

SENATE FILE NO. SF0130

State funded capital construction-2.

Sponsored by: Senate Appropriations Committee

A BILL

for

1 AN ACT relating to state funded capital construction; providing
 2 appropriations and increasing prior appropriations for purposes
 3 related to state funded capital construction; modifying prior
 4 appropriations; making certain appropriations subject to
 5 specified terms and conditions; and providing for an effective
 6 date.

7

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

9

10 **Section 1.**

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12 (a) As used in this act:

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14 (i) "Appropriation" means the authorizations granted
 15 by the legislature under this act to make expenditures from and

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

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4 (ii) "Approved budget" means as defined in W.S. 9-2-
5 1005(e);

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7 (iii) "FF" means federal funds;

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

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

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

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17 (vii) "S6" means the school capital construction
18 account within the special revenue fund;

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20 (viii) "T5" means the penitentiary permanent land
21 fund;

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1 (ix) "S10" means the legislative stabilization
 2 reserve account;

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

7 [SCHOOL DISTRICT MAJOR MAINTENANCE]

9 **Section 2.**

11 (a) In addition to the amounts appropriated in 2018
 12 Wyoming Session Laws, Chapter 134, Section 2, Section 027 the
 13 following sums of money, or so much thereof as is necessary,
 14 are appropriated for the purposes specified:

	GENERAL	FEDERAL	OTHER	TOTAL
APPROPRIATION	FUND	FUNDS	FUNDS	APPROPRIATION
FOR	\$	\$	\$	\$
Section 027. STATE CONSTRUCTION DEPARTMENT				
PROGRAM				
School Facilities Div. ^{1.}	_____	_____	1,000,000 S6	1,000,000
TOTALS	0	0	1,000,000	1,000,000

25 1. This other funds appropriation shall only be expended for purposes of major
 26 building and facility repair and replacement payments to school districts under W.S.

1 21-15-109 for the 2019-2020 school year. Notwithstanding any other provision of law,
2 these funds shall not be transferred or expended for any other purpose and any
3 unexpended, unobligated funds remaining from this appropriation shall revert as
4 provided by law on June 30, 2020.

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6 (b) On March 31, 2019, the state auditor shall transfer
7 one million dollars (\$1,000,000.00) from the general fund to
8 the school capital construction account.

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10 [AMENDMENTS-CAPITAL CONSTRUCTION]

11

12 **Section 3.** 2018 Wyoming Session Laws, Chapter 136, Section
13 4(a) is amended to read:

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15 [CAPITAL CONSTRUCTION]

16

17 **Section 4.**

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

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

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

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	GENERAL	FEDERAL	OTHER	TOTAL
APPROPRIATION	FUND	FUNDS	FUNDS	APPROPRIATION
FOR	\$	\$	\$	\$
Section 027. CAPITAL CONSTRUCTION PROJECTS				
PROGRAM				
SBC Contingency	9,000,000			9,000,000
NWCCD- Health Science Bldg.	385,000			385,000
LCCC- PE Building Reno			7,300,000 PR	7,300,000
NWCC- Performing Arts Ctr. ^{1-9.}	<u>495,000</u>		<u>495,000</u> PR	<u>990,000</u>
	<u>149,500</u>		<u>149,500</u> PR	<u>299,000</u>
NWCC- Student Center ^{1-9.}	<u>550,000</u>		<u>550,000</u> PR	<u>1,100,000</u>
	<u>137,500</u>		<u>137,500</u> PR	<u>275,000</u>
LCCC- Albany Cty Campus			1,300,000 PR	1,300,000
CC- Visual Arts Bldg. ^{1., 2.}	5,750,000		5,750,000 PR	11,500,000
CC- Ag & Equine Center ^{1., 3.}	2,000,000		2,000,000 PR	4,000,000
NWCC- Mechanical Repairs ^{4.}	<u>1,071,200</u>			<u>1,071,200</u>

1		GENERAL	FEDERAL	OTHER	TOTAL
2	APPROPRIATION	FUND	FUNDS	FUNDS	APPROPRIATION
3	FOR	\$	\$	\$	\$
4		<u>3,131,200</u>			<u>3,131,200</u>
5	LCCC- Fine Arts Bldg. ¹	7,000,000		7,000,000 PR	14,000,000
6	Mil- Cheyenne Readiness		28,900,000		28,900,000
7	Mil- Guernsey Readiness		22,300,000		22,300,000
8	Mil- Guernsey Air Tower		17,000,000		17,000,000
9	DFS- Maghee Bldg. Remodel	2,170,000			2,170,000
10	State Parks- Health/Safety			4,300,000 SR	4,300,000
11	State Parks- Terr. Prison			210,000 SR	210,000
12	State Parks- Water Fac.			770,000 SR	770,000
13	DOC- WSP Repairs and				
14	Contingency ^{5, 6}			8,184,125 T5	8,184,125
15	State Facilities Const. ⁷			7,500,000 RA	
16				7,500,000 S10	15,000,000
17	State Facilities - Casper ⁸	5,000,000			5,000,000
18	LCCC- Crossroads			1,200,000 PR	1,200,000
19	<u>Mil- Vet. Skilled Nursing</u>	<u>5,000,000</u>	<u>9,300,000</u>		<u>14,300,000</u>
20	<u>OSLI- Fire Academy Lvl II</u>	<u>300,000</u>			<u>300,000</u>
21	<u>WDH- Vet. Home Lvl I & II</u>	<u>600,000</u>			<u>600,000</u>
22	<u>NWCC- Cody Hall</u>			<u>3,000,000 PR</u>	<u>3,000,000</u>
23	<u>NWCCD- Health Science Bldg.¹</u>	<u>6,718,105</u>		<u>6,718,104 PR</u>	<u>13,436,209</u>
24	<u>NWCCD- Culinary Arts¹</u>	<u>2,181,984</u>		<u>2,181,984 PR</u>	<u>4,363,968</u>
25	<u>DOC- WSP Roof Replacement</u>	<u>4,219,973</u>			<u>4,219,973</u>
26	<u>DOC- Honor Farm Admin. Bldg.</u>	<u>250,000</u>			<u>250,000</u>
27	<u>CWC- Ag & Animal Science</u>				
28	<u>Fac.¹</u>	<u>3,926,792</u>		<u>3,926,792 PR</u>	<u>7,853,584</u>
29	TOTALS	<u>33,421,200</u>	<u>68,200,000</u>	<u>54,059,125</u>	<u>155,680,325</u>
30		<u>57,920,054</u>	<u>77,500,000</u>	<u>69,128,005</u>	<u>204,548,059</u>

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

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

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10 3. For the Casper College-Agriculture and Equine Center, any funds expended pursuant
11 to 2014 Wyoming Session Laws, Chapter 26, Section 3, Section 006, footnote 5, up to
12 seven hundred fifty thousand dollars (\$750,000.00), shall be considered expenditures
13 of other funds for purposes of footnote 1 of this section if the Casper
14 College-Agriculture and Equine Center is constructed on the property acquired from
15 that expenditure.

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

22
23 5. Of this other funds appropriation, three million one hundred eighty-four thousand
24 one hundred twenty-five dollars (\$3,184,125.00)T5, or as much thereof as is available,
25 is effective immediately and shall be expended on water mitigation projects,
26 maintenance and repairs at the Wyoming state penitentiary recommended pursuant to
27 the penal facility peer review study conducted under 2017 Wyoming Session Laws,
28 Chapter 120, Section 332 and on file with the legislative service office.

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

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

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

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19 9. Not more than fifty percent (50%) of total amounts expended for the level II
20 feasibility study for the authorized capital construction project shall be paid from
21 this general fund appropriation.

22
23 [AMENDMENTS-SCHOOL CAPITAL CONSTRUCTION]

24
25 **Section 4.**

26

1 (a) 2018 Wyoming Session Laws, Chapter 134, Section
2 313(a), (d) and by creating new subsections (p) through (r) is
3 amended to read:

4

5

[SCHOOL CAPITAL CONSTRUCTION]

6

7

Section 313.

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9 (a) This section shall consist of funds
10 appropriated for the 2019-2020 biennial school
11 capital construction appropriation. Appropriations
12 for capital construction projects shall remain in
13 effect until the project is completed, unless
14 otherwise provided.

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16 (d) An estimated schedule for deploying
17 projects funded by amounts appropriated under
18 ~~subsection (g) of~~ this section and projects funded by
19 previous appropriations, as adopted by the school
20 facilities commission and as contained within the
21 2019-2020 biennial budget submitted by the commission
22 under W.S. 21-15-119, as modified by the commission's
23 2019-2020 supplemental budget request, shall be used

1 by the state construction department to guide
2 expenditure of appropriated funds. The estimated
3 schedule developed under this subsection shall be
4 based upon information, processes, events and
5 expenditures and shall not be binding upon the
6 department or the commission.

7
8 (p) The following amounts are appropriated from
9 the school capital construction account to the school
10 facilities commission for the 2019-2020 biennial
11 budget period:

12
13 (i) In addition to amounts appropriated
14 for charter school leases under paragraph (g)(i) of
15 this section, up to twenty-seven thousand five hundred
16 eighty dollars (\$27,580.00) for the purpose of a
17 charter school lease for an elementary school in
18 Albany County School District #1 for the 2019-2020
19 school year and four hundred twelve thousand one
20 hundred seventy-one dollars and twenty cents
21 (\$412,171.20) for the purpose of a charter school
22 lease for a secondary school in Laramie County School
23 District #1 for the 2019-2020 school year. The amounts

1 to be distributed under this paragraph shall be
2 reduced to the extent the amounts are duplicative of
3 any costs funded or paid for by any alternative
4 mechanism, including pursuant to W.S. 21-3-110(a)(x);

5
6 (ii) Up to seventeen million nine hundred
7 eighty-one thousand three hundred seventy-two dollars
8 (\$17,981,372.00) for the purpose of constructing a
9 satellite high school in Sweetwater County School
10 District #1;

11
12 (iii) Notwithstanding 2017 Wyoming Session
13 Laws, Chapter 205, Section 7(a), up to eight million
14 eight hundred twenty-four thousand three hundred
15 sixty dollars (\$8,824,360.00) for the purpose of
16 constructing an alternative high school in Sheridan
17 County School District #2;

18
19 (iv) For unanticipated costs associated
20 with projects funded under paragraphs (ii) and (iii)
21 of this subsection, up to one million seventy-two
22 thousand two hundred twenty-nine dollars
23 (\$1,072,229.00);

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(v) For school safety and security projects and in addition to funds reappropriated under subsection (q) of this section, up to four million nine hundred fifty thousand dollars (\$4,950,000.00). Funds appropriated under this paragraph and reappropriated under subsection (q) of this section shall only be expended on projects approved by the school facilities commission. The commission shall only approve security projects pursuant to a commission established process that ensures that funds distributed under this paragraph maximize improvements to student and staff safety. The commission shall consult with school districts to facilitate, to the extent efficient and practicable, consolidated procurement of school safety and security projects among school districts.

(q) Six million one hundred fifty-two thousand eight hundred ten dollars and ninety-one cents (\$6,152,810.91) or as much thereof as is available as contained in 2014 Wyoming Session Laws, Chapter 82, Section 1(e)(ix), as amended by 2015 Wyoming Session

1 Laws, Chapter 194, Section 1, is hereby reappropriated
2 to the school facilities commission for the purpose
3 of funding school safety and security projects
4 pursuant to paragraph (p)(v) of this section.

5
6 (r) Two hundred seventy-five thousand six
7 hundred sixty-nine dollars (\$275,669.00) or as much
8 thereof as is available as contained in 2016 Wyoming
9 Session Laws, Chapter 25, Section 1(g)(ii)(A), as
10 amended by 2017 Wyoming Session Laws, Chapter 200,
11 Section 1, for modular projects for Converse County
12 School District #1 is hereby reappropriated to the
13 school facilities commission for the purpose of
14 replacing an elementary school modular building in
15 Converse County School District #1.

16
17 (b) On March 31, 2019, the state auditor shall transfer
18 twenty-five million eight hundred ninety thousand one hundred
19 ninety-two dollars and twenty cents (\$25,890,192.20) from the
20 general fund to the school capital construction account.

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1 **Section 5.** Sections 3 and 4 of this act shall not be
2 effective if 2019 House Bill 0080 is enacted into law.

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4 **Section 6.** This act is effective immediately upon
5 completion of all acts necessary for a bill to become law as
6 provided by Article 4, Section 8 of the Wyoming Constitution.

7

8

(END)