

CORRECTED COPY

SENATE FILE NO. SF0121

State funded capital construction-2 (Sub #1).

Sponsored by: Joint Appropriations Committee

A BILL

for

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

16

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

2

3 **Section 1.** W.S. 36-8-1701 is created to read:

4

5

ARTICLE 17

6

RANCH A

7

8 **36-8-1701. Ranch A account; use of funds.**

9

10 (a) There is created the Ranch A account. The board of
11 land commissioners shall deposit all earnings, whether from
12 lease or otherwise, generated by state owned property commonly
13 known as "Ranch A" to the account. The board may accept gifts
14 from any individual or entity for Ranch A and shall deposit
15 those funds to the account. Funds in the account from any
16 source are continuously appropriated to the board for purposes
17 of capital construction projects, major maintenance and
18 maintenance of the outdoor recreation area and the facilities
19 comprising Ranch A. Notwithstanding W.S. 9-2-1008 and
20 9-4-207, any earnings from funds in the account shall be
21 credited to the account and shall not lapse at the end of any
22 fiscal period.

23

1 (b) As used in this section "Ranch A" means the
2 following described property: In township 52 north, range 60
3 west, 6th p.m., section 18, lots 3, 4: SE1/4 SW1/4: SW1/4
4 SE1/4: 7.79 acres in NE1/4 SW1/4; section 19 lot 1, NE1/4
5 NW1/4. In township 52 north, range 61 west, 6th p.m., section
6 13: lot 4: W1/2 SE1/4: SE1/4 SE1/4; section 24 NE1/4 (less 1.0
7 acre): NE1/4 NW1/4: E1/2 NE1/4 NW1/4 SE1/4 less south 50 feet:
8 W1/2 NW1/4 NE1/4 SE1/4 less south 50 feet. All containing six
9 hundred twelve and ninety-four hundredths (612.94) acres more
10 or less.

11

12 **Section 2.** W.S. 9-2-3004(c) by creating a new paragraph
13 (viii), 9-4-601(d) (vii) and 9-4-1003(a), (b) (intro), (c),
14 (d) (intro), (i), (ii), (iii) (intro), (B) (intro), (II), (III),
15 (C) and by creating a new subsection (e) are amended to read:

16

17 **9-2-3004. Duties of the department.**

18

19 (c) The department shall:

20

21 (viii) Review the final design, drawings and plans
22 of any capital construction project prior to commencing with
23 bidding to ensure that energy efficient best practice

1 techniques and processes are included in the design of any
2 capital construction project funded with federal funds and for
3 which the state is required to expend state funds to fully or
4 partially pay for operations, routine maintenance or major
5 maintenance expenses for the facility. Upon conclusion of
6 each review, the department shall submit a report of findings
7 to the joint appropriations committee and the joint
8 transportation, highways and military affairs interim
9 committee.

10

11 **9-4-601. Distribution and use; funds, accounts, cities**
12 **and towns benefited; exception for bonus payments.**

13

14 (d) Any revenue received under subsection (a) of this
15 section in excess of two hundred million dollars
16 (\$200,000,000.00) shall be distributed as follows:

17

18 (vii) From the amounts that would otherwise be
19 distributed to the budget reserve account under paragraph (iv)
20 of this subsection, amounts necessary to make the required
21 revenue bond payments as provided by W.S. 9-4-1003(d), but in
22 no event more than eighteen million dollars (\$18,000,000.00)

23 for University of Wyoming revenue bonds annually and four

1 million dollars (\$4,000,000.00) for community college district
2 revenue bonds annually;

3

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

6

7 (a) The state loan and investment board shall administer
8 a university and community college district revenue bond
9 supplemental coverage program in accordance with this section
10 and may promulgate rules to implement it. This program applies
11 to bonds issued by the University of Wyoming under W.S.
12 21-17-402 through 21-17-450 ~~on or before November 1, 2015,~~
13 ~~only~~ and bonds issued by a community college district under
14 W.S. 21-18-313. The program is intended to benefit the
15 university and community college districts by providing
16 supplemental coverage for payment of bonded indebtedness ~~of~~
17 ~~the university~~ thereby reducing the interest rate at which the
18 bonds may be issued.

19

20 (b) If the university or a community college district
21 seeks supplemental coverage for its revenue bonds under this
22 program, the university or community college district shall
23 apply to the board on forms prescribed by the board following

1 legislative authorization ~~of the university~~ to issue revenue
2 bonds. In no case shall the board approve supplemental
3 coverage for bonds if the sale of the bonds would reduce the
4 ratio of university or community college district pledged
5 revenue that is available for debt servicing to the cost of
6 annual interest and principal payments to a level of less than
7 ~~two and five tenths (2.5)~~ one and five-tenths (1.5) to one
8 (1). The board shall review the application and determine
9 whether to approve the application based upon:

10

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

23

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

5
6 (i) The state of Wyoming, through the state
7 treasurer, shall assume responsibility for and make all
8 payments to the university's or the community college
9 district's paying agent in the amount necessary to pay
10 principal and interest on the bonds subject to the
11 supplemental coverage;

12
13 (ii) The university or a community college district
14 shall deposit funds with the state by a certain date and in a
15 sufficient amount so that the state can make the entire
16 principal and interest payment to the ~~university's~~ paying
17 agent in a timely manner;

18
19 (iii) If the university or a community college
20 district fails to comply with paragraph (ii) of this
21 subsection:

22

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

8
9 (II) The loan, including principal and
10 interest, shall be repaid from revenues from the university's
11 or community college district's general fund that are neither
12 state appropriations ~~to the university~~ nor pledged revenues
13 under W.S. 21-17-404(a) (xiv) (A) or 21-18-313(b) or ad valorem
14 taxes. The loan is not deemed to be a general obligation of
15 the university or the community college district, and the
16 state shall not require repayment from any source other than
17 as provided in this subdivision;

18
19 (III) The university or community college
20 district may make additional payments on the loan.

21
22 (C) The state loan and investment board may
23 require the university or a community college district to

1 modify its fiscal practices and its general operations if the
2 board determines that there is a substantial likelihood that
3 the university or community college district will not be able
4 to make future payments required under paragraph (ii) of this
5 subsection.

6

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

11

12 **Section 3.**

13

14 (a) As used in section 3 through 16 of this act:

15

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

20

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

23

1 (iii) "FF" means federal funds;

2

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

4

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

7

8 (vi) "T5" means the penitentiary permanent land
9 fund;

10

11 (vii) "S10" means the legislative stabilization
12 reserve account.

13

14 [CAPITAL CONSTRUCTION]

15

16 **Section 4.**

17

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

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

5

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

8

9	GENERAL	FEDERAL	OTHER	TOTAL
10	FUND	FUNDS	FUNDS	APPROPRIATION
11	FOR	\$	\$	\$

12 **Section 027. CAPITAL CONSTRUCTION PROJECTS**

13

14 PROGRAM

15	SBC Contingency	9,000,000		9,000,000
16	NWCCD- Health Science Bldg.	385,000		385,000
17	LCCC- PE Building Reno		7,300,000 PR	7,300,000
18	NWCC- Performing Arts Ctr. ^{1.}	495,000	495,000 PR	990,000
19	NWCC- Student Center ^{1.}	550,000	550,000 PR	1,100,000
20	LCCC- Albany Cty Campus		1,300,000 PR	1,300,000
21	CC- Visual Arts Bldg. ^{1.,2.}	6,000,000	6,000,000 PR	12,000,000
22	CC- Ag & Equine Center ^{1.,3.}	1,750,000	1,750,000 PR	3,500,000
23	WWCC- Mechanical Repairs ^{4.}	1,071,200		1,071,200
24	LCCC- Fine Arts Bldg. ^{1.}	7,000,000	7,000,000 PR	14,000,000
25	Mil- Cheyenne Readiness		28,900,000	28,900,000

1		GENERAL	FEDERAL	OTHER	TOTAL
2	APPROPRIATION	FUND	FUNDS	FUNDS	APPROPRIATION
3	FOR	\$	\$	\$	\$
4					
5	Mil- Guernsey Readiness		22,300,000		22,300,000
6	Mil- Guernsey Air Tower		17,000,000		17,000,000
7	DFS- Maghee Bldg. Remodel	2,170,000			2,170,000
8	State Parks- Health/Safety			4,300,000 SR	4,300,000
9	State Parks- Terr. Prison			210,000 SR	210,000
10	State Parks- Water Fac.			770,000 SR	770,000
11	DOC- WSP Repairs ^{5., 6.}			8,184,125 T5	8,184,125
12	State Facilities Const. ^{7.}			15,000,000 S10	15,000,000
13	TOTALS	28,421,200	68,200,000	52,859,125	149,480,325

14

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

19

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

24

25 3. For the Casper College-Agriculture and Equine Center, any funds expended
 26 pursuant to 2014 Wyoming Session Laws, Chapter 26, Section 3, Section 006, footnote
 27 5 shall be considered expenditures of other funds for purposes of footnote 1 of

1 this section if the Casper College-Agriculture and Equine Center is constructed on
2 the property acquired from that expenditure.

3

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

9

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

17

18 6. Of this other funds appropriation, five million dollars (\$5,000,000.00)T5, or
19 as much thereof as is available, shall be expended for operations, major
20 maintenance, capital construction, repairs or inmate relocation in the event
21 hazardous conditions resulting from subsurface movement or other building failure
22 at the Wyoming state penitentiary warrants an immediate response. Expenditures of
23 the appropriation subject to this footnote shall be made only upon the approval of
24 the governor after consultation with the joint appropriations committee. The
25 department of corrections shall report quarterly to the joint appropriations
26 committee on expenditures made from this appropriation subject to this footnote.
27 Any unexpended, unobligated funds remaining from the appropriation subject to this
28 footnote shall revert as provided by law on June 30, 2020.

29

1 7. Funds from this appropriation shall be deposited in the state facilities
2 construction account. This appropriation shall be effective immediately.

3

4 (ii) Appropriations for University of Wyoming
5 projects:

6

	GENERAL	FEDERAL	OTHER	TOTAL
APPROPRIATION	FUND	FUNDS	FUNDS	APPROPRIATION
FOR	\$	\$	\$	\$
PROGRAM				
UW Family Med- Cheyenne ^{1.}	<u> </u>	<u> </u>	<u>875,000</u> SR	<u>875,000</u>
TOTALS	0	0	875,000	875,000

14

15 1. Of this other funds appropriation, five hundred thousand dollars
16 (\$500,000.00)SR is effective immediately.

17

18 [UNIVERSITY OF WYOMING SCIENCE INITIATIVE]

19

20 **Section 5.** Of the unobligated, unexpended funds in the
21 University of Wyoming science initiative account created by
22 W.S. 9-4-222, up to eighty million dollars (\$80,000,000.00) is
23 continuously appropriated to the University of Wyoming for
24 purposes of construction of the science initiative facility.
25 This appropriation shall remain in effect until the project is
26 complete. Appropriated funds under this section shall be

1 expended only after the university provides matching funds of
2 twenty million dollars (\$20,000,000.00) from reserve funds or
3 other sources of funding and then only on the science
4 initiative facility. Any unexpended, unobligated funds
5 remaining at project completion shall revert to the account
6 from which it was appropriated. The amount appropriated in
7 this section is intended to provide a maximum amount for the
8 project and shall not be construed to be an entitlement or
9 guaranteed amount.

10

11 [AMENDMENTS-PRIOR DEPARTMENT OF CORRECTIONS

12 CAPITAL CONSTRUCTION FUNDS]

13

14 **Section 6.** 2016 Wyoming Session Laws, Chapter 97,
15 Section 3(a)(i) is amended to read:

16

17 [CAPITAL CONSTRUCTION]

18

19 **Section 3.**

20

21 (a) The following sums of money are
22 appropriated for the capital construction projects
23 specified. Appropriations for these projects remain

1 in effect until the project is completed.
2 Appropriated funds under this section shall be
3 expended only on the projects specified and any
4 unused funds remaining at project completion shall
5 revert to the accounts from which they were
6 appropriated. The amounts appropriated in this
7 section are intended to provide a maximum amount for
8 each project and shall not be construed to be an
9 entitlement or guaranteed amount:

10

11 (i) Appropriations for projects with
12 state funding administered through the department of
13 administration and information:

14

1		GENERAL	FEDERAL	OTHER	TOTAL
2	APPROPRIATION	FUND	FUNDS	FUNDS	APPROPRIATION
3	FOR	\$	\$	\$	\$
4					
5	PROGRAM				
6	OSLI-Forestry Level III	6,866,375			6,866,375
7	A&I-State Fac.-Casper I ^{1.}	13,000,000			13,000,000
8	A&I-State Fac.-Casper II ^{1.,5.}	7,000,000			7,000,000
9	CC-CWC Ag/Animal Science ^{2.}	5,250,000		5,250,000 PR	10,500,000
10	CC-NWCCD Tech Ed Ctr. ^{2.}	6,500,000		6,500,000 PR	13,000,000
11	CC-LCCC Ludden Library ^{8.}			5,000,000 PR	5,000,000
12	CC-LCCC Residence Hall			13,000,000 PR	13,000,000
13	CC-LCCC Children's Ctr.			2,900,000 PR	2,900,000
14	CC-NWCCD Residence Hall			11,162,785 PR	11,162,785
15	State Parks-Health/Safety ^{3.}		500,000	3,500,000 SR	4,000,000
16	State Parks-Terr. Prison			210,000 SR	210,000
17	State Parks-Water Fac.		300,000	1,700,000 SR	2,000,000
18	Dept. of Health-Facs. I ^{4.}	45,000,000			45,000,000
19	Dept. of Health-Facs. II ^{4.}	25,000,000			25,000,000
20	DOC-WMCI Buildout			13,500,000 T5	13,500,000
21	WSP Repairs ^{6.,7.}			7,750,000 T5	7,750,000
22					
23	TOTALS	108,616,375	800,000	70,472,785	179,889,160
24				<u>56,972,785</u>	<u>166,389,160</u>
25					

1 1. This appropriation shall be deposited into the Casper state facilities account
2 and expended pursuant to Option 2 as requested in the department of administration
3 and information's 2017-2018 biennial budget request with adjacent surface parking.
4

5 2. As a condition of this appropriation, the applicable college must expend the
6 entire appropriation of other funds prior to the release of any general funds or
7 funds from the strategic investments and project account appropriated for purposes
8 of the authorized capital construction project.
9

10 3. Of these federal and other funds appropriations, funds may be expended for
11 rehabilitation of existing facilities, but no funds shall be expended for the
12 construction of new facilities without further legislative authorization.
13

14 4. Funds from this appropriation shall be deposited in the state facilities
15 construction account.
16

17 5. This appropriation shall only be expended upon approval of the state building
18 commission for land acquisition purchases pursuant to Option 2 as requested in the
19 department of administration and information's 2017-2018 biennial budget request
20 with adjacent surface parking.
21

22 6. Of this other funds appropriation, seven hundred fifty thousand dollars
23 (\$750,000.00) shall only be expended for consultants in order to facilitate the
24 evaluation of remedies outlined in 2016 Senate File 91, if enacted into law. Any
25 consulting contract shall be subject to the approval of the governor after
26 consultation with the select committee created by 2016 Senate File 91, if enacted
27 into law.
28

29 7. (a) No funds for repairs or other construction shall be expended from this
30 appropriation unless the governor has first consulted with the select committee

1 created by 2016 Senate File 91, if enacted into law, and in all events the governor
2 has determined:

3

4 (i) That the expenditure will cause a significant portion of the
5 existing facilities to remain useful for a significant life cycle that warrants the
6 expenditure;

7

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

11

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

15

16 8. As a condition of this appropriation, Laramie County Community College must
17 raise and expend one-half (1/2) of this other funds appropriation prior to the
18 release of any funds appropriated in section 7 of this act for purposes of the
19 authorized capital construction project. Any costs of the project in excess of
20 five million dollars (\$5,000,000.00) shall be borne by the college.

21

22 [AMENDMENTS-CONDITIONAL APPROPRIATIONS FROM INVESTMENT
23 EARNINGS DERIVED IN FISCAL YEAR 2018 AND INTERFUND LOAN]

24

25 **Section 7.** 2016 Wyoming Session Laws, Chapter 97,
26 Sections 8 and 9 is amended to read:

27

1 [CONDITIONAL APPROPRIATIONS FROM INVESTMENT EARNINGS
2 DERIVED IN FISCAL YEAR 2018]
3

4 **Section 8.** The following sums of money are
5 appropriated for the capital construction projects
6 specified from revenues credited to the strategic
7 investments and projects account under W.S.
8 9-4-719(q) attributable to earnings from the fiscal
9 year beginning July 1, 2017 and ending June 30,
10 2018. Appropriations for these projects remain in
11 effect until the project is completed. Any
12 unexpended, unobligated appropriations remaining in
13 a capital construction project budget upon
14 completion of the project shall be deposited into
15 the capitol building rehabilitation and restoration
16 account created by W.S. 9-5-109(j). To the extent
17 funds are available, the appropriations shall be
18 made available as soon as practicable on or after
19 June 30, 2018, but not later than ninety (90) days
20 after the end of the 2018 fiscal year. The amounts
21 appropriated in this section are intended to provide
22 a maximum amount for each project and shall not be
23 construed to be an entitlement or guaranteed amount.

1 In the event there are insufficient funds to
 2 accomplish the purposes of all appropriations in
 3 this section from earnings deposited to the
 4 strategic investment and projects account in fiscal
 5 year 2018 the state treasurer and the state auditor
 6 may utilize interfund loans from the legislative
 7 stabilization reserve account as authorized in
 8 section 9 of this act. If there are insufficient
 9 funds in the strategic investment and projects
 10 account and the legislative stabilization reserve
 11 account to accomplish the purposes of all
 12 appropriations in this section, appropriations shall
 13 be made in priority order, with the total
 14 appropriation funded for each priority before
 15 funding the next priority as specified:

16

17	<u>Priority</u>	<u>Agency</u>	<u>Description</u>	<u>Amount (\$)</u>
18	I.	006	State facilities construction account ^{2,6}	20,000,000
19		<u>027</u>		<u>37,000,000</u>
20	II.	067	University science initiative ³	24,400,000
21	III.	006	State facilities — Casper⁴	12,000,000
22	IV.	006	Capitol bldg. rehabilitation and restoration account³	20,000,000
23	V.	045	Mineral impacted roads⁵	To be determined.
24				

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 6. In addition to amounts appropriated in 2017 Wyoming Session Laws, Chapter 78
19 for the Wyoming state hospital and Wyoming life resource center, up to thirty-two
20 million dollars (\$32,000,000.00) from the state facilities construction account is
21 appropriated for the purposes of preconstruction and construction activities
22 necessary to plan, contract for, construct and renovate facilities at the Wyoming
23 state hospital and Wyoming life resource center, consistent with the Level III
24 design study authorized by 2016 Wyoming Session Laws, Chapter 97, Section 4.

25

1

2

[INTERFUND LOAN]

3

4

Section 9. In addition to the authority

5

provided under W.S. 9-1-417 the state treasurer and

6

the state auditor may utilize up to one hundred

7

fifty million dollars (\$150,000,000.00) in interfund

8

loans from the unexpended, unobligated balance of

9

the legislative stabilization reserve account for

10

deposit to the strategic investments and projects

11

account as necessary to meet appropriations from

12

that account and contract obligations of the

13

~~department of administration and information~~ state

14

construction department and University of Wyoming

15

incurred for purposes of this act. The state

16

treasurer and the state auditor shall not utilize

17

interfund loans under this section to meet

18

appropriations for Mineral impacted roads in section

19

7, priority VI and section 8, priority V,

20

appropriations for the Ludden library in section 7,

21

priority II, ~~or~~ appropriations for the Capitol bldg.

22

rehabilitation and restoration account in section 7,

23

priority V and section 8, priority IV or the

1 appropriation for the university science initiative
2 in section 8, priority II of this act.

3

4 [CITY OF CASPER APPROPRIATION - COMMUNITY IMPACT ASSISTANCE]

5

6 **Section 8.**

7

8 (a) There is appropriated up to four hundred thousand
9 dollars (\$400,000.00), or as much thereof as is available from
10 the unobligated, unexpended funds previously received or due
11 on or before March 31, 2021 to the department of
12 administration and information, general services division for
13 rental payments for the state property described as "rail yard
14 rentals" in subsection (c) of this section, for purposes of
15 community impact assistance related to the state occupied
16 facility located at 135 North Ash Street, Casper, Wyoming
17 82601. This appropriation shall be for the period beginning
18 with the effective date of this section and ending March 31,
19 2021. Notwithstanding W.S. 9-2-1008, 9-2-1012(e) and 9-4-207,
20 this appropriation shall not lapse or revert at the end of the
21 fiscal period.

22

1 (b) The city of Casper shall report to the joint
2 appropriations committee not later than December 1, 2018 on
3 the expenditure of funds appropriated under this section and
4 any amendments or changes to agreements between the city of
5 Casper, the Casper downtown development authority and the
6 department of administration and information related to the
7 state occupied facility located at 135 North Ash Street,
8 Casper, Wyoming 82601.

9

10 (c) As used in this section "rail yard rentals" means
11 the properties owned by the state of Wyoming for which the
12 state receives rental payments from lessees located at 330
13 West Collins Drive, 340 West Collins Drive, 350 West Collins
14 Drive, 370 West Collins Drive, 380 West Collins Drive, 382
15 West Collins Drive, 384 West Collins Drive, 404 West Collins
16 Drive, 444 West Collins Drive, 500 West Collins Drive, 510
17 West Collins Drive, 550 West Collins Drive, 600 West Collins
18 Drive, 675 South Walnut, 501 West Midwest Avenue and 535 West
19 Midwest Avenue, all within the city of Casper, Wyoming.

20

21

1 [STATE OF WYOMING - CASPER PROPERTIES]

2

3 **Section 9.**

4

5 (a) For the state owned property described as parcels 1,
6 2 and 3 in subsection (c) of this section, the department of
7 administration and information and the state construction
8 department shall:

9

10 (i) Seek a long-term tenant for the parcels, which
11 may include use of the parcels as a parking lot. A long-term
12 lease negotiated under this subsection shall take into
13 consideration property improvements related to public safety
14 and the costs of continuing routine and major maintenance and
15 repairs to the property and improvements;

16

17 (ii) Report to the governor and the joint
18 appropriations committee not later than December 1, 2018
19 concerning any lease negotiated or executed for the parcels.

20

21 (b) For the state owned property and facility located at
22 100 West Midwest Avenue, Casper, Wyoming 82601, with the legal
23 description: CASPER BLK 2 LOT 24-25 INCL COMM EXEMPT, the

1 department of administration and information and the state
2 construction department shall:

3

4 (i) Undertake negotiations for the future use of
5 the property. A lease negotiated under this subsection shall
6 take into consideration the highest and best use of the
7 property and facility in relation to current and planned
8 development goals for the downtown area of the city of Casper;

9

10 (ii) Report to the governor and the joint
11 appropriations committee not later than December 1, 2018
12 concerning whether the sale, transfer, demolition or other
13 actions are necessary to meet the highest and best use of the
14 property. Recommendations should include proposals for
15 reasonable deed restrictions or allowances for use of the
16 property to ensure the greatest public benefit for the state
17 and the city of Casper.

18

19 (c) As used in this section:

20

21 (i) "Parcel 1" means the following: A PARCEL
22 LOCATED IN AND BEING A PORTION OF THE NW1/4NE1/4, SW1/4NE1/4,
23 SE1/4NW1/4 AND THE NE1/4NW1/4, SECTION 9, TOWNSHIP 33 NORTH,

1 RANGE 79 WEST OF THE 6TH PRINCIPAL MERIDIAN, NATRONA COUNTY,
2 WYOMING BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS
3 AS FOLLOWS: BEGINNING AT THE NORTHEASTERLY CORNER OF SAID
4 PARCEL AND A POINT IN THE INTERSECTION OF THE SOUTHERLY LINE
5 OF WEST MIDWEST AVENUE WITH THE WESTERLY LINE OF THE PROPOSED
6 EXTENSION OF SOUTH DAVID STREET, IN SAID NW1/4NE1/4, SECTION
7 9; THENCE FROM SAID POINT OF BEGINNING AND ALONG THE EASTERLY
8 LINE OF SAID PARCEL AND THE WESTERLY LINE OF SAID PROPOSED
9 EXTENSION OF SOUTH DAVID STREET, S.0°02'01"E., 231.80 FEET TO
10 THE SOUTHEASTERLY CORNER OF SAID PARCEL AND A POINT IN AND
11 INTERSECTION WITH THE NORTHERLY LINE OF BLOCK 1, C & NW TRAIL
12 ADDITION TO THE CITY OF CASPER, NATRONA COUNTY, WYOMING
13 ACCORDING TO THE PLAT RECORDED NOVEMBER 27, 2001 AS INSTRUMENT
14 NO. 682443; THENCE ALONG THE SOUTHERLY LINE OF SAID PARCEL AND
15 THE NORTHERLY LINE OF SAID BLOCK 1, C & NW TRAIL ADDITION
16 S.63°38'05"W., 235.02 FEET TO A POINT; THENCE ALONG THE
17 SOUTHERLY LINE OF SAID PARCEL AND THE NORTHERLY LINE OF SAID
18 BLOCK 1, C & NW TRAIL ADDITION, S.66°46'59"W., 96.99 FEET TO
19 THE SOUTHWESTERLY CORNER OF SAID PARCEL, THE NORTHWESTERLY
20 CORNER OF SAID BLOCK 1, C & NW TRAIL ADDITION AND A POINT IN
21 AND INTERSECTION WITH THE EASTERLY LINE OF SOUTH ASH STREET;
22 THENCE ALONG THE WESTERLY LINE OF SAID PARCEL AND THE EASTERLY
23 LINE OF SAID SOUTH ASH STREET, N.0°09'36"W., 228.04 FEET TO

1 THE NORTHWESTERLY CORNER OF SAID PARCEL AND A POINT IN THE
2 INTERSECTION OF SAID EASTERLY LINE OF SOUTH ASH STREET WITH
3 THE SOUTHERLY LINE OF SAID WEST MIDWEST AVENUE; THENCE ALONG
4 THE NORTHERLY LINE OF SAID PARCEL AND THE SOUTHERLY LINE OF
5 SAID WEST MIDWEST AVENUE, N.64°00'30"E., 333.99 FEET TO THE
6 POINT OF BEGINNING;

7

8 (ii) "Parcel 2" means the following: A PARCEL
9 LOCATED IN AND BEING A PORTION OF THE SE1/4NW1/4 AND THE
10 SW1/4NE1/4, SECTION 9, TOWNSHIP 33 NORTH, RANGE 79 WEST OF THE
11 6TH PRINCIPAL MERIDIAN, NATRONA COUNTY, WYOMING BEING MORE
12 PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
13 BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID PARCEL AND A
14 POINT IN THE INTERSECTION OF THE NORTHERLY LINE OF WEST
15 COLLINS AVENUE WITH THE EASTERLY LINE OF SOUTH ASH STREET, IN
16 SAID SE1/4NW1/4, SECTION 9; THENCE FROM SAID POINT OF
17 BEGINNING AND ALONG THE WESTERLY LINE OF SAID PARCEL AND THE
18 EASTERLY LINE OF SAID SOUTH ASH STREET, N.0°09'13"W., 246.44
19 FEET TO THE NORTHWESTERLY CORNER OF SAID PARCEL AND THE
20 SOUTHWESTERLY CORNER OF BLOCK 1, C & NW ADDITION, TO THE CITY
21 OF CASPER, NATRONA COUNTY, WYOMING ACCORDING TO THE PLAT
22 RECORDED NOVEMBER 27, 2001 AS INSTRUMENT NO. 682443; THENCE
23 ALONG THE NORTHERLY LINE OF SAID PARCEL AND THE SOUTHERLY LINE

1 OF SAID BLOCK 1, C & NW TRAIL ADDITION, N.69°16'30"E., 11.90
2 FEET TO A POINT OF CURVE; THENCE ALONG THE NORTHERLY LINE OF
3 SAID PARCEL AND THE SOUTHERLY LINE OF SAID BLOCK 1, C & NW
4 TRAIL ADDITION, ALONG THE ARC OF A NON-TANGENT CURVE TO THE
5 LEFT, HAVING A RADIUS OF 1006.73 FEET AND THROUGH A CENTRAL
6 ANGLE OF 5°46'34", NORTHEASTERLY, 101.49 FEET, AND THE CHORD
7 OF WHICH BEARS N.66°40'51"E., 101.45 FEET TO A POINT OF
8 TANGENCY; THENCE ALONG THE NORTHERLY LINE OF SAID PARCEL AND
9 THE SOUTHERLY LINE OF SAID BLOCK 1, C & NW TRAIL ADDITION,
10 N.63°49'53"E., 217.76 FEET TO THE NORTHEASTERLY CORNER OF SAID
11 PARCEL AND A POINT IN AND INTERSECTION WITH THE WESTERLY LINE
12 OF THE PROPOSED EXTENSION OF SOUTH DAVID STREET; THENCE ALONG
13 THE EASTERLY LINE OF SAID PARCEL AND THE WESTERLY LINE OF SAID
14 PROPOSED EXTENSION OF SOUTH DAVID STREET, S.0°02'01"E., 143.05
15 FEET TO THE SOUTHEASTERLY CORNER OF SAID PARCEL; THENCE ALONG
16 THE SOUTHERLY LINE OF SAID PARCEL, PARALLEL TO THE NORTHERLY
17 LINE OF SAID WEST COLLINS AVENUE, S.63°58'15"W., 195.78 FEET
18 TO A POINT; THENCE ALONG THE EASTERLY LINE OF SAID PARCEL,
19 S.26°01'15"E., 87.79 FEET TO A POINT IN AND INTERSECTION WITH
20 THE NORTHERLY LINE OF SAID WEST COLLINS AVENUE; THENCE ALONG
21 THE SOUTHERLY LINE OF SAID PARCEL AND THE NORTHERLY LINE OF
22 SAID WEST COLLINS AVENUE, S.63°58'15"W., 180.02 FEET TO THE
23 POINT OF BEGINNING;

1

2 (iii) "Parcel 3" means the following: A PARCEL
3 LOCATED IN AND BEING A PORTION OF THE SW1/4NE1/4, SECTION 9,
4 TOWNSHIP 33 NORTH, RANGE 79 WEST OF THE 6TH P.M., NATRONA
5 COUNTY, WYOMING, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE
6 SOUTHWESTERLY CORNER OF THE PARCEL BEING DESCRIBED AND A POINT
7 IN THE NORTHERLY LINE OF WEST COLLINS STREET AND FROM WHICH
8 POINT THE POINT OF INTERSECTION OF THE NORTHERLY LINE OF SAID
9 WEST COLLINS STREET WITH THE EASTERLY LINE OF SOUTH ASH
10 STREET, BOTH IN THE CITY OF CASPER, WYOMING, BEARS S.64°02'W.,
11 180.02 FEET; THENCE FROM SAID POINT OF BEGINNING AND ALONG THE
12 WESTERLY LINE OF SAID PARCEL AND LEAVING SAID NORTHERLY LINE
13 OF WEST COLLINS STREET AND ALSO ALONG THE WESTERLY LINE OF
14 THAT CERTAIN TRACT IDENTIFIED AS THE O.L. WALKER TRACT,
15 N.25°57'30"W., 87.79 FEET TO THE NORTHWESTERLY CORNER OF SAID
16 PARCEL AND ALSO THE NORTHWESTERLY CORNER OF SAID O.L. WALKER
17 TRACT; THENCE ALONG THE NORTHERLY LINE OF SAID PARCEL AND O.L.
18 WALKER TRACT AND PARALLEL TO THE NORTHERLY LINE OF SAID WEST
19 COLLINS STREET, N.64°02'E., 196.27 FEET TO THE NORTHEASTERLY
20 CORNER OF SAID PARCEL AND A POINT IN AND INTERSECTION WITH THE
21 WESTERLY LINE OF PROPOSED DAVID STREET EXTENSION; THENCE ALONG
22 THE EASTERLY LINE OF SAID PARCEL AND THE WESTERLY LINE OF SAID
23 PROPOSED DAVID STREET EXTENSION, S.0°00'03"W., 97.62 FEET TO

1 THE SOUTHEASTERLY CORNER OF SAID PARCEL AND A POINT IN AND
2 INTERSECTION WITH THE NORTHERLY LINE OF SAID WEST COLLINS
3 STREET; THENCE ALONG THE SOUTHERLY LINE OF SAID PARCEL AND THE
4 NORTHERLY LINE OF SAID WEST COLLINS STREET, S.64°02'W., 153.53
5 FEET TO THE POINT OF BEGINNING.

6

7 [MINERAL IMPACTED ROADS]

8

9 **Section 10.**

10

11 (a) Seven million five hundred thousand dollars
12 (\$7,500,000.00) is appropriated from the legislative
13 stabilization reserve account to the department of
14 transportation for relocation, construction or improvement of
15 roads and bridges directly impacted by development of coal
16 resources. This appropriation shall be used to provide
17 funding for a single project in which a county has provided a
18 binding commitment to pay at least fifty percent (50%) of the
19 anticipated cost of the project from county or private funding
20 sources of up to fifteen million dollars (\$15,000,000.00) plus
21 any project costs in excess of thirty million dollars
22 (\$30,000,000.00). The department of transportation shall
23 contribute the same sum as is appropriated from legislative

1 stabilization reserve account under this subsection, up to
2 seven million five hundred thousand dollars (\$7,500,000.00),
3 from any available funds within the department. No funds
4 appropriated under this subsection shall be expended unless a
5 county has executed an agreement with the department of
6 transportation that stipulates:

7

8 (i) The anticipated cost of the project and
9 construction management of the project;

10

11 (ii) All funds provided by the county shall be
12 expended prior to the expenditure of any state funds on the
13 project;

14

15 (iii) No funds shall be returned to the county if
16 the actual cost of the project is less than the anticipated
17 cost.

18

19 (b) The determination as to whether a binding commitment
20 has been received shall be made by the attorney general.

21

1 [RANCH A ACCOUNT APPROPRIATION]

2

3 **Section 11.** There is appropriated one hundred thousand
4 dollars (\$100,000.00) from the general fund to the Ranch A
5 account created under W.S. 36-8-1701. Notwithstanding W.S.
6 9-2-1008, 9-2-1012(e) and 9-4-207(a), this appropriation shall
7 not lapse or revert at the end of any fiscal period.

8

9 [VETERANS' SKILLED NURSING CENTER-LOAN AUTHORIZATION]

10

11 **Section 12.**

12

13 (a) The state construction department through the
14 veterans' commission and the department of health is
15 authorized to borrow from the legislative stabilization
16 reserve account up to thirty-five percent (35%) of the actual
17 development costs for a facility with the number of beds
18 authorized by the United States department of veterans affairs
19 for limited level I/II and III planning and design, permit
20 procurement, project land procurement, construction
21 engineering and ultimate construction and operations of a
22 veterans' skilled nursing center that shall be designed and
23 constructed according to a "green house" look-alike concept

1 for alternative elder care. Amounts borrowed under this
2 subsection shall be deposited in the veterans' skilled nursing
3 special revenue account. The department of health shall repay
4 amounts borrowed under this subsection from operations revenue
5 deposited to the veterans' skilled nursing special revenue
6 account. Repayment of the amounts borrowed under this
7 subsection shall occur annually on June 30, after costs and
8 maintenance for the center are paid until the total loan
9 amount is amortized, which shall not be later than fifteen
10 (15) years from the date of construction completion of the
11 veterans' skilled nursing center or as required for receipt of
12 federal funds, whichever is earlier. Interest charged on the
13 amounts borrowed under this subsection shall be at a rate
14 equal to the average interest earned on pooled investments of
15 state funds in the four (4) calendar quarters preceding the
16 quarter in which the loan occurred.

17

18 (b) The director of the state construction department
19 shall report to the joint appropriations committee and the
20 joint transportation, highways and military affairs interim
21 committee within thirty (30) days of exercise of the loan
22 authority under subsection (a) of this section. On or before
23 September 1 of each year, the state construction department

1 through the veterans' commission and department of health
2 shall report to the joint appropriations committee and joint
3 transportation, highways and military affairs interim
4 committee the total amounts repaid to the legislative
5 stabilization reserve account.

6

7

[EFFECTIVE DATES]

8

9

Section 13.

10

11 (a) Except as provided in subsection (b) of this
12 section, this act is effective July 1, 2018.

13

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

18

19 (i) Sections 3, 6, 7, 8, 9 and 12 of this act;

20

21 (ii) The appropriation in section 4(a)(i) to the
22 DOC- WSP Repairs pursuant to footnote 5;

23

1 (iii) The appropriation in section 4(a)(i) to the
2 State Facilities Construction pursuant to footnote 7; and

3

4 (iii) The appropriation in section 4(a)(ii) to the
5 UW Family Med-Cheyenne pursuant to footnote 1.

6

7

(END)