

HOUSE BILL NO. HB0277

Capitol complex-hotel and conference center.

Sponsored by: Representative(s) Harshman, Nicholas and
Wylie and Senator(s) Anderson

A BILL

for

1 AN ACT relating to the administration of the government;
2 authorizing a public-private partnership for a construction
3 project as specified; specifying parameters of the project;
4 providing definitions; requiring reports; authorizing the
5 investment of funds; providing legislative intent; making
6 conforming amendments; and providing for an effective date.

7

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

9

10 **Section 1.** W.S. 9-5-114 is created to read:

11

12 **9-5-114. State capitol complex hotel and conference**
13 **center.**

14

1 (a) As used in this section, "parcel" means the
2 parcel of land located in Laramie county, downtown Safeway,
3 lot 1, block 1, more particularly described as all of lots
4 1, 2, 3, 6, 7 and 8 of block 104, all of block 105 of the
5 original city of Cheyenne, Thomes avenue lying between the
6 southerly right of way of west 26th street and the
7 northerly right of way line of west 25th street, and the
8 alley in block 104 lying adjacent to and contiguous with
9 said lots 1, 2, 3, 6, 7 and 8 of block 104, of the original
10 city of Cheyenne.

11

12 (b) Subject to the requirements of this section, the
13 department shall enter into a public-private partnership
14 agreement with a person for the development, construction,
15 operation and maintenance of a hotel and conference center
16 located on the parcel.

17

18 (c) The hotel and conference center constructed under
19 this section shall:

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21 (i) Have not less than two hundred (200) rooms
22 available for lodging;

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1 (ii) Provide conference facilities for a
2 conference capable of accommodating not less than one
3 thousand (1,000) attendees;

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5 (iii) Provide food and beverage options
6 appropriate for a hotel and conference center with the
7 features specified in paragraphs (i) and (ii) of this
8 subsection;

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10 (iv) Provide an appropriate number of parking
11 spaces for a hotel and conference center with the features
12 specified in paragraphs (i) and (ii) of this subsection.
13 For purposes of this paragraph, parking may be addressed or
14 provided offsite.

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16 (d) The department shall solicit bids for a person to
17 enter into an agreement for the development, construction
18 and operation of a hotel and conference center as provided
19 by this section. Bids shall be solicited in accordance with
20 law. In reviewing bids received under this subsection and
21 selecting a person for the public-private partnership
22 agreement, the department shall take into account, at a
23 minimum:

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2 (i) The bidder's plans for constructing the
3 hotel and conference center in accordance with this
4 section;

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6 (ii) The bidder's current and past business
7 practices;

8

9 (iii) The bidder's past and present performance
10 in developing, financing, constructing, managing or
11 operating hotels and conference centers;

12

13 (iv) Whether the bidder has previously performed
14 public works contracts and public-private partnerships;

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16 (v) The total costs for constructing, managing
17 and operating the hotel and conference center, the
18 anticipated revenues and profits for the hotel and
19 conference center and the proposed contributions of the
20 bidder.

21

22 (e) The public-private partnership agreement entered
23 into under this section shall include, at a minimum:

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2 (i) The term of the agreement, including whether
3 any extensions of the agreement may be made and under what
4 conditions the agreement may be extended;

5

6 (ii) The powers, duties, responsibilities,
7 obligations and functions of the department and the
8 selected person;

9

10 (iii) Compensation and payments to be made to
11 the state;

12

13 (iv) Compensation and payments to be made to the
14 selected person;

15

16 (v) A provision that authorizes the department
17 to have access to any information related to the selected
18 person's powers, duties, responsibilities, obligations,
19 functions and work performed under the agreement;

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21 (vi) A provision that authorizes the department
22 to direct, revise or overrule design, construction and
23 operation decisions of the selected person;

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2 (vii) Any other provision necessary to ensure
3 the state's interest, including property rights,
4 limitations on liability on part of the state and rights
5 and remedies available to the state in the event of default
6 or noncompliance.

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8 (f) The state treasurer, with the approval of the
9 board, shall invest any permanent state funds available
10 under W.S. 9-4-715(n) for the construction and operation of
11 the hotel and conference center authorized in this section.
12 Funds invested under this subsection shall not exceed
13 ninety percent (90%) of the total design and construction
14 costs.

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16 (g) All revenues, payments and other earnings
17 received by the state from the operation of the hotel and
18 conference center shall be deposited in the public school
19 foundation program account.

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21 (h) Not later than November 1 of each year, the
22 department and the state treasurer shall report to the

1 joint appropriations committee and the select committee on
2 capital financing and investments on:

3

4 (i) The construction of the hotel and conference
5 center specified in this section, until construction is
6 complete;

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8 (ii) The operation of the hotel and conference
9 center, including revenues and profits earned from the
10 operation;

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12 (iii) The investment of state funds under
13 subsection (f) of this section, including earnings on the
14 investment made under subsection (f) of this section.

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16 **Section 2.** W.S. 9-5-110(a)(intro) is amended to read:

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18 **9-5-110. State capitol building rehabilitation and**
19 **restoration project; definitions.**

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21 (a) As used in W.S. 9-5-109 through ~~9-5-113~~ 9-5-114:

22

1 **Section 3.** It is the intent of the legislature that a
2 public-private partnership for the development,
3 construction and operation of a hotel and conference center
4 adjacent to the state capitol complex will allow the state
5 capitol complex to provide needed amenities that will
6 provide and will be a public benefit to the state of
7 Wyoming.

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

13

14

(END)