

## SENATE FILE NO. SF0146

State funded capital construction.

Sponsored by: Joint Appropriations Committee

## A BILL

for

1 AN ACT relating to state funded capital construction;  
2 creating an account; authorizing the inclusion of  
3 construction contract provisions related to inflation;  
4 providing definitions; providing appropriations for  
5 purposes related to state funded capital construction;  
6 providing for capital construction grants for purposes of  
7 economic development; making appropriations subject to  
8 terms and conditions as specified; providing matching funds  
9 for specified projects; authorizing the expenditure of  
10 prior appropriations as specified; providing for the  
11 reversion of funds; creating a task force; authorizing the  
12 purchase of land for future construction; and providing for  
13 an effective date.

14

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

16

1           **Section 1.** W.S. 9-4-226 is created to read:

2

3           **9-4-226. Wyoming state hospital demolition account.**

4

5       The Wyoming state hospital demolition account is created.

6       The state treasurer may accept federal grants and other

7       contributions, grants, gifts, transfers, bequests and

8       donations of money from any source for deposit into the

9       account. Funds within the account shall only be expended

10      upon legislative appropriation. All funds within the

11      account shall be invested by the state treasurer in

12      accordance with law and all investment earnings from the

13      account shall be credited to the general fund.

14

15           **Section 2.** W.S. 9-2-3006 by creating new subsections

16      (g) and (h) and 9-4-203(a)(xiii) are amended to read:

17

18           **9-2-3006. Procurement for capital construction**  
19      **projects.**

20

21           (g) The department is authorized to develop a list of

22      material commodities that have been subject to significant

23      cost escalation as the result of documented price

1 fluctuations in the market. Using unobligated, unexpended  
2 funds within available appropriations for capital  
3 construction, the department and, if applicable, the  
4 University of Wyoming may incorporate a provision in agency  
5 contracts or university contracts for any capital  
6 construction project to be performed by applying a material  
7 cost escalation factor and a material cost de-escalation  
8 factor. In no event shall the department approve a contract  
9 that contains a material cost escalation factor less than  
10 seven and one-half percent (7.5%) or greater than thirty  
11 percent (30%). The provisions of this subsection shall be  
12 implemented by:

13

14 (i) The state building commission for state  
15 facilities and community college facilities except for  
16 facilities owned by the University of Wyoming;

17

18 (ii) The school facilities commission for school  
19 facilities;

20

21 (iii) The University of Wyoming, in consultation  
22 with the department, for facilities owned by the University  
23 of Wyoming.

1

2       (h) The department and the University of Wyoming  
3 shall expend appropriations designated for inflationary  
4 costs only after all other alternative project funding  
5 sources and appropriations have been obligated or exhausted  
6 and after a determination by the department or the  
7 University of Wyoming, as appropriate, that the authorized  
8 project cannot be completed without additional funds as the  
9 result of inflation-related cost increases.

10

11       **9-4-203. Definitions.**

12

13       (a) As used in this act:

14

15               (xiii) "This act" means W.S. 9-4-201 through  
16 ~~9-4-224~~ 9-4-226.

17

18       **Section 3.**

19

20       (a) As used in this act:

21

22               (i) "Appropriation" means the authorizations  
23 granted by the legislature under this act to make

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

3

4 (ii) "FF" means federal funds;

5

6 (iii) "PR" means private funding sources;

7

8 (iv) "SR" means an agency's account within the  
9 special revenue fund;

10

11 (v) "S0" means other funds identified by  
12 footnote;

13

14 (vi) "S13" means the strategic investments and  
15 projects account.

16

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

1 appropriated in this act are intended to provide a maximum  
2 amount for each project and shall not be construed to be an  
3 entitlement or guaranteed amount.

4

5 (c) When used in a footnote in this act, "this  
6 appropriation" shall be construed as a reference to that  
7 portion of the appropriated funds identified in the  
8 footnote.

9

10 [CAPITAL CONSTRUCTION]

11

1           **Section 4.**

2

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

5

6                   (i) Appropriations and authorization for  
7 projects administered through the state construction  
8 department:

9

APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUNDS \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
<b>1 Section 027. CAPITAL CONSTRUCTION PROJECTS</b>				
<b>2</b>				
<b>3 PROGRAM</b>				
<b>4 SBC - State Facility</b>				
5 Inflation Reserve <sup>1</sup> .	51,405,563			51,405,563
<b>6 SBC - Cost Escalation/</b>				
7 De-escalation Fund	7,058,700			7,058,700
8 AGR - State Fair Projects <sup>2</sup> .	500,000			500,000
9 AGR - Ft. Washakie Demo.	452,000			452,000
<b>10 SCD - Riverton State</b>				
11 Office Bldg.	34,000,000			34,000,000
12 DOH - State Hospital Demo. <sup>3</sup> .			15,000,000 S0	15,000,000
13 DFS - Emerson Bldg. Rehab. <sup>4</sup> .	500,000			500,000
14 LCCC - Exterior Facade	5,779,006		4,687,463 PR	10,466,469
15 WWCC - Powerline Tech.	2,220,994		1,791,125 PR	4,012,119
16 EWC - Construction Tech.			3,386,811 PR	3,386,811
17 NWC - Orendorff Bldg.	4,000,000			4,000,000
18 WCCC - Military Campus Rec. <sup>5</sup> .	25,000			25,000
19 OS LI - Ranch A <sup>6</sup> .			1,000,000 S13	1,000,000
20 DOC - Women's Ctr. Roof	<u>3,920,000</u>	<u>        </u>	<u>        </u>	<u>3,920,000</u>
21 TOTALS	109,861,263	0	25,865,399	135,726,662

22

23 1. This appropriation shall only be expended in accordance with W.S.  
 24 9-2-3006(h), as created by section 2 of this act. Of this general fund  
 25 appropriation, twenty-six million seven hundred sixty-five thousand eight  
 26 hundred thirty-three dollars (\$26,765,833.00) is appropriated for  
 27 inflationary costs associated with previously appropriated and authorized  
 28 projects for state facilities managed by the state construction department  
 29 other than community college projects. Of this general fund appropriation,  
 30 twenty-four million six hundred thirty-nine thousand seven hundred thirty  
 31 dollars (\$24,639,730.00) is appropriated for inflationary costs associated  
 32 with previously appropriated and authorized projects for community college  
 33 facilities.



APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUNDS \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
----------------------	-----------------------	------------------------	----------------------	------------------------------

1

2 2. This appropriation shall only be expended on projects identified in the  
3 2020 state fair master plan that are feasible to be completed within one (1)  
4 to three (3) years. As a condition of this appropriation and prior to the  
5 expenditure of general funds, the department of agriculture shall secure  
6 matching funds in the ratio of five dollars (\$5.00) of appropriated general  
7 funds to not less than one dollar (\$1.00) of matching funds from any other  
8 source.

9

10 3. Of this other funds appropriation, up to fifteen million dollars  
11 (\$15,000,000.00) or as much thereof as is available is appropriated from  
12 the Wyoming state hospital demolition account, as created by section 1 of  
13 this act, for purposes of the demolition and abatement of unused or  
14 abandoned facilities on the campus of the Wyoming state hospital.

15

16 4. This appropriation is for the rehabilitation and renovation of the  
17 Emerson building on the campus of the Wyoming life resource center.

18

19 5. The state construction department shall transfer this appropriation to  
20 the Wyoming community college commission for distribution to any Wyoming  
21 community college that achieves the formal designation of a military  
22 friendly campus for purposes of constructing a military or veterans memorial  
23 or display. Any unexpended, unobligated funds remaining from this  
24 appropriation shall revert as provided by law on June 30, 2026.

25

26 6. This appropriation shall be deposited into the Ranch A account and shall  
27 be expended only on major maintenance and the rehabilitation of Ranch A.

28

29 (ii) Appropriations and authorizations for

29

30 University of Wyoming projects:

30

	GENERAL	FEDERAL	OTHER	TOTAL
APPROPRIATION	FUND	FUNDS	FUNDS	APPROPRIATION
FOR	\$	\$	\$	\$
1				
2	<b>SECTION 067. CAPITAL CONSTRUCTION PROJECTS</b>			
3				
4	PROGRAM			
5	UW - Inflation Reserve <sup>1</sup> .	70,000,000		70,000,000
6	UW - AMK Ranch Reno.		10,000,000 PR	10,000,000
7	UW - Science Initiative	<u>12,250,000</u>	<u>                    </u>	<u>12,250,000</u>
8	TOTALS	82,250,000	0	92,250,000

10 1. (a) This appropriation is for an inflationary reserve to be expended  
 11 only after all other alternative project funding sources and appropriations  
 12 have been obligated or exhausted and after a determination by the University  
 13 of Wyoming that the authorized project cannot be completed without  
 14 additional funds as a result of inflation-related cost increases.  
 15 Expenditure of this appropriation shall first be dedicated to the University  
 16 of Wyoming student housing project, including the north and south residence  
 17 halls.

18  
 19 (b) Upon the completion and signing of a construction contract for  
 20 the University of Wyoming student housing project, including the north and  
 21 south residence halls, any unexpended, unobligated funds of this  
 22 appropriation may be expended for either the west stands of the University  
 23 of Wyoming war memorial stadium or the natatorium to replace or expand  
 24 Corbett pool.

25

1 [AUTHORIZATION OF LEVEL I/II STUDY]

2

3 **Section 5.** In addition to the level I and level II  
4 reconnaissance and feasibility studies previously  
5 authorized under 2021 Wyoming Session Laws, Chapter 140,  
6 Section 3(a)(i) and from the other funds appropriation of  
7 eight hundred ninety-nine thousand eight hundred dollars  
8 (\$899,800.00)S13 made in section 3(a)(i) of that act, the  
9 state construction department is authorized to include the  
10 office, housekeeping area, locker room, storage and remodel  
11 project of the Wyoming law enforcement academy under the  
12 office of the attorney general for expenditure from those  
13 previously appropriated other funds.

14

15 [CASPER STATE OFFICE BUILDING - REVERSIONS]

16

17 **Section 6.**

18

19 (a) As determined by the state construction  
20 department and notwithstanding any other provision of law,  
21 any unexpended, unobligated funds appropriated for the  
22 construction of the state office building in Casper, also

1 known as the Thyra Thomson state office building, shall  
2 revert to the Casper state facilities account.

3

4 (b) Not more than ten (10) business days after the  
5 reversion of funds specified in subsection (a) of this  
6 section is completed, the state construction department  
7 shall advise the state auditor of project completion of the  
8 Casper state office building. Upon receiving notice under  
9 this subsection from the state construction department, the  
10 state auditor shall transfer any unexpended, unobligated  
11 funds within the Casper state facilities account to the  
12 state building commission's contingency fund (unit 7201).  
13 All funds transferred to the state building commission  
14 under this subsection are hereby appropriated for purposes  
15 of the state building commission's contingency fund (unit  
16 7201).

17

18 [ECONOMIC DEVELOPMENT - CAPITAL CONSTRUCTION GRANTS]

19

20 **Section 7.**

21

22 (a) There is appropriated three million five hundred  
23 thousand dollars (\$3,500,000.00) from the general fund to

1 the Wyoming business council for purposes of providing a  
2 grant for a community winter recreation center. Grant  
3 recipients who qualify under this subsection shall be  
4 selected by the business council and approved by the state  
5 loan and investment board, subject to the following  
6 conditions:

7

8 (i) Expenditure of any grant by a recipient is  
9 conditioned upon a match of funds in the ratio of one  
10 dollar (\$1.00) of grant funds to not less than one dollar  
11 (\$1.00) from any other source, including in-kind  
12 contributions to the project;

13

14 (ii) This appropriation shall revert to the  
15 general fund if no grant is awarded under this subsection  
16 or if granted funds are not encumbered or obligated by June  
17 30, 2024.

18

19 (b) There is appropriated three million dollars  
20 (\$3,000,000.00) from the general fund to the Wyoming  
21 business council for purposes of providing a grant for the  
22 rehabilitation of a historic building in a historic coal  
23 mining community for purposes of downtown revitalization

1 and multipurpose community activity center. The grant  
2 recipient that qualifies under this subsection shall be  
3 selected by the business council and approved by the state  
4 loan and investment board, subject to the following:

5

6 (i) The grant shall only be awarded to a city  
7 with a population greater than ten thousand (10,000),  
8 calculated based on the last federal census;

9

10 (ii) Expenditure of any grant by a recipient is  
11 conditioned upon a cash match of funds in the ratio of one  
12 dollar (\$1.00) of grant funds to not less than one dollar  
13 (\$1.00) from any other source;

14

15 (iii) This appropriation shall revert to the  
16 general fund if no grant is awarded under this subsection  
17 or if granted funds are not encumbered or obligated by June  
18 30, 2024.

19

20 (c) There is appropriated four million dollars  
21 (\$4,000,000.00) from the general fund to the office of  
22 state lands and investments for purposes of providing a  
23 grant as provided in this subsection for infrastructure

1 related to qualifying special events conducted on the  
2 grounds of any indoor or outdoor rodeo with a total seating  
3 capacity of not less than seven thousand five hundred  
4 (7,500). This appropriation shall be for the period  
5 beginning with the effective date of this act and ending  
6 June 30, 2026. Grant recipients that qualify under this  
7 subsection shall be selected by the state loan and  
8 investment board, subject to the following conditions:

9

10 (i) Any grant under this subsection shall only  
11 be awarded for infrastructure projects that create or  
12 enhance pedestrian transportation infrastructure to  
13 increase safety and avoid pedestrian and vehicle  
14 interactions, collisions and conflicts;

15

16 (ii) Expenditure of any grant by a recipient is  
17 conditioned upon a match of funds in the ratio of one  
18 dollar (\$1.00) of grant funds to not less than one dollar  
19 (\$1.00) from any other source, including in-kind  
20 contributions to the project.

21

22 [RIVERTON STATE OFFICE BUILDING TASK FORCE]

23

1           **Section 8.**

2

3           (a) There is created the Riverton state office  
4 building task force. The task force shall be comprised of:

5

6           (i) Six (6) members of the legislature as  
7 follows:

8

9           (A) Three (3) members of the senate,  
10 appointed by the president of the senate;

11

12           (B) Three (3) members of the house of  
13 representatives, appointed by the speaker of the house of  
14 representatives.

15

16           (ii) The director of the state construction  
17 department or the director's designee;

18

19           (iii) Not more than four (4) members appointed  
20 by the governor from state agencies with a physical  
21 presence in Riverton.

22



1           (b) The president of the senate and the speaker of  
2 the house shall each designate a co-chairman of the task  
3 force.

4

5           (c) Legislative members of the task force shall  
6 receive salary, mileage and per diem for attending  
7 meetings. Members appointed under paragraphs (a)(ii) and  
8 (iii) of this section who are government employees shall be  
9 considered to be on official business of their agency when  
10 performing duties as members of the task force.

11

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

21

22           (i) Receive and, when necessary, request  
23 information from the state construction department to stay

1 informed on all aspects of the Riverton state office  
2 building project;

3

4 (ii) Closely monitor the procurement of  
5 professional services and progress on the planning and  
6 design of the Riverton state office building project;

7

8 (iii) When necessary or prudent, make  
9 recommendations to the state construction department  
10 regarding important aspects of the Riverton state office  
11 building project;

12

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

17

18 (v) Include in each interim report any  
19 recommendations for legislative action for consideration  
20 during the legislative session immediately following the  
21 report as necessary to complete or continue the Riverton  
22 state office building project.

23

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

5

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

13

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

17

18           (iii) Provide regular updates and progress  
19 reports to the task force and the state building commission  
20 regarding the Riverton state office building project;

21

22           (iv) Provide other information and assistance to  
23 the task force as requested.

1

2 (f) The task force shall terminate on June 30, 2028.

3

4 (g) There is appropriated fifty thousand dollars  
5 (\$50,000.00) from the general fund to the legislative  
6 service office for the period beginning with the effective  
7 date of this act and ending June 30, 2028. This  
8 appropriation shall only be for purposes of providing  
9 salary, mileage and per diem of legislative members of the  
10 task force. Notwithstanding any other provision of law,  
11 this appropriation shall not be transferred or expended for  
12 any other purpose and any unexpended, unobligated funds  
13 remaining from this appropriation shall revert as provided  
14 by law on June 30, 2028.

15

16 [WYOMING STATE PENITENTIARY CAPITAL CONSTRUCTION ACCOUNT -  
17 APPROPRIATIONS]

18

19 **Section 9.**

20

21 (a) There is appropriated an amount not to exceed ten  
22 million dollars (\$10,000,000.00) from the Wyoming state  
23 penitentiary capital construction account to the state

1 construction department for, in consultation with the  
2 department of corrections:

3

4 (i) Demolition of the north unit of the old  
5 state penitentiary in Rawlins;

6

7 (ii) Demolition of the administrative building  
8 at the Wyoming honor farm;

9

10 (iii) Relocation of utilities and information  
11 technology assets in the administrative building at the  
12 Wyoming honor farm to a suitable location on the campus of  
13 the honor farm.

14

15 (b) Only after the state construction department, in  
16 consultation with the department of corrections, has  
17 obligated sufficient funds to complete all activities  
18 specified in subsection (a) of this section, any  
19 unexpended, unobligated funds remaining in the Wyoming  
20 state penitentiary capital construction account are  
21 appropriated to the state construction department for  
22 purposes of acquiring land for a future state penitentiary  
23 by the state building commission in or near Rawlins.

1

2

[EFFECTIVE DATE]

3

4

5

6

7

8

9

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

(END)