contract under this subsection shall be
11 subject to the procurement provisions of W.S. 9-2-1016.

12

13 (g) The task force shall terminate on June 30, 2018.

14

15 (h) There is appropriated forty thousand dollars
16 (\$40,000.00) from the general fund to the legislative service
17 office. This appropriation shall be for the period beginning
18 with the effective date of this act and ending June 30, 2018.
19 This appropriation shall only be expended for the purpose of
20 funding salary, mileage and per diem of legislative members of
21 the task force. Notwithstanding any other provision of law,
22 this appropriation shall not be transferred or expended for
23 any other purpose and any unexpended, unobligated funds

1 remaining from this appropriation shall revert as provided by
2 law on June 30, 2018.

3

4 (j) There is appropriated nine million dollars
5 (\$9,000,000.00) from the state facilities construction account
6 to the department of administration and information to
7 procure, develop and implement the Level III design study as
8 approved by the department of health facilities task force.

9

10 [WYOMING STATE VETERINARY BIOSAFETY LEVEL III LABORATORY]

11

12 **Section 5.** In addition to the authority provided under
13 W.S. 9-1-417 the state treasurer and the state auditor shall
14 direct a no interest loan from the state's risk management
15 pool to the department of administration and information
16 construction management program within the general services
17 division as he determines necessary for repairs to the Wyoming
18 state veterinary biosafety level III laboratory. The division
19 may expend the funds as necessary to fully commission the
20 laboratory space. Proceeds collected from insurers and third
21 parties for the repairs shall be used to repay the loan. The
22 attorney general, department of administration and information
23 and the University of Wyoming shall coordinate efforts to

1 recover damages to the Wyoming state veterinary biosafety
2 level III laboratory.

3
4 [CARRYOVER APPROPRIATIONS - LAND ACQUISITION - HONOR FARM]

5

6 **Section 6.** Notwithstanding W.S. 9-2-1008, 9-2-1012(e)
7 and 9-4-207(a), of unobligated monies appropriated from the
8 general fund to the department of corrections under 2015
9 Wyoming Session Laws, Chapter 142, Section 348 for land
10 acquisition at the honor farm, two hundred fifty thousand
11 dollars (\$250,000.00) or as much thereof as is available shall
12 not revert, and is hereby reappropriated to the department of
13 corrections for the period ending June 30, 2018 to purchase
14 replacement property that would allow the department to carry
15 out its mission in a substantially similar manner, for costs
16 associated with the purchase of replacement land or for costs
17 associated with the disposal of three hundred two and eighteen
18 hundredths (302.18) acres of department of corrections
19 acquired institutional lands in Fremont County. All
20 expenditures of these general funds shall be made with the
21 approval of the state building commission. Proceeds from the
22 disposal of three hundred two and eighteen hundredths (302.18)
23 acres of department of corrections acquired institutional

1 lands in Fremont County are appropriated for land acquisition
2 at the honor farm.

3

4 [CONDITIONAL APPROPRIATIONS FROM INVESTMENT EARNINGS
5 DERIVED IN FISCAL YEAR 2017]
6

7 **Section 7.** The following sums of money are appropriated
8 for the capital construction projects specified from revenues
9 credited to the strategic investments and projects account
10 under W.S. 9-4-719(q) attributable to earnings from the fiscal
11 year beginning July 1, 2016 and ending June 30, 2017.
12 Appropriations for these projects remain in effect until the
13 project is completed. Any unexpended, unobligated
14 appropriations remaining in a capital construction project
15 budget upon completion of the project shall be deposited into
16 the capitol building rehabilitation and restoration account
17 created by W.S. 9-5-109(j). To the extent funds are available,
18 the appropriations shall be made available as soon as
19 practicable on or after June 30, 2017, but not later than
20 ninety (90) days after the end of the 2017 fiscal year. The
21 amounts appropriated in this section are intended to provide a
22 maximum amount for each project and shall not be construed to
23 be an entitlement or guaranteed amount. In the event there are

1 insufficient funds to accomplish the purposes of all
 2 appropriations in this section from earnings deposited to the
 3 strategic investment and projects account in fiscal year 2017
 4 the state treasurer and the state auditor may utilize
 5 interfund loans from the one percent severance tax account as
 6 authorized in section 9 of this act. If there are insufficient
 7 funds in the strategic investment and projects account and the
 8 one percent severance tax account to accomplish the purposes
 9 of all appropriations in this section, appropriations shall be
 10 made in priority order, with the total appropriation funded
 11 for each priority before funding the next priority as
 12 specified:

13

<u>Priority</u>	<u>Agency</u>	<u>Description</u>	<u>Amount (\$)</u>
15 I.	006	Capitol bldg. rehabilitation and restoration account ¹ .	20,000,000
16 II.	006	State facilities construction account ² .	20,000,000
17 III.	067	University science initiative ³ .	24,400,000
18 IV.	006	State facilities - Casper ⁴ .	12,000,000
19 V.	045	Mineral impacted roads ⁵ .	To be determined.

20

21 1. Funds from this appropriation shall be deposited in the capitol building
 22 rehabilitation and restoration account created by W.S. 9-5-109(j).

23

24 2. Funds from this appropriation shall be deposited in the state facilities
 25 construction account.

26

1 3. The state treasurer shall deposit this appropriation in the University of
2 Wyoming science initiative account.

3

4 4. This appropriation shall be deposited in the Casper state facilities account.

5

6 5. To the extent highway funds are deposited to the mineral impacted road account
7 pursuant to section 13 of this act, that amount is appropriated for deposit to the
8 highway fund. Funds deposited to the highway fund under this section shall not be
9 subject to any reversion or lapse.

10

11 [CONDITIONAL APPROPRIATIONS FROM INVESTMENT EARNINGS DERIVED
12 IN FISCAL YEAR 2018]

13

14 **Section 8.** The following sums of money are appropriated
15 for the capital construction projects specified from revenues
16 credited to the strategic investments and projects account
17 under W.S. 9-4-719(q) attributable to earnings from the fiscal
18 year beginning July 1, 2017 and ending June 30, 2018.
19 Appropriations for these projects remain in effect until the
20 project is completed. Any unexpended, unobligated
21 appropriations remaining in a capital construction project
22 budget upon completion of the project shall be deposited into
23 the capitol building rehabilitation and restoration account
24 created by W.S. 9-5-109(j). To the extent funds are available,
25 the appropriations shall be made available as soon as

1 practicable on or after June 30, 2018, but not later than
 2 ninety (90) days after the end of the 2018 fiscal year. The
 3 amounts appropriated in this section are intended to provide a
 4 maximum amount for each project and shall not be construed to
 5 be an entitlement or guaranteed amount. In the event there are
 6 insufficient funds to accomplish the purposes of all
 7 appropriations in this section from earnings deposited to the
 8 strategic investment and projects account in fiscal year 2018
 9 the state treasurer and the state auditor may utilize
 10 interfund loans from the one percent severance tax account as
 11 authorized in section 9 of this act. If there are
 12 insufficient funds in the strategic investment and projects
 13 account and the one percent severance tax account to
 14 accomplish the purposes of all appropriations in this section,
 15 appropriations shall be made in priority order, with the total
 16 appropriation funded for each priority before funding the next
 17 priority as specified:

18	19	<u>Priority</u>	<u>Agency</u>	<u>Description</u>	<u>Amount (\$)</u>
20	I.	006	Capitol bldg. rehabilitation and restoration account ¹ .	20,000,000	
21	II.	006	State facilities construction account ² .	20,000,000	
22	III.	067	University science initiative ³ .	24,400,000	
23	IV.	006	State facilities - Casper ⁴ .	12,000,000	
24	V.	045	Mineral impacted roads ⁵ .	To be determined.	

25

1 1. Funds from this appropriation shall be deposited in the capitol building
2 rehabilitation and restoration account created by W.S. 9-5-109(j).

3

4 2. Funds from this appropriation shall be deposited in the state facilities
5 construction account.

6

7 3. The state treasurer shall deposit this appropriation in the University of
8 Wyoming science initiative account.

9

10 4. This appropriation shall be deposited in the Casper state facilities account.

11

12 5. To the extent highway funds are deposited to the mineral impacted road account
13 pursuant to section 13 of this act, and have not been replenished under section 7
14 of this act, an amount necessary to completely restore those highway funds is
15 appropriated for deposit to the highway fund. Funds deposited to the highway fund
16 under this section shall not be subject to any reversion or lapse.

17

18 [INTERFUND LOAN]

19

20 **Section 9.** In addition to the authority provided under
21 W.S. 9-1-417 the state treasurer and the state auditor may
22 utilize interfund loans from the unexpended, unobligated
23 balance of the one percent severance tax account for deposit
24 to the strategic investments and projects account as necessary
25 to meet appropriations from that account and contract
26 obligations of the department of administration and

1 information and University of Wyoming incurred for purposes of
2 this act.

3

4 [DEPOSIT OF REVERSIONS TO CAPITOL BUILDING REHABILITATION
5 AND RESTORATION ACCOUNT]

6

7 **Section 10.** Any unexpended, unobligated appropriations
8 from the general fund or budget reserve account remaining in a
9 capital construction project budget upon completion of the
10 project shall be deposited into the capitol building
11 rehabilitation and restoration account created by W.S.
12 9-5-109(j) and shall not be transferred or expended for any
13 other purpose. Any reversion of unexpended, unobligated funds
14 in any capital construction budget contained in any prior
15 capital construction appropriation from the general fund or
16 budget reserve account, which occurs prior to July 1, 2018,
17 shall also be deposited into the capitol building
18 rehabilitation and restoration account, unless the
19 appropriation specified another use of the reverted funds.

20

21 [DEPARTMENT OF CORRECTIONS CAPITAL CONSTRUCTION REVERSION]

22

1 **Section 11.** Notwithstanding any other provision of law,
2 of unobligated, unexpended monies from the two million one
3 hundred seventy-three thousand five hundred dollar
4 (\$2,173,500.00) appropriation from the general fund to the
5 department of corrections pursuant to 2004 Wyoming Session
6 Laws, Chapter 95, Section 3, Section 080, for purposes of WSP
7 - North Facility Demolition and the one hundred fifty thousand
8 dollar (\$150,000.00) appropriation to the department of
9 administration and information pursuant to 2009 Wyoming
10 Session Laws, Chapter 159, Section 3, Section 006, for
11 purposes of DOC - North Indust. Bldg. Renov., nine hundred
12 twenty-nine thousand nine hundred forty-seven dollars
13 (\$929,947.00) is reappropriated to the department of
14 administration and information for flooring system renovation
15 at the Wyoming honor conservation camp, Wyoming women's center
16 and Wyoming medium correctional institution and nine hundred
17 ninety thousand dollars (\$990,000.00) is reappropriated to the
18 department of corrections for purposes of WSP - North Facility
19 Demolition. Notwithstanding section 9 of this act, the
20 remaining four hundred three thousand five hundred fifty-three
21 dollars (\$403,553.00) or as much thereof as is available,
22 shall not be transferred or expended for any other purpose,
23 and any unexpended, unobligated funds remaining from these

1 appropriations shall revert to the budget reserve account on
2 June 30, 2016.

3

4 **Section 12.**

5

6 (a) 2012 Wyoming Session Laws, Chapter 26, Section 3,
7 Section 067, footnote 1 as amended by 2013 Wyoming Session
8 Laws, Chapter 73, Section 3, Section 067, footnote 1 is
9 further amended to read:

10

11 1. This general fund appropriation shall be
12 deposited to an account which shall be held by the
13 state treasurer for distribution to the University
14 of Wyoming for construction costs of the engineering
15 building as provided in this footnote. ~~Of this~~
16 ~~general fund appropriation, fourteen million two~~
17 ~~hundred thousand dollars (\$14,200,000.00) shall be~~
18 ~~available to be matched by qualifying contributions~~
19 ~~meeting the provisions of W.S. 21-16-1401 through~~
20 ~~21-16-1403, including valuation of matching funds.~~

21 All funds appropriated with this footnote shall only
22 be available for expenditure as specifically
23 authorized by the legislature.

1

2 (b) 2013 Wyoming Session Laws, Chapter 156, Section 3(b)
3 is amended to read:

4

5

[ENGINEERING BUILDING]

6

7 (b) From funds within the abandoned mine land
8 funds balancing account under W.S. 35-11-1210(e),
9 there is appropriated, as available, fifteen million
10 eight hundred thousand dollars (\$15,800,000.00) to
11 an account for the purposes of construction of an
12 engineering building at the University of Wyoming as
13 provided in this section. ~~Eight hundred thousand~~
14 ~~dollars (\$800,000.00) of these funds shall be~~
15 ~~available to be matched by qualifying contributions~~
16 ~~meeting the provisions of W.S. 21-16-1401 through~~
17 ~~21-16-1403, including valuation of matching funds.~~

18

19 (c) 2014 Wyoming Session Laws, Chapter 26, Section
20 329(j)(ii) is amended to read:

21

22 (ii) There is appropriated two hundred
23 twenty-five thousand dollars (\$225,000.00) from the

1 general fund to the governor's office for the
2 purposes of this section. This appropriation shall
3 only be expended for mileage and per diem expenses
4 of the nonlegislative members of the task force and
5 to contract with experts as provided in this
6 section. Notwithstanding any other provision of
7 law, this appropriation shall not be transferred or
8 expended for any other purpose and any unexpended,
9 unobligated funds remaining from this appropriation
10 shall revert as provided by law to the state
11 facilities construction account on June 30, 2016.

12

13 [MINERAL IMPACTED ROAD ACCOUNT]

14

15 **Section 13.**

16

17 (a) After calculating earnings from the mineral trust
18 fund attributable to the 2016 fiscal year as required by 2015
19 Wyoming Session Laws, Chapter 142, section 346, the first
20 thirty-seven million five hundred thousand dollars
21 (\$37,500,00.00) shall be deposited as provided in that
22 section. The next twenty-four million two hundred thousand
23 dollars (\$24,200,000.00) of such calculated earnings shall be

1 deposited to a mineral impacted road account, which is hereby
2 created. Any remaining earnings shall be available for
3 appropriation as provided in section 346. To the extent that
4 less than twenty-four million two hundred thousand dollars
5 (\$24,200,000.00) in fiscal year 2016 earnings is deposited to
6 the mineral impacted road account, monies from the highway
7 fund shall be used as necessary to provide a total of twenty-
8 four million two hundred thousand dollars (\$24,200,000.00) for
9 projects under this section. The department of transportation
10 shall submit an exception budget request to the governor for
11 inclusion in the 2019-2020 biennial budget requesting an
12 appropriation to the highway fund in an amount equal to any
13 funds expended from that fund to meet the requirements of this
14 section, to the extent the funds have not been repaid from the
15 appropriation in section 7 of this section.

16

17 (b) Funds within the mineral impacted road account shall
18 be used by the transportation commission and department of
19 transportation for relocation, construction or improvement of
20 roads and bridges directly impacted by development of coal
21 resources. The funds in the account shall be used to provide
22 funding for one (1) or more projects in which a county has
23 provided a binding commitment to pay twenty-nine and one-

1 quarter percent (29.25%) of the anticipated cost of the
2 project. As a condition of funding under this section a
3 county shall:

4

5 (i) Reach agreement with the department on the
6 anticipated cost of the project and construction management of
7 the project;

8

9 (ii) Agree that all funds provided by the county
10 shall be expended prior to the expenditure of any state funds
11 on the project;

12

13 (iii) Agree that no funds shall be returned to the
14 county if the actual cost of the project is less than the
15 anticipated cost.

16

17 (c) The determination as to whether a binding commitment
18 has been received shall be made by the attorney general.

19

20 **Section 14.**

21

22 (a) Except as provided in subsection (b) of this
23 section, this act is effective July 1, 2016.

1

2 (b) The following portions of this act are effective
3 immediately upon completion of all acts necessary for a bill
4 to become law as provided by Article 4, Section 8 of the
5 Wyoming Constitution:

6

7 (i) Section 4 of this act;

8

9 (ii) Section 12(c) of this act;

10

11 (iii) The appropriation in section 3(a)(ii) to the
12 Engineering Building II;

13

14 (iv) The appropriation in section 3(a)(i) to A&I-
15 State Fac. - Casper II;

16

17 (v) The appropriation in section 3(a)(i) to the
18 DOC-WMCI Buildout; and

19

20 (vi) Section 13 of this act.

21

22

(END)