

SENATE FILE NO. SF0121

State funded capital construction-2.

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; providing for
5 loans for capital construction of student dormitories;
6 establishing accounts; providing for continuous appropriations
7 as specified; specifying duties of the state construction
8 department and the department of administration and
9 information; requiring reports; providing definitions;
10 creating an advisory task force; creating a task force;
11 imposing a moratorium on the expenditure of funds and
12 disposition of property as specified; providing funding and
13 conditions of mineral impacted road projects; providing for
14 real property lease negotiations as specified; providing for
15 matching funds to be used for funding university
16 intercollegiate athletics facilities; providing for loans from

1 the permanent Wyoming mineral trust fund for capital
2 construction by local governments; providing additional
3 appropriations; and providing for effective dates.

4

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

6

7 **Section 1.** W.S. 16-1-111, 21-18-319 and 36-8-1701 are
8 created to read:

9

10 **16-1-111. Loans to political subdivisions; requirements;**
11 **limitations; rulemaking.**

12

13 (a) The state loan and investment board may negotiate
14 and make loans from the permanent Wyoming mineral trust fund
15 to political subdivisions of this state as provided in this
16 section. The aggregate sum of all loans made under this
17 section shall not exceed four hundred million dollars
18 (\$400,000,000.00). The aggregate sum of loans made for
19 infrastructure projects shall not exceed two hundred million
20 dollars (\$200,000,000.00) and shall not exceed two hundred
21 million dollars (\$200,000,000.00) for road or street projects.
22 Loans may be made for infrastructure projects and street and
23 road projects as provided in this section. The board shall

1 adopt rules and procedures as it deems advisable or necessary
2 to administer the program. The rules shall include
3 requirements and standards which the board determines to be
4 necessary or advisable in accordance with the following:

5

6 (i) To qualify for a loan an applicant shall
7 demonstrate:

8

9 (A) A commitment to adequately maintain the
10 project for which the loan is requested during a reasonable
11 period of time;

12

13 (B) That all project costs will be funded at
14 the time of receipt of the loan, with funding sources
15 specified within the project application;

16

17 (C) Compliance with any other criteria
18 developed by the board consistent with this section.

19

20 (ii) The determination of whether to make a loan
21 shall include consideration of:

22

1 (A) The contribution of the project to health,
2 safety and welfare;

3

4 (B) The applicant's need for the project and
5 financial needs of the applicant in relation to the project;

6

7 (C) The ability of the applicant to repay the
8 loan.

9

10 (b) Loans may be made to cities, towns, counties, school
11 districts and community college districts for infrastructure
12 projects. A loan under this subsection shall be at an interest
13 rate of one-tenth of one percent (.1%) multiplied by each year
14 of the initial loan term. In the event of prepayment of a
15 loan, the interest rate shall be calculated at the actual loan
16 period, but no refund of interest payment shall be made to the
17 borrowing entity. Loans shall not exceed a term of
18 twenty-five (25) years for repayment. Adequate security for
19 loans shall be required and may include:

20

21 (i) A pledge of the revenues from the project for
22 which the loan was granted;

23

1 (ii) A pledge of other revenues available to the
2 entity receiving the loan;

3

4 (iii) A mortgage covering all or any part of the
5 project or by a pledge of the lease of the project;

6

7 (iv) Any other security device or requirement
8 deemed advantageous or necessary by the board.

9

10 (c) Loans may be made to cities, towns and counties for
11 road or street projects. To qualify for a road or street
12 project loan, in addition to the requirements of subsections
13 (a) and (b) of this section, an applicant shall demonstrate
14 that all related infrastructure including water and sewer is
15 or will be in place at the time of receipt of the loan. No
16 loan shall be provided under this subsection to any city, town
17 or county that has any outstanding or unpaid loan under this
18 subsection. Any loan under this subsection shall be at an
19 interest rate of one and one-half percent (1.5%). Loans under
20 this subsection shall not exceed a term of twenty (20) years
21 for repayment. The total loans under this subsection provided
22 in any one (1) year shall not exceed one hundred million
23 dollars (\$100,000,000.00). Not more than thirty-five million

1 dollars (\$35,000,000.00) of road or street loans shall be made
2 in any one (1) year to:

3

4 (i) Towns as defined in W.S. 15-1-101(a)(xiv);

5

6 (ii) Cities as defined in W.S. 15-1-101(a)(iv);

7

8 (iii) Counties.

9

10 (d) No loan shall be made without the written opinion of
11 the attorney general certifying the legality of the
12 transaction and all documents connected therewith. An
13 election approving the project and borrowing for the project
14 by the qualified electors of the borrowing entity shall be
15 required only if the attorney general determines such an
16 election is otherwise required by law.

17

18 (e) There is created a loss reserve account for loans
19 made under this section. If, as a result of default in the
20 payment of any loan made under this section, there occurs a
21 nonrecoverable loss either to the corpus of, or interest due
22 to the permanent Wyoming mineral trust fund, the board shall
23 restore the loss to the permanent fund using any funds

1 available in the loss reserve account. If the funds in the
2 loss reserve account are insufficient to restore the full
3 amount of the loss, the board shall submit a detailed report
4 of the loss to the legislature and shall request an
5 appropriation to restore the balance of the loss to the
6 permanent fund. Beginning June 30, 2018, the state treasurer
7 shall transfer funds quarterly from the permanent Wyoming
8 mineral trust fund reserve account to the loss reserve account
9 created in this subsection, in an amount necessary to ensure
10 that as of the last day of each quarter there is an
11 unobligated, unencumbered balance equal to five percent (5%)
12 of the balance of outstanding loans under this section. Any
13 funds transferred to the loss reserve account pursuant to this
14 subsection which are not necessary to maintain the five
15 percent (5%) balance shall be transferred back to the
16 permanent Wyoming mineral trust fund reserve account on the
17 last day of the quarter.

18

19 (f) As used in this section:

20

21 (i) "Board" means the state loan and investment
22 board to include the office of state lands and investments;

23

1 (ii) "Infrastructure project" means a capital
2 construction project which may lawfully be undertaken within
3 the powers of the political subdivision authorized to receive
4 a loan under this section;

5

6 (iii) "Road or street project" means the
7 construction, maintenance or improvement of a public street,
8 road or alley within a city, town or county.

9

10 **21-18-319. Student dormitory capital construction loans;**
11 **rulemaking; requirements; reporting; definition.**

12

13 (a) The state loan and investment board may negotiate
14 and make loans from the permanent Wyoming mineral trust fund
15 to community college districts for capital construction of
16 student dormitories, including the purchase of land,
17 buildings, facilities and necessary rights-of-way. The
18 aggregate sum of all outstanding loans made under this section
19 shall not exceed sixty million dollars (\$60,000,000.00). The
20 board shall adopt rules as it deems advisable or necessary to
21 administer the loans authorized in this section.

22

1 (b) In making loans authorized in this section, the
2 board shall establish in rule the requirements and standards
3 which it determines to be advisable or necessary and in
4 accordance with the following:

5

6 (i) To qualify for a loan a community college
7 district shall demonstrate in its application:

8

9 (A) A commitment to adequately maintain the
10 student dormitory for which the loan is requested for the full
11 term of the loan or for the period in which there remains an
12 outstanding loan balance;

13

14 (B) That all costs for the construction of the
15 student dormitory will be funded at the time of receipt of the
16 loan, with funding sources specified in the application.

17

18 (ii) The determination of whether to make a loan
19 shall include consideration of:

20

21 (A) The community college district's need for
22 the student dormitory and the financial needs of the community
23 college district in relation to the student dormitory;

1

2

(B) The ability of the community college district to repay the loan.

4

5

(iii) Any community college district with a significant demonstrated need to increase student dormitory capacity on campus shall be granted first priority for loans;

8

9

(iv) Loans shall be at an interest rate of one-tenth of one percent (.1%) multiplied by each year of the initial loan term. In the event of prepayment of a loan, the interest rate shall be calculated at the actual loan period, but no refund of prior interest paid shall be made to the community college district;

15

16

(v) Loans shall not exceed an initial term of twenty-five (25) years for repayment;

18

19

(vi) Adequate security for loans shall be required and may include:

21

22

(A) A pledge of the revenues from the student dormitory for which the loan was granted;

23

1

2

(B) A pledge of other revenues available to the community college district receiving the loan;

4

5

(C) Any other security device or requirement deemed advantageous or necessary by the board.

7

8

(vii) Annual financial statements shall be required from any community college district receiving a loan. In addition, the expenditures and progress of the project related to the loan shall be reported to the board at least annually or more frequently if deemed advisable by the board. At the end of the term of the loan, the community college district shall provide to the board a comprehensive report that shall, at minimum, include a financial review and a list of the accomplishments as a result of the loan;

17

18

(viii) No loan shall be made without the written opinion of the attorney general certifying the legality of the transaction and all documents connected therewith. An election by the qualified electors of the community college district approving the construction of student dormitories and borrowing of funds under this section shall be required only

23

1 if the attorney general determines an election is otherwise
2 required by law;

3

4 (ix) A loan origination fee of one percent (1%) of
5 the loan amount shall be paid by the community college
6 district to the board to be credited to a loss reserve
7 account, which is hereby created:

8

9 (A) Revenues received by the board for deposit
10 in the loss reserve account shall be transmitted to the state
11 treasurer for deposit to the account;

12

13 (B) Funds in the loss reserve account shall be
14 used to pay the administrative and legal expenses of the board
15 in making collections and foreclosing on loans made pursuant
16 to this section;

17

18 (C) If, as a result of default in the payment
19 of any loan made under this section there occurs a
20 nonrecoverable loss either to the corpus of, or interest due
21 to the permanent Wyoming mineral trust fund, the board shall
22 restore the loss to the fund using any funds available in the
23 loss reserve account. If the funds in the loss reserve account

1 are insufficient to restore the full amount of the loss, the
2 board shall submit a detailed report of the loss to the
3 legislature and shall request an appropriation to restore the
4 balance of the loss to the permanent Wyoming mineral trust
5 fund.

6

7 (x) The board, whenever it deems necessary for the
8 better protection of the permanent Wyoming mineral trust fund,
9 may refinance any delinquent loan made under this section and
10 reamortize the loan over not more than thirty (30) years from
11 the date of refinancing. All costs of refinancing the loan
12 shall be paid by the community college district that is
13 delinquent on the original loan and no loan shall be
14 refinanced where it appears refinancing will jeopardize the
15 collection of the loan. A fee of one percent (1%) of the
16 refinanced loan amount shall be paid by the community college
17 district to the board to be credited to a loss reserve account
18 created by paragraph (ix) of this subsection. The rate of
19 interest for any refinanced loan shall be at the same rate
20 specified under paragraph (iv) of this subsection multiplied
21 by the total years of the refinanced loan period, but not to
22 exceed a total maximum of two and one-half percent (2.5%).

23

1 (c) Loans to a community college district under this
2 section shall not be used for any other infrastructure need of
3 the community college district that is not directly associated
4 with the development and construction of student dormitories.

5

6 (d) On or before June 30 of each year, the board shall
7 report information on the administration of loans made
8 pursuant to this section to the joint appropriations
9 committee, the joint minerals, business and economic
10 development interim committee and the joint education interim
11 committee. The report shall include a list of all loan
12 requests made in the previous twelve (12) months, the amount
13 approved by project, expenditures by project and the progress
14 of each project as of the date of the report, including
15 outstanding loan amounts, repayment schedules and any
16 delinquencies.

17

18 (e) As used in this section:

19

20 (i) "Board" means the state loan and investment
21 board and includes assistance provided by the office of state
22 lands and investments;

23

1 (ii) "Capital construction" or "construction"
2 includes new construction, renovation or capital renewal.

3

4

ARTICLE 17

5

RANCH A

6

7

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

8

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

22

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) and 21-18-102(a)(xxiii) are amended to read:

14

15 **9-2-3004. Duties of the department.**

16

17 (c) The department shall:

18

19 (viii) Review the final design, drawings and plans
20 of any capital construction project prior to commencing with
21 bidding to ensure that energy efficient best practice
22 techniques and processes are included in the design of any
23 capital construction project funded with federal funds and for

1 which the state is required to expend state funds to fully or
2 partially pay for operations, routine maintenance or major
3 maintenance expenses for the facility. Upon conclusion of
4 each review, the department shall submit a report of findings
5 to the joint appropriations committee and the joint
6 transportation, highways and military affairs interim
7 committee.

8

9 **21-18-102. Definitions.**

10

11 (a) As used in this act:

12

13 (xxiii) "This act" means W.S. 21-18-101 through
14 ~~21-18-317~~ 21-18-319.

15

16 **Section 3.**

17

18 (a) As used in sections 3 through 18 of this act:

19

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

1

2 (ii) "Approved budget" means as defined in W.S.
3 9-2-1005(e);

4

5 (iii) "FF" means federal funds;

6

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

8

9 (v) "RA" means the permanent Wyoming mineral trust
10 fund reserve account created by W.S. 9-4-719(b);

11

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

14

15 (vii) "T5" means the penitentiary permanent land
16 fund;

17

18 (viii) "S10" means the legislative stabilization
19 reserve account;

20

21 (ix) "S13" means the strategic investments and
22 projects account created by W.S. 9-4-220.

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[CAPITAL CONSTRUCTION]

Section 4.

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

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

1					
2		GENERAL	FEDERAL	OTHER	TOTAL
3	APPROPRIATION	FUND	FUNDS	FUNDS	APPROPRIATION
4	FOR	\$	\$	\$	\$
5	Section 027. CAPITAL CONSTRUCTION PROJECTS				
6					
7	PROGRAM				
8	SBC Contingency	9,000,000			9,000,000
9	NWCCD- Health Science Bldg.	385,000			385,000
10	LCCC- PE Building Reno			7,300,000 PR	7,300,000
11	NWCC- Performing Arts Ctr. ^{1.}	495,000		495,000 PR	990,000
12	NWCC- Student Center ^{1.}	550,000		550,000 PR	1,100,000
13	LCCC- Albany Cty Campus			1,300,000 PR	1,300,000
14	CC- Visual Arts Bldg. ^{1.,2.}	1,750,000		1,750,000 PR	3,500,000
15	CC- Ag & Equine Center ^{1.,3.}	6,000,000		6,000,000 PR	12,000,000
16	WWCC- Mechanical Repairs ^{4.}	1,071,200			1,071,200
17	LCCC- Fine Arts Bldg. ^{1.}	7,000,000		7,000,000 PR	14,000,000
18	Mil- Cheyenne Readiness		28,900,000		28,900,000
19	Mil- Guernsey Readiness		22,300,000		22,300,000
20	Mil- Guernsey Air Tower		17,000,000		17,000,000
21	DFS- Maghee Bldg. Remodel	2,170,000			2,170,000
22	State Parks- Health/Safety			4,300,000 SR	4,300,000
23	State Parks- Terr. Prison			210,000 SR	210,000
24	State Parks- Water Fac.			770,000 SR	770,000
25					

1		GENERAL	FEDERAL	OTHER	TOTAL
2	APPROPRIATION	FUND	FUNDS	FUNDS	APPROPRIATION
3	FOR	\$	\$	\$	\$
4					
5	DOC- WSP Repairs and				
6	Contingency ^{5., 6.}			8,184,125 T5	8,184,125
7	State Facilities Const. ^{7.}			15,000,000 RA	15,000,000
8	State Facilities- Casper ^{8.}			5,000,000 RA	5,000,000
9	Veterans Museum ^{9.}			5,000,000 S13	5,000,000
10	LCCC- Crossroads	<u> </u>	<u> </u>	<u>1,200,000 PR</u>	<u>1,200,000</u>
11	TOTALS	28,421,200	68,200,000	64,059,125	160,680,325

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

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

3. For the Casper College-Agriculture and Equine Center, any funds expended pursuant to 2014 Wyoming Session Laws, Chapter 26, Section 3, Section 006, footnote 5 shall be considered expenditures of other funds for purposes of footnote 1 of this section if the Casper College-Agriculture and Equine Center is constructed on the property acquired from that expenditure.

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

6
7 5. Of this other funds appropriation, three million one hundred eighty-four
8 thousand one hundred twenty-five dollars (\$3,184,125.00)T5, or as much thereof as
9 is available, is effective immediately and shall be expended on water mitigation
10 projects, maintenance and repairs at the Wyoming state penitentiary recommended
11 pursuant to the penal facility peer review study conducted under 2017 Wyoming
12 Session Laws, Chapter 120, Section 332 and on file with the legislative service
13 office.

14
15 6. Of this other funds appropriation, five million dollars (\$5,000,000.00)T5, or
16 as much thereof as is available, shall be expended for operations, major
17 maintenance, capital construction, repairs or inmate relocation in the event
18 hazardous conditions resulting from subsurface movement or other building failure
19 at any correctional facility of the department of corrections warrants an immediate
20 response. Expenditures of the appropriation subject to this footnote shall be made
21 only upon the approval of the governor after consultation with the joint
22 appropriations committee. The department of corrections shall report quarterly to
23 the joint appropriations committee on expenditures made from this appropriation
24 subject to this footnote. Any unexpended, unobligated funds remaining from the
25 appropriation subject to this footnote shall revert as provided by law on June 30,
26 2020.

27
28 7. Funds from this appropriation shall be deposited in the state facilities
29 construction account. This appropriation shall be effective immediately.

30

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

3

4 9. This appropriation shall only be expended subject to the provisions and
5 limitations in section 14 of this act. These funds are appropriated from earnings
6 deposited to the strategic investments and projects account for fiscal years 2019
7 and 2020. Funds from this appropriation shall only be made available after the
8 appropriation for University of Wyoming athletic facilities pursuant to paragraph
9 (ii) of this subsection has been deposited in full to the university athletics
10 facilities challenge account.

11

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

14

15	GENERAL	FEDERAL	OTHER	TOTAL
16	APPROPRIATION	FUND	FUNDS	APPROPRIATION
17	FOR	\$	\$	\$
18				
19	PROGRAM			
20	UW Family Med- Cheyenne ¹ .		875,000 SR	875,000
21	UW Athletic Facilities ² .	<u> </u>	<u> </u>	<u>25,000,000 S13</u>
22	TOTALS	0	0	25,875,000
23				25,875,000

24 1. Of this other funds appropriation, five hundred thousand dollars
25 (\$500,000.00)SR is effective immediately.

26

27 2. Funds from this appropriation shall be deposited into the university athletic
28 facilities challenge account and, notwithstanding W.S. 21-16-1001 through
29 21-16-1003, expended pursuant to section 13 of this act. This appropriation for

1 University of Wyoming athletic facilities is appropriated from earnings deposited
2 to the strategic investments and projects account for fiscal years 2019 and 2020.
3 No funds shall be made available pursuant to the appropriation for a veterans
4 museum in paragraph (i) of this subsection until this appropriation for the
5 University of Wyoming athletic facilities has been deposited in full to the
6 university athletics facilities challenge account.

7

8 [UNIVERSITY OF WYOMING SCIENCE INITIATIVE]

9

10 **Section 5.** Of the unobligated, unexpended funds in the
11 University of Wyoming science initiative account created by
12 W.S. 9-4-222, up to one hundred million dollars
13 (\$100,000,000.00) is continuously appropriated to the
14 University of Wyoming for purposes of construction of the
15 science initiative facility. This appropriation shall remain
16 in effect until the project is complete. Appropriated funds
17 under this section shall be expended only on the science
18 initiative facility and any unexpended, unobligated funds
19 remaining at project completion shall revert to the account
20 from which it was appropriated. The amount appropriated in
21 this section is intended to provide a maximum amount for the
22 project and shall not be construed to be an entitlement or
23 guaranteed amount.

24

1 [CASPER STATE OFFICE BUILDING - APPROPRIATION AND ADVISORY
2 TASK FORCE]

3

4 **Section 6.**

5

6 (a) There is created the Casper state office building
7 advisory task force.

8

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

10

11 (i) Four (4) members of the legislature as follows:

12

13 (A) Two (2) members of the senate, appointed
14 by the president of the senate;

15

16 (B) Two (2) members of the house of
17 representatives, appointed by the speaker of the house.

18

19 (ii) Five (5) members appointed by the governor to
20 include:

21

22 (A) One (1) member from the state construction
23 department;

1

2 (B) One (1) member to represent the interests
3 of the city of Casper;

4

5 (C) One (1) member to represent the interests
6 of the Casper downtown development authority;

7

8 (D) Two (2) members appointed from the state
9 agencies that are anticipated to occupy the Casper state
10 office building.

11

12 (c) The cochairmen of the task force shall be appointed
13 by the president of the senate and the speaker of the house,
14 respectively.

15

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

1

2 (i) Receive and, when necessary, request
3 information from the state construction department to stay
4 informed on all aspects of the Casper state office building
5 project;

6

7 (ii) Closely monitor the procurement of
8 professional services and progress on the planning and design
9 of the Casper state office building project;

10

11 (iii) When necessary or prudent, make
12 recommendations to the state construction department regarding
13 important aspects of the Casper state office building project;

14

15 (iv) Provide interim reports on the activities of
16 the task force to the joint appropriations committee not later
17 than November 1 of each year that the task force is in
18 existence;

19

20 (v) Include in each interim report any
21 recommendations for legislative action that should be
22 considered during the legislative session immediately

1 following the report as necessary to continue or complete the
2 Casper state office building project.

3

4 (e) The task force shall be staffed by the state
5 construction department with assistance provided by the
6 legislative service office. In staffing the task force, the
7 state construction department shall:

8

9 (i) Coordinate and schedule all meetings, assemble
10 all required meeting agenda and meeting materials for the task
11 force and include and communicate with the legislative service
12 office to allow the legislative service office to provide
13 sufficient assistance to the legislative members to fulfill
14 their responsibilities as members of the task force;

15

16 (ii) Act as a liaison between the task force and
17 the executive branch of government to communicate task force
18 recommendations;

19

20 (iii) Provide regular updates and progress reports
21 to the task force and the state building commission concerning
22 the Casper state office building project;

23

1 (iv) Provide other information and assistance to
2 the task force as requested.

3

4 (f) The task force shall terminate on June 30, 2020.

5

6 (g) There is appropriated twenty-two thousand dollars
7 (\$22,000.00) from the general fund to the legislative service
8 office. This appropriation shall be for the period beginning
9 with the effective date of this section and ending June 30,
10 2020. This appropriation shall only be expended for the
11 purpose of funding salary, mileage and per diem of legislative
12 members of the task force. Notwithstanding any other
13 provision of law, this appropriation shall not be transferred
14 or expended for any other purpose and any unexpended,
15 unobligated funds remaining from this appropriation shall
16 revert as provided by law on June 30, 2020.

17

18 (h) There is appropriated eight thousand dollars
19 (\$8,000.00) from the general fund to the state construction
20 department. This appropriation shall be for the period
21 beginning with the effective date of this section and ending
22 June 30, 2020. This appropriation shall only be expended for
23 the purpose of funding mileage and per diem for the members of

1 the task force appointed by the governor who are not state
2 employees. Notwithstanding any other provision of law, this
3 appropriation shall not be transferred or expended for any
4 other purpose and any unexpended, unobligated funds remaining
5 from this appropriation shall revert as provided by law on
6 June 30, 2020.

7

8 (j) Of the unobligated, unexpended funds in the Casper
9 state facilities account created by W.S. 9-4-223, there is
10 appropriated to the state construction department forty-five
11 million four hundred eighty-five thousand one hundred
12 ninety-five dollars (\$45,485,195.00) to procure, develop and
13 implement the level II and level III studies and for
14 construction of the Casper state office building project. The
15 state construction department shall retain a qualified owner's
16 representative for the Casper state office building project
17 and may expend up to five hundred thousand dollars
18 (\$500,000.00) of this appropriation on the qualified owner's
19 representative. This appropriation shall remain in effect
20 until the Casper state office building project is complete and
21 shall be expended only on the Casper state office building
22 project. Any unexpended, unobligated funds remaining at
23 project completion shall revert to the Casper state facilities

1 account. The amount appropriated in this subsection is
2 intended to provide a maximum amount for the project and shall
3 not be construed to be an entitlement or guaranteed amount.
4

5 [AMENDMENTS-PRIOR DEPARTMENT OF CORRECTIONS
6 CAPITAL CONSTRUCTION FUNDS]
7

8 **Section 7.** 2016 Wyoming Session Laws, Chapter 97,
9 Section 3(a)(i) is amended to read:
10

11 [CAPITAL CONSTRUCTION]
12

13 **Section 3.**
14

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

1 section are intended to provide a maximum amount for
2 each project and shall not be construed to be an
3 entitlement or guaranteed amount:

4

5 (i) Appropriations for projects with
6 state funding administered through the department of
7 administration and information:

8

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	<u>70,472,785</u>	<u>179,889,160</u>
24				<u>56,972,785</u>	<u>166,389,160</u>

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

1 2. As a condition of this appropriation, the applicable college must expend the
2 entire appropriation of other funds prior to the release of any general funds or
3 funds from the strategic investments and project account appropriated for purposes
4 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) shall only be expended for consultants in order to facilitate the
20 evaluation of remedies outlined in 2016 Senate File 91, if enacted into law. Any
21 consulting contract shall be subject to the approval of the governor after
22 consultation with the select committee created by 2016 Senate File 91, if enacted
23 into law.

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

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

18

19 [AMENDMENTS-CONDITIONAL APPROPRIATIONS FROM INVESTMENT
 20 EARNINGS DERIVED IN FISCAL YEAR 2018]

21

22 **Section 8.** 2016 Wyoming Session Laws, Chapter 97,
 23 Section 8 is amended to read:

24

25

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:

17	<u>Priority</u>	<u>Agency</u>	<u>Description</u>	<u>Amount (\$)</u>
18	I.	006	State facilities construction account ^{2,7.}	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 - Casper ^{4.}	12,000,000
22		<u>027</u>		<u>15,000,000</u>
23	IV.	006	Capitol bldg. rehabilitation and restoration account^{1.}	20,000,000
24		<u>027</u>	<u>School capital construction account^{6.}</u>	<u>4,200,000</u>
25	V.	045	Mineral impacted roads^{5.}	To be determined.

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

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

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

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

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

6. Funds from this appropriation shall be deposited in the school capital construction account as defined in W.S. 21-15-111(a)(i).

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

1 [CITY OF CASPER APPROPRIATION - COMMUNITY IMPACT ASSISTANCE]

2

3 **Section 9.**

4

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

20

21 (b) The city of Casper shall report to the joint
22 appropriations committee not later than December 1, 2018 on
23 the expenditure of funds appropriated under this section and

1 any amendments or changes to agreements between the city of
2 Casper, the Casper downtown development authority and the
3 department of administration and information related to the
4 state occupied facility located at 135 North Ash Street,
5 Casper, Wyoming 82601.

6

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

17

18 [STATE OF WYOMING - CASPER PROPERTIES]

19

20 **Section 10.**

21

22 (a) For the state owned property described as parcels 1,
23 2 and 3 in subsection (c) of this section, the department of

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

3

4 (i) Seek a long-term tenant for the parcels, which
5 may include use of the parcels as a parking lot. A long-term
6 lease negotiated under this subsection shall take into
7 consideration property improvements related to public safety
8 and the costs of continuing routine and major maintenance and
9 repairs to the property and improvements;

10

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

14

15 (b) For the state owned property and facility located at
16 100 West Midwest Avenue, Casper, Wyoming 82601, with the legal
17 description: CASPER BLK 2 LOT 24-25 INCL COMM EXEMPT, the
18 department of administration and information and the state
19 construction department shall:

20

21 (i) Undertake negotiations for the future use of
22 the property. A lease negotiated under this subsection shall
23 take into consideration the highest and best use of the

1 property and facility in relation to current and planned
2 development goals for the downtown area of the city of Casper;

3

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

12

13 (c) As used in this section:

14

15 (i) "Parcel 1" means the following: A PARCEL
16 LOCATED IN AND BEING A PORTION OF THE NW1/4NE1/4, SW1/4NE1/4,
17 SE1/4NW1/4 AND THE NE1/4NW1/4, SECTION 9, TOWNSHIP 33 NORTH,
18 RANGE 79 WEST OF THE 6TH PRINCIPAL MERIDIAN, NATRONA COUNTY,
19 WYOMING BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS
20 AS FOLLOWS: BEGINNING AT THE NORTHEASTERLY CORNER OF SAID
21 PARCEL AND A POINT IN THE INTERSECTION OF THE SOUTHERLY LINE
22 OF WEST MIDWEST AVENUE WITH THE WESTERLY LINE OF THE PROPOSED
23 EXTENSION OF SOUTH DAVID STREET, IN SAID NW1/4NE1/4, SECTION

1 9; THENCE FROM SAID POINT OF BEGINNING AND ALONG THE EASTERLY
2 LINE OF SAID PARCEL AND THE WESTERLY LINE OF SAID PROPOSED
3 EXTENSION OF SOUTH DAVID STREET, S.0°02'01"E., 231.80 FEET TO
4 THE SOUTHEASTERLY CORNER OF SAID PARCEL AND A POINT IN AND
5 INTERSECTION WITH THE NORTHERLY LINE OF BLOCK 1, C & NW TRAIL
6 ADDITION TO THE CITY OF CASPER, NATRONA COUNTY, WYOMING
7 ACCORDING TO THE PLAT RECORDED NOVEMBER 27, 2001 AS INSTRUMENT
8 NO. 682443; THENCE ALONG THE SOUTHERLY LINE OF SAID PARCEL AND
9 THE NORTHERLY LINE OF SAID BLOCK 1, C & NW TRAIL ADDITION
10 S.63°38'05"W., 235.02 FEET TO A POINT; THENCE ALONG THE
11 SOUTHERLY LINE OF SAID PARCEL AND THE NORTHERLY LINE OF SAID
12 BLOCK 1, C & NW TRAIL ADDITION, S.66°46'59"W., 96.99 FEET TO
13 THE SOUTHWESTERLY CORNER OF SAID PARCEL, THE NORTHWESTERLY
14 CORNER OF SAID BLOCK 1, C & NW TRAIL ADDITION AND A POINT IN
15 AND INTERSECTION WITH THE EASTERLY LINE OF SOUTH ASH STREET;
16 THENCE ALONG THE WESTERLY LINE OF SAID PARCEL AND THE EASTERLY
17 LINE OF SAID SOUTH ASH STREET, N.0°09'36"W., 228.04 FEET TO
18 THE NORTHWESTERLY CORNER OF SAID PARCEL AND A POINT IN THE
19 INTERSECTION OF SAID EASTERLY LINE OF SOUTH ASH STREET WITH
20 THE SOUTHERLY LINE OF SAID WEST MIDWEST AVENUE; THENCE ALONG
21 THE NORTHERLY LINE OF SAID PARCEL AND THE SOUTHERLY LINE OF
22 SAID WEST MIDWEST AVENUE, N.64°00'30"E., 333.99 FEET TO THE
23 POINT OF BEGINNING;

1

2

(ii) "Parcel 2" means the following: A PARCEL

3

LOCATED IN AND BEING A PORTION OF THE SE1/4NW1/4 AND THE

4

SW1/4NE1/4, SECTION 9, TOWNSHIP 33 NORTH, RANGE 79 WEST OF THE

5

6TH PRINCIPAL MERIDIAN, NATRONA COUNTY, WYOMING BEING MORE

6

PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

7

BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID PARCEL AND A

8

POINT IN THE INTERSECTION OF THE NORTHERLY LINE OF WEST

9

COLLINS AVENUE WITH THE EASTERLY LINE OF SOUTH ASH STREET, IN

10

SAID SE1/4NW1/4, SECTION 9; THENCE FROM SAID POINT OF

11

BEGINNING AND ALONG THE WESTERLY LINE OF SAID PARCEL AND THE

12

EASTERLY LINE OF SAID SOUTH ASH STREET, N.0°09'13"W., 246.44

13

FEET TO THE NORTHWESTERLY CORNER OF SAID PARCEL AND THE

14

SOUTHWESTERLY CORNER OF BLOCK 1, C & NW ADDITION, TO THE CITY

15

OF CASPER, NATRONA COUNTY, WYOMING ACCORDING TO THE PLAT

16

RECORDED NOVEMBER 27, 2001 AS INSTRUMENT NO. 682443; THENCE

17

ALONG THE NORTHERLY LINE OF SAID PARCEL AND THE SOUTHERLY LINE

18

OF SAID BLOCK 1, C & NW TRAIL ADDITION, N.69°16'30"E., 11.90

19

FEET TO A POINT OF CURVE; THENCE ALONG THE NORTHERLY LINE OF

20

SAID PARCEL AND THE SOUTHERLY LINE OF SAID BLOCK 1, C & NW

21

TRAIL ADDITION, ALONG THE ARC OF A NON-TANGENT CURVE TO THE

22

LEFT, HAVING A RADIUS OF 1006.73 FEET AND THROUGH A CENTRAL

23

ANGLE OF 5°46'34", NORTHEASTERLY, 101.49 FEET, AND THE CHORD

1 OF WHICH BEARS N.66°40'51"E., 101.45 FEET TO A POINT OF
2 TANGENCY; THENCE ALONG THE NORTHERLY LINE OF SAID PARCEL AND
3 THE SOUTHERLY LINE OF SAID BLOCK 1, C & NW TRAIL ADDITION,
4 N.63°49'53"E., 217.76 FEET TO THE NORTHEASTERLY CORNER OF SAID
5 PARCEL AND A POINT IN AND INTERSECTION WITH THE WESTERLY LINE
6 OF THE PROPOSED EXTENSION OF SOUTH DAVID STREET; THENCE ALONG
7 THE EASTERLY LINE OF SAID PARCEL AND THE WESTERLY LINE OF SAID
8 PROPOSED EXTENSION OF SOUTH DAVID STREET, S.0°02'01"E., 143.05
9 FEET TO THE SOUTHEASTERLY CORNER OF SAID PARCEL; THENCE ALONG
10 THE SOUTHERLY LINE OF SAID PARCEL, PARALLEL TO THE NORTHERLY
11 LINE OF SAID WEST COLLINS AVENUE, S.63°58'15"W., 195.78 FEET
12 TO A POINT; THENCE ALONG THE EASTERLY LINE OF SAID PARCEL,
13 S.26°01'15"E., 87.79 FEET TO A POINT IN AND INTERSECTION WITH
14 THE NORTHERLY LINE OF SAID WEST COLLINS AVENUE; THENCE ALONG
15 THE SOUTHERLY LINE OF SAID PARCEL AND THE NORTHERLY LINE OF
16 SAID WEST COLLINS AVENUE, S.63°58'15"W., 180.02 FEET TO THE
17 POINT OF BEGINNING;

18

19 (iii) "Parcel 3" means the following: A PARCEL
20 LOCATED IN AND BEING A PORTION OF THE SW1/4NE1/4, SECTION 9,
21 TOWNSHIP 33 NORTH, RANGE 79 WEST OF THE 6TH P.M., NATRONA
22 COUNTY, WYOMING, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE
23 SOUTHWESTERLY CORNER OF THE PARCEL BEING DESCRIBED AND A POINT

1 IN THE NORTHERLY LINE OF WEST COLLINS STREET AND FROM WHICH
2 POINT THE POINT OF INTERSECTION OF THE NORTHERLY LINE OF SAID
3 WEST COLLINS STREET WITH THE EASTERLY LINE OF SOUTH ASH
4 STREET, BOTH IN THE CITY OF CASPER, WYOMING, BEARS S.64°02'W.,
5 180.02 FEET; THENCE FROM SAID POINT OF BEGINNING AND ALONG THE
6 WESTERLY LINE OF SAID PARCEL AND LEAVING SAID NORTHERLY LINE
7 OF WEST COLLINS STREET AND ALSO ALONG THE WESTERLY LINE OF
8 THAT CERTAIN TRACT IDENTIFIED AS THE O.L. WALKER TRACT,
9 N.25°57'30"W., 87.79 FEET TO THE NORTHWESTERLY CORNER OF SAID
10 PARCEL AND ALSO THE NORTHWESTERLY CORNER OF SAID O.L. WALKER
11 TRACT; THENCE ALONG THE NORTHERLY LINE OF SAID PARCEL AND O.L.
12 WALKER TRACT AND PARALLEL TO THE NORTHERLY LINE OF SAID WEST
13 COLLINS STREET, N.64°02'E., 196.27 FEET TO THE NORTHEASTERLY
14 CORNER OF SAID PARCEL AND A POINT IN AND INTERSECTION WITH THE
15 WESTERLY LINE OF PROPOSED DAVID STREET EXTENSION; THENCE ALONG
16 THE EASTERLY LINE OF SAID PARCEL AND THE WESTERLY LINE OF SAID
17 PROPOSED DAVID STREET EXTENSION, S.0°00'03"W., 97.62 FEET TO
18 THE SOUTHEASTERLY CORNER OF SAID PARCEL AND A POINT IN AND
19 INTERSECTION WITH THE NORTHERLY LINE OF SAID WEST COLLINS
20 STREET; THENCE ALONG THE SOUTHERLY LINE OF SAID PARCEL AND THE
21 NORTHERLY LINE OF SAID WEST COLLINS STREET, S.64°02'W., 153.53
22 FEET TO THE POINT OF BEGINNING.

23

1 [MINERAL IMPACTED ROADS]

2

3 **Section 11.**

4

5 (a) Seven million five hundred thousand dollars
6 (\$7,500,000.00) is appropriated from the legislative
7 stabilization reserve account to the department of
8 transportation for relocation, construction or improvement of
9 roads and bridges directly impacted by development of coal
10 resources. This appropriation shall be used to provide
11 funding for a single project in which a county has provided a
12 binding commitment to pay at least fifty percent (50%) of the
13 anticipated cost of the project from county or private funding
14 sources of up to fifteen million dollars (\$15,000,000.00) plus
15 any project costs in excess of thirty million dollars
16 (\$30,000,000.00). The department of transportation shall
17 contribute the same sum as is appropriated from the
18 legislative stabilization reserve account under this
19 subsection, up to seven million five hundred thousand dollars
20 (\$7,500,000.00), from any available funds within the
21 department. No funds appropriated under this subsection shall
22 be expended unless a county has executed an agreement with the
23 department of transportation that stipulates:

1

2 (i) The anticipated cost of the project and
3 construction management of the project;

4

5 (ii) All funds provided by the county shall be
6 expended prior to the expenditure of any state funds on the
7 project;

8

9 (iii) No funds shall be returned to the county if
10 the actual cost of the project is less than the anticipated
11 cost.

12

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

15

16 [RANCH A ACCOUNT APPROPRIATION]

17

18 **Section 12.** There is appropriated one hundred thousand
19 dollars (\$100,000.00) from the general fund to the Ranch A
20 account created under W.S. 36-8-1701. Notwithstanding W.S.
21 9-2-1008, 9-2-1012(e) and 9-4-207(a), this appropriation shall
22 not lapse or revert at the end of any fiscal period.

23

1 [UNIVERSITY ATHLETICS FACILITIES CHALLENGE ACCOUNT]

2

3 **Section 13.**

4

5 (a) The university athletics facilities challenge
6 account is hereby created. Of the appropriation to the
7 account in section 4(a)(ii) of this act and notwithstanding
8 W.S. 21-16-1001 through 21-16-1003, matching funds shall only
9 be used for a natatorium or renovations to the west side of
10 war memorial stadium. The state treasurer shall invest
11 amounts deposited within the account in accordance with law.
12 All investment earnings shall be credited to the general fund.
13 Notwithstanding W.S. 9-2-1008, 9-2-1012(e) or 9-4-207, funds
14 within the account shall not lapse or revert until specified
15 in this section and shall remain available for distribution as
16 provided in this section.

17

18 (b) The state treasurer shall administer the university
19 athletics facilities challenge account created by this
20 section. The following shall apply:

21

22 (i) To the extent funds are available in the
23 account, the state treasurer shall match each qualifying

1 contribution by transferring from the account to the
2 university an amount equal to one-half (1/2) the amount of the
3 qualifying contribution. The university shall expend both the
4 qualifying contributions and the matching funds solely for the
5 cost of establishing new or renovating existing university
6 intercollegiate athletics facilities which may include
7 expenditures necessary for planning, designing, procuring
8 contractors, construction management and actual construction
9 of a natatorium or renovations to the west side of war
10 memorial stadium;

11

12 (ii) The state treasurer shall make transfers to
13 the university under this section not later than the end of
14 the calendar quarter following the quarter during which the
15 qualifying contribution is received. Matching funds shall only
16 be available for expenditure to the extent cash or cash
17 equivalent contributions are actually received by the
18 university and after the funds have been fully matched as
19 required under subsection (d) of this section. If a qualifying
20 contribution is made through a series of payments or
21 transfers, no matching funds shall be transferred by the state
22 treasurer until the total value of all payments or transfers
23 actually received toward the contribution totals at least

1 twenty-five thousand dollars (\$25,000.00). Thereafter,
2 matching funds shall be transferred as payments or transfers
3 toward that qualifying contribution are received by the
4 University of Wyoming foundation;

5

6 (iii) The state treasurer shall distribute funds or
7 encumber funds for future distribution in the case of a
8 written commitment, to match a qualifying contribution based
9 on the order in which each qualifying contribution is actually
10 received or in which a written commitment to make a qualifying
11 contribution is received by the University of Wyoming
12 foundation. Matching funds shall not be distributed or
13 encumbered in excess of the amount within the account. No
14 matching funds shall be transferred to the university except
15 to match qualifying contributions actually received. The
16 state treasurer shall rescind an encumbrance if the university
17 notifies him that a donor or institution who made a commitment
18 will not make a qualifying contribution that is eligible for
19 matching funds under this section;

20

21 (iv) For the purpose of calculating the matching
22 amount only, the state treasurer shall use the value of a
23 qualifying contribution based on its fair market value at the

1 time the contribution is received by the University of Wyoming
2 foundation. The university shall provide evidence of fair
3 market value as the state treasurer requires for each
4 qualifying contribution. The state treasurer's office shall
5 not bear any costs associated with providing evidence;

6

7 (v) The university shall on or before October 1 of
8 each calendar year submit a report to the state treasurer from
9 the University of Wyoming foundation. The report shall include
10 a financial summary and a review of the accomplishments
11 resulting from expenditures under this section. The state
12 treasurer shall distribute the report to the governor, the
13 joint education interim committee and the joint appropriations
14 committee.

15

16 (c) For purposes of this section, "qualifying
17 contribution" means a transfer of money or other property of a
18 value of not less than twenty-five thousand dollars
19 (\$25,000.00) to the University of Wyoming foundation from any
20 source to be expended exclusively for university
21 intercollegiate athletic facilities as provided in this
22 section. "Qualifying contribution" includes contributions made
23 directly to or by the university. The commitment for a

1 qualifying contribution or the contribution itself shall be
2 made on or after the effective date of this section. The
3 contribution shall be actually received by the foundation on
4 or before December 31 of the fifth calendar year following the
5 calendar year in which the written commitment was made to the
6 foundation. Members of a single family may aggregate their
7 individual gifts to meet the minimum dollar threshold required
8 for matching funds. Gifts from nonfamily members in memory of
9 a deceased individual may also be aggregated to meet the
10 minimum dollar threshold required for matching funds.

11

12 (d) No funds may be expended by the University of
13 Wyoming from the appropriation in section 4(a)(ii) of this act
14 until the appropriation has been fully matched under the
15 provisions of this section.

16

17 (e) This section is repealed effective June 30, 2023.
18 Any unexpended, unencumbered and unobligated funds remaining
19 in the account created by this section on that date shall
20 revert as provided by law.

21

22

1 [VETERANS MUSEUM]

2

3 **Section 14.**

4

5 (a) The other funds appropriation in section 4(a)(i) of
6 this act for the veterans museum shall only be expended after
7 the following conditions are met:

8

9 (i) A like amount of funds are received by the
10 state from federal, local or private sources as a match for
11 the state funds appropriated;

12

13 (ii) The department of state parks and cultural
14 resources and the Wyoming military department have:

15

16 (A) Prepared a preservation study outlining
17 the facility and displays; and

18

19 (B) Submitted the preservation study to the
20 governor, joint transportation, highways and military affairs
21 interim committee and the joint appropriations committee.

22

1 (iii) The governor has certified that the
2 conditions in paragraphs (i) and (ii) of this subsection have
3 been met.

4

5 (b) This section is repealed effective June 30, 2021.
6 Any unexpended, unencumbered and unobligated funds remaining
7 from the other funds appropriation in section 4(a)(i) of this
8 act for the veterans museum on that date shall revert as
9 provided by law.

10

11 [TASK FORCE ON UNIVERSITY OF WYOMING HOUSING]

12

13 **Section 15.**

14

15 (a) There is created a task force on University of
16 Wyoming housing comprised of the following members, appointed
17 not later than March 31, 2018:

18

19 (i) Two (2) members of the senate, appointed by the
20 president of the senate;

21

22 (ii) Two (2) members of the house of
23 representatives, appointed by the speaker of the house;

1

2 (iii) One (1) employee or elected official of the
3 executive branch appointed by the governor to serve as his
4 designee;

5

6 (iv) One (1) member appointed by the treasurer who
7 shall be informed of state funding options, state investment
8 goals and public purpose investments;

9

10 (v) Two (2) members of the board of trustees of the
11 University of Wyoming appointed by the University of Wyoming
12 board of trustees;

13

14 (vi) One (1) member appointed by the president of
15 the University of Wyoming;

16

17 (v) One (1) member appointed by the governor with
18 experience in providing large scale private student housing in
19 Laramie;

20

21 (vi) One (1) member appointed by the governor from
22 the University of Wyoming foundation with experience in public
23 and private finance.

1

2 (b) The cochairmen of the task force shall be appointed
3 by the president of the senate and the speaker of the house,
4 respectively. The task force shall meet at the call of either
5 the cochairmen or a majority of the membership of the task
6 force.

7

8 (c) The task force shall review the housing master plan
9 submitted to the joint appropriations committee by the
10 University of Wyoming in January 2018 on file with the
11 legislative service office and shall provide recommendations
12 regarding implementation of the plan, revisions to the plan
13 and potential financing alternatives, including state support,
14 to implement the plan or a revised plan including:

15

16 (i) Investment of the permanent Wyoming mineral
17 trust fund, other permanent funds administered by the state of
18 Wyoming or nonpermanent funds of the state available for
19 long-term investment in projects undertaken in furtherance of
20 the plan whether directly or through the purchase of bonds
21 issued by the university. The review shall consider:

22

1 (A) Potential state investment in refunding of
2 existing University of Wyoming bonds in order to reduce
3 interest incurred by the university;

4

5 (B) Interest rates which may be incurred by
6 the university with and without such state investments;

7

8 (C) Potential gains or reductions of state
9 investment returns through state funding of projects,
10 including the potential for capital gains and losses in
11 comparison to investment of the state funds pursuant to the
12 state master investment policies, and overall benefits to the
13 state of Wyoming under each alternative.

14

15 (ii) The feasibility of public/private partnerships
16 in financing and operating projects under the plan, including
17 tax revenue implications, potential impact on state funding,
18 liabilities and the availability of revenues to the university
19 under those partnerships as compared to funding and operation
20 of the projects through exclusive public means;

21

22 (iii) Timeframes for undertaking components of the
23 plan in consideration of other state funded capital

1 construction projects, including university, community
2 college, school district and state capital facility projects;

3

4 (iv) Whether the housing master plan as submitted
5 to the joint appropriations committee has the capacity to meet
6 the long-term needs and demands identified in the student
7 surveys, including parking;

8

9 (v) The feasibility of providing financial
10 assistance to the fraternity and sorority system as an
11 incentive to reinvest and relocate fraternity and sorority
12 housing to Harney Street, allowing for a larger footprint for
13 the ten (10) year housing plan;

14

15 (vi) Whether the housing master plan will provide
16 competitively priced housing to students mandated to use
17 provided housing;

18

19 (vii) Whether the housing master plan will not
20 discourage construction of private off-campus housing for
21 students not mandated to use on-campus housing;

22

1 (viii) Options for the joint appropriations
2 committee to consider regarding different levels of general
3 fund appropriations to augment the appearance and contribution
4 to the architecture of the University of Wyoming.

5

6 (d) The task force shall provide a report of its
7 findings to the University of Wyoming board of trustees, joint
8 appropriations committee and the select committee on capital
9 financing and investment not later than November 1, 2018. The
10 report may include recommendations for legislative action,
11 including whether the moratorium provided in subsection (h) of
12 this section should be extended.

13

14 (e) The task force shall be staffed by the legislative
15 service office. The University of Wyoming shall serve in an
16 advisory capacity to the task force and shall provide
17 technical and other relevant information as requested.

18

19 (f) The task force shall terminate on June 30, 2019.

20

21 (g) Members of the task force who are government
22 employees or public officials shall be considered on official
23 business of their agency or of the legislature when performing

1 duties as members of the task force. There is appropriated
2 sixteen thousand dollars (\$16,000.00) from the general fund to
3 the legislative service office. This appropriation shall be
4 for the period beginning with the effective date of this
5 section and ending June 30, 2019. This appropriation shall
6 only be expended for the purpose of funding salary, mileage
7 and per diem of legislative members of the task force for
8 attendance at meetings of the task force. Notwithstanding any
9 other provision of law, this appropriation shall not be
10 transferred or expended for any other purpose and any
11 unexpended, unobligated funds remaining from this
12 appropriation shall revert as provided by law on June 30,
13 2019.

14

15 (h) There is imposed a moratorium on the expenditure of
16 funds for demolition or construction in furtherance of the
17 university's January 2018 housing master plan on file with the
18 legislative service office and no university owned real
19 property that is used for student housing, including residence
20 halls, apartments and fraternity and sorority housing, shall
21 be sold, traded or transferred until after adjournment of the
22 2019 legislative general session.

23

1 [STATE OF WYOMING - CHEYENNE PROPERTY]

2

3 **Section 16.** Notwithstanding W.S. 9-2-1016(b)(viii), in
4 the event that the state sells the decommissioned liquor
5 commission warehouse located at 1520 E. 5th Street in
6 Cheyenne, Wyoming, the net proceeds from the sale shall be
7 deposited in the state building commission contingency fund
8 and are hereby appropriated exclusively for the acquisition of
9 an office building of at least one hundred twenty thousand
10 (120,000) square feet located in Cheyenne, Wyoming.

11

12 [CENTRAL WYOMING COMMUNITY COLLEGE - TETON COUNTY]

13

14 **Section 17.**

15

16 (a) There is appropriated one million dollars
17 (\$1,000,000.00) from the legislative stabilization reserve
18 account to the Wyoming community college endowment challenge
19 fund created by W.S. 21-16-1103. This appropriation shall be
20 deposited to the central Wyoming community college account
21 within the fund and shall only be expended to provide matching
22 funds for a new central Wyoming community college outreach
23 facility in Teton County as provided in this section.

1

2 (b) Matching funds appropriated in this section shall be
3 administered in accordance with W.S. 21-16-1101 through
4 21-16-1104 except that, to the extent funds are available in
5 the challenge fund for purposes of this section, the state
6 treasurer shall match each endowment gift by transferring from
7 the challenge fund to the community college an amount equal to
8 one-half (1/2) the amount of each endowment gift.

9

10 (c) Nothing in this section shall be interpreted to
11 provide authorization to commence construction of a new
12 central Wyoming community college outreach facility in Teton
13 County without further legislative authorization.

14

15 (d) This section is repealed effective June 30, 2023.
16 Any unexpended, unencumbered and unobligated funds remaining
17 from the appropriation in this section shall revert as
18 provided by law.

19

20

1 [EFFECTIVE DATES]

2

3 **Section 18.**

4

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

7

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

12

13 (i) Sections 3, 6, 7, 8, 9, 10, 15, 16 and 17 of
14 this act;

15

16 (ii) The appropriation in section 4(a)(i) to the
17 DOC- WSP Repairs and Contingency pursuant to footnote 5;

18

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

21

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

3

4

(END)