

SENATE FILE NO. SF0016

Prison facilities planning and construction.

Sponsored by: Joint Judiciary Interim Committee

A BILL

for

1 AN ACT relating to corrections; providing for prison
2 planning and construction; designating prison construction
3 priorities as specified; requiring requests for proposals
4 as specified; authorizing contracts as specified; providing
5 for specified programming at correctional facilities;
6 requiring an evaluation of projected inmate populations and
7 the corrections system; providing appropriations;
8 specifying funding methods; and providing for an effective
9 date.

10

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

12

13 **Section 1.**

14

15 (a) The department of corrections shall, in
16 cooperation with the department of administration and
17 information and using the procedures specified in W.S.

1 9-2-1027 through 9-2-1033, conduct a competitive bidding
2 process using requests for proposals for the design and
3 construction or expansion of correctional facilities and
4 programs authorized under subsections (e) and (f) of this
5 section. The process shall be conducted in accordance with
6 American correctional association standards to achieve the
7 best value for the state in accordance with a scoring
8 matrix to be developed by the department of corrections and
9 approved by the state building commission.

10

11 (b) The design, construction and expansion authorized
12 under subsections (e) and (f) of this section may be
13 advertised for individual or combined bids or procured
14 under a single contract, or under any combination of
15 contracts, with priority given to projects specified under
16 subsection (e) of this section, then to the projects
17 specified under subsection (f) of this section. Bids shall
18 be evaluated on the basis of best value to the state
19 considering price, functionality to the state correctional
20 system, compatibility with existing structures, where
21 appropriate, and other relevant factors.

22

23 (c) In addition to other factors specified under
24 subsections (a) and (b) of this section, bids for up to two

1 (2) medium security male facilities, each with a minimum
2 capacity of four hundred (400) beds expandable to six
3 hundred (600) beds, and each with thirty-two (32)
4 additional beds for intensive alcohol and substance abuse
5 treatment and each with fifteen (15) additional beds for
6 special management inmates shall take into account and be
7 evaluated on the basis of:

8

9 (i) Adequacy of infrastructure and availability
10 of potential workforce;

11

12 (ii) Site selection and acquisition;

13

14 (iii) Costs for obtaining governmental approval
15 and permitting when necessary;

16

17 (iv) Inmate transportation needs and costs;

18

19 (v) Design of the facilities;

20

21 (vi) Total project and construction costs;

22

23 (vii) Fixed equipment and furnishings costs;

24

1 (viii) Any evaluation and programmatic critique
2 of the corrections system reported to the joint judiciary
3 interim committee under section 2(c) of this act;

4

5 (ix) Proposed method of financing the projects
6 by the developer; and

7

8 (x) The commitment to use Wyoming materials and
9 labor in accordance with chapter 6, articles 1 and 2 of
10 title 16 of the Wyoming Statutes.

11

12 (d) After completion of the competitive bidding
13 process for any project authorized under subsection (e) or
14 (f) of this section, the department of administration and
15 information, general services division, with the approval
16 of the state building commission, and subject to
17 legislative appropriation or other legislatively approved
18 funding, may let a contract for the construction or
19 expansion of the facility.

20

21 (e) Subject to legislative approval of necessary
22 funding, the department of administration and information,
23 general services division, with the approval of the state

1 building commission, may proceed to contract for the
2 following:

3

4 (i) At the Wyoming honor farm in Riverton, an
5 additional fifty (50) minimum security beds and sufficient
6 building space to accommodate an expansion of programs for
7 counseling and treatment with respect to cognitive
8 thinking, criminal thinking, behavior modification,
9 parenting, family violence, alcohol and substance abuse,
10 job skills and special needs, and training programs to
11 enhance educational and vocational skills, traditional
12 prison industries programs which teach basic technical and
13 job-seeking and retention skills, and a correctional
14 industries program specified under W.S. 25-13-101 et seq.;

15

16 (ii) At the Wyoming state penitentiary in
17 Rawlins, an additional thirty-two (32) beds in the
18 intensive alcohol and substance abuse treatment facility to
19 provide intensive alcohol and substance abuse treatment and
20 counseling and sufficient building space to accommodate an
21 expansion of programs for counseling and treatment with
22 respect to cognitive thinking, criminal thinking, behavior
23 modification, parenting, family violence, alcohol and
24 substance abuse, job skills and special needs, and training

1 programs to enhance educational and vocational skills,
2 traditional prison industries programs which teach basic
3 technical and job-seeking and retention skills, and a
4 correctional industries program specified under W.S.
5 25-13-101 et seq.;

6

7 (iii) At the Wyoming women's center in Lusk:

8

9 (A) One hundred eight (108) additional
10 minimum security beds and sixteen (16) additional beds to
11 provide intensive alcohol and substance abuse treatment and
12 counseling;

13

14 (B) An enlargement of the kitchen and
15 dining facilities to accommodate the additional inmates
16 that may be housed at the Wyoming women's center under
17 subparagraph (A) of this paragraph;

18

19 (C) The construction of sufficient space to
20 increase capacity for counseling and treatment with respect
21 to cognitive thinking, criminal thinking, behavior
22 modification, parenting, family violence, alcohol and
23 substance abuse, job skills and special needs, training
24 programs to enhance educational and vocational skills,

1 traditional prison industries programs which teach basic
2 technical and job-seeking and retention skills, and
3 implementation of a corrections industries program
4 specified under W.S. 25-13-101 et seq.;

5

6 (iv) The dismantling of the Wyoming state
7 penitentiary vacant north facility that is no longer usable
8 to ensure that, to the extent feasible, materials of the
9 dismantled facility may be salvaged and recycled; and

10

11 (v) The construction of a secure treatment
12 alcove at the Niobrara County hospital building in Lusk to
13 include two (2) secure treatment beds to allow for the
14 medical treatment of inmates from that facility. The
15 department of corrections shall also provide by contract
16 for on-site and off-site medical treatment for inmates of
17 the Wyoming women's center.

18

19 (f) Subject to legislative approval of necessary
20 funding, the department of administration and information,
21 general services division, with the approval of the state
22 building commission may proceed to contract for up to two
23 (2) medium security male facilities as specified in
24 subsection (c) of this section, which shall be located in

1 two (2) separate locations in the state. Either facility
2 may be located adjacent to an existing correctional
3 facility. Each facility shall have sufficient space to
4 accommodate administrative functions of the facility, food
5 preparation and dining for inmates and staff, medical
6 treatment, programming for counseling and treatment with
7 respect to cognitive thinking, criminal thinking, behavior
8 modification, parenting, family violence, alcohol and
9 substance abuse, job skills and special needs, training
10 programs to enhance educational and vocational skills,
11 traditional prison industries programs which teach basic
12 technical and job-seeking and retention skills, and
13 implementation of a corrections industries program
14 specified under W.S. 25-13-101 et seq.

15

16 **Section 2.**

17

18 (a) There is appropriated from the general fund to
19 the department of corrections two hundred thirty thousand
20 dollars (\$230,000.00) to implement, in consultation with
21 the department of administration and information, the
22 purposes of subsections (a) through (c) of section 1 of
23 this act.

24

1 (b) There is appropriated from the general fund to
2 the department of corrections fifty thousand dollars
3 (\$50,000.00), or as much thereof as necessary to construct
4 the secure treatment alcove specified in paragraph (e)(v)
5 of section 1 of this act.

6
7 (c) There is appropriated from the general fund to
8 the department of administration and information fifty
9 thousand dollars (\$50,000.00) to conduct an independent
10 evaluation and programmatic critique of the corrections
11 system, including projections of future inmate populations,
12 inmate capacity of all county jails in the state, capacity
13 of all community correction programs in the state and how
14 those county and community resources may be used to best
15 provide adequate space for inmates in the state. Results
16 of the evaluation shall be reported to the state building
17 commission and the joint judiciary interim committee not
18 later than November 1, 2003.

19

20 **Section 3.**

21

22 (a) Notwithstanding section 2 of this act, the
23 projects described in this act may be funded by any
24 combination of the following methods:

1

2 (i) Legislative appropriation;

3

4 (ii) Issuance of general obligation debt or
5 revenue bonds; or

6

7 (iii) Lease-purchase of the improvements from a
8 nonprofit corporate lessor. Any lease under this paragraph
9 shall be approved by the attorney general. The lease shall
10 not be approved unless it is structured in a manner which
11 does not constitute an indebtedness of the state in excess
12 of taxes for the current year under the Wyoming
13 Constitution. The department of corrections may request
14 appropriations for lease payments under this paragraph in
15 its annual budget.

16

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

21

22

(END)