

ENROLLED ACT NO. 23, SENATE

FIFTY-NINTH LEGISLATURE OF THE STATE OF WYOMING
2008 BUDGET SESSION

AN ACT to make appropriations for the biennium commencing July 1, 2008, and ending June 30, 2010; providing definitions; providing for appropriations and transfers of funds during that biennium and for the remainder of the current biennium as specified; providing for funding for carryover of certain funds beyond the biennium as specified; conforming specified statutory provisions during the term of the budget period as related to these appropriations; providing for employee positions as specified; and providing for an effective date.

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

Section 1. As used in this act:

(a) "Agency" means any governmental unit or branch of government receiving an appropriation under this act;

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

(c) "Approved budget" means an approved budget as defined by W.S. 9-2-1005(e);

(d) "AG" means an agency's account within the agency fund;

(e) "A4" means agency trust account;

(f) "EF" means the agency's account within the enterprise fund;

(g) "FF" means federal funds;

(h) "IS" means the agency's account within the internal service fund;

(j) "PF" means the retirement account created by W.S. 9-3-407(a);

(k) "PR" means private funding sources;

(m) "RB" means revenue received from the issuance of revenue bonds;

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

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(o) "S1" means earmarked water development account I created by W.S. 41-2-124(a)(i);

(p) "S2" means earmarked water development account II created by W.S. 41-2-124(a)(ii);

(q) "S3" means the budget reserve account;

(r) "S4" means the local government capital construction account funded by W.S. 9-4-601(a)(vi) and (b)(i) and 39-14-801(e)(ix);

(s) "S5" means the school foundation program account within the special revenue fund;

(t) "S6" means the school capital construction account within the special revenue fund;

(u) "S7" means the highway account within the special revenue fund;

(w) "S8" means the game and fish account within the special revenue fund;

(y) "T1" means the omnibus permanent land fund;

(z) "T2" means the miners' hospital permanent land income fund;

(aa) "T3" means the state hospital permanent land fund;

(bb) "T4" means the training school permanent land fund;

(cc) "T6" means the university permanent land income fund;

(dd) "T7" means the state employee group insurance flexible benefits account;

(ee) "TO" means other expendable trust funds administered by individual agencies for specific functions within the agencies' authority;

(ff) "TT" means the tobacco settlement trust income account.

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Section 2. The following sums of money, or so much thereof as necessary, are appropriated to be expended during the two (2) years beginning July 1, 2008 and ending June 30, 2010, or as otherwise specified, for the purposes, programs and number of employees specified by this act and the approved budget of each agency.

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 001. Governor's Office				
PROGRAM				
Administration	6,973,844			6,973,844
Tribal Liaison	385,143			385,143
Commission on Uniform Laws	69,286			69,286
Special Contingent	1,000,000			1,000,000
Emerg Mgt/Homeland Security 1.	3,310,473	28,818,501	619,310 AG	32,748,284
Health Care Commission 2.	567,147			567,147
Natural Resource Policy Account	1,500,000			1,500,000
Endangered Species Administrat	1,849,420			1,849,420
TOTALS	15,655,313	28,818,501	619,310	45,093,124

AUTHORIZED EMPLOYEES	
Full Time	54
Part Time	1
TOTAL	55

1. Of this federal fund appropriation, nine million two hundred fifteen thousand five hundred five dollars (\$9,215,505.00) for local governmental authorities shall not be expended until the governor has determined the expenditure will cause the WYOLINK system to have statewide operability.

2. This general fund appropriation shall only be expended for the period beginning July 1, 2008 and ending June 30, 2009. These funds shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation on June 30, 2009 shall revert pursuant to law.

Section 002. Secretary of State

PROGRAM				
Administration	6,385,598			6,385,598
Reapportionment Computer System	71,445			71,445
Securities Enforcement			623,830 SR	623,830
Bucking Horse & Rider			200,200 AG	200,200
TOTALS	6,457,043	0	824,030	7,281,073

AUTHORIZED EMPLOYEES	
Full Time	29
Part Time	0
TOTAL	29

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 003. State Auditor				
PROGRAM				
Administration	17,778,451			17,778,451
GF License Revenue Recoupment	1,700,000			1,700,000
TOTALS	19,478,451	0	0	19,478,451

AUTHORIZED EMPLOYEES
 Full Time 26
 Part Time 0
 TOTAL 26

Section 004. State Treasurer

PROGRAM				
Treasurer's Operations	4,694,188			4,694,188
Veterans Tax Exemption 1.	5,485,000			5,485,000
Manager Payments			43,767,201 AG	
			264,864 SR	44,032,065
Unclaimed Property			1,618,725 AG	1,618,725
Indian Motor Vehicle Exemption	452,700			452,700
TOTALS	10,631,888	0	45,650,790	56,282,678

AUTHORIZED EMPLOYEES
 Full Time 26
 Part Time 0
 TOTAL 26

1. Of this general fund appropriation, nine hundred thousand dollars (\$900,000.00) is effective immediately.

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 005. Department of Education				
PROGRAM				
Education Trust Fund			600,000 AG	600,000
Douvas Scholarship			1,000 AG	1,000
Workshops & Conferences Fund			18,500 SR	
			62,000 EF	80,500
Montgomery Trust For The Blind			419,157 TO	419,157
WDE-General Fund Prog. 1.,2.	18,718,297		9,031,914 S5	27,750,211
WDE - Federal Fund Programs		225,040,259	2,437,939 EF	227,478,198
TOTALS	18,718,297	225,040,259	12,570,510	256,329,066
AUTHORIZED EMPLOYEES				
Full Time	124			
Part Time	7			
TOTAL	131			

1. Of this general fund appropriation, two hundred twenty thousand six hundred dollars (\$220,600.00) for the Wyoming job corp center shall be considered one-time funding and shall only be expended for the period beginning July 1, 2008 and ending June 30, 2009. These funds shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation on June 30, 2009 shall revert pursuant to law.

2. Of this general fund appropriation, up to one hundred thousand dollars (\$100,000.00) shall be expended for participation in the national flagship program promoting advanced instruction in Chinese languages as part of a teacher education initiative in critical languages. The department shall participate in this program through a partnership with the University of Wyoming.

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 006. Administration & Information				
PROGRAM				
Director's Office	3,182,733			3,182,733
Professional Licensing Boards			1,421,556 SR	1,421,556
Budget Division	2,247,598			2,247,598
General Services	33,042,869		744,847 SR 144,084 EF	
			16,579,964 IS	50,511,764
Construction Management Div	23,805,606			23,805,606
Human Resources Division	6,860,958		647,407 IS	7,508,365
Employees Group Insurance			305,589,032 IS	
			8,000,000 T7	313,589,032
Information Technology 1.	518,492		60,267,260 IS	60,785,752
Economic Analysis	1,296,284			1,296,284
State Library	5,515,467	1,147,884	4,011,837 AG	10,675,188
Chief Information Officer	2,415,529			2,415,529
TOTALS	78,885,536	1,147,884	397,405,987	477,439,407

AUTHORIZED EMPLOYEES	
Full Time	366
Part Time	3
TOTAL	369

1. Of this general fund appropriation, three hundred seventeen thousand eight hundred fifty-eight dollars (\$317,858.00) shall only be expended for the purpose of purchasing computer hardware and software and other support and contractual services necessary to provide geographical information system (GIS) support for the state's implementation of the federal bureau of the census 2010 decennial census and subsequent legislative redistricting plan. The department is authorized one (1) at-will employment contract if necessary to provide support for this project. These funds shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this three hundred seventeen thousand eight hundred fifty-eight dollar (\$317,858.00) appropriation on June 30, 2012 shall revert pursuant to law. Funds subject to this footnote are appropriated effective immediately.

Section 007. Military Department

PROGRAM				
Military Dept. Operations	12,991,622			12,991,622
Air National Guard	945,111	9,350,238		10,295,349
Camp Guernsey			485,510 AG	485,510
Army National Guard		17,301,805	2,240,000 S5	19,541,805
Veteran's Services	1,249,180	158,052		1,407,232
Oregon Trail Vets Cemetery	537,944		20,000 SR	557,944
Military Sup To Civilian Auth	108,000			108,000
Civil Air Patrol	173,918		33,541 SR	207,459
TOTALS	16,005,775	26,810,095	2,779,051	45,594,921

AUTHORIZED EMPLOYEES	
Full Time	209
Part Time	50
TOTAL	259

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 008. Public Defenders				
PROGRAM				
Public Defenders Statewide	16,918,223		3,048,854 SR	19,967,077
TOTALS	16,918,223	0	3,048,854	19,967,077

AUTHORIZED EMPLOYEES	
Full Time	63
Part Time	19
TOTAL	82

Section 010. Agriculture Department

PROGRAM	GENERAL FUND	FEDERAL FUND	OTHER FUNDS	TOTAL
Administration Division	3,562,302		5,000 AG	3,567,302
Ag Education and Information			20,000 AG	20,000
Consumer Protection Division	12,418,771	1,027,143	504,677 SR 582,048 AG 2,479 IS	14,535,118
Natural Resources Division	5,616,616	76,250	675,000 SR	6,367,866
Pesticide Registration	1,250,000			1,250,000
State Fair	2,859,921		460,000 SR 182,511 AG	3,502,432
Weed & Pest Control			700,000 AG	700,000
Predator Management	5,700,000			5,700,000
Wyoming Beef Council			2,164,573 AG	2,164,573
Wyo Wheat Mktg Comm			120,500 SR	120,500
Leaf Cutter Bee			13,334 SR	13,334
TOTALS	31,407,610	1,103,393	5,430,122	37,941,125

AUTHORIZED EMPLOYEES	
Full Time	84
Part Time	9
TOTAL	93

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Section 011. Department of Revenue				
PROGRAM				
Administration	5,375,539			5,375,539
Revenue Division	8,545,268		750,425 SR	9,295,693
Valuation Division	6,286,512			6,286,512
Liquor Division 2.			7,193,346 EF	7,193,346
Liquor Sales & Purchases			150,000,000 EF	150,000,000
General Fund Transfers			20,000,000 EF	20,000,000
 TOTALS 1.	<hr/> 20,207,319	<hr/> 0	<hr/> 177,943,771	<hr/> 198,151,090

AUTHORIZED EMPLOYEES	
Full Time	133
Part Time	1
TOTAL	134

1. Of this general fund appropriation, two hundred twenty-nine thousand three hundred ninety-four dollars (\$229,394.00) and of this other fund appropriation, twenty-four thousand nine hundred seventy dollars (\$24,970.00) shall only be expended for the purpose of purchasing software for the disaster recovery plan and only after the chief information officer has reviewed the project, made a recommendation to the governor and the governor has determined the expenditure is appropriate. These funds shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation on June 30, 2010 shall revert pursuant to law.

2. Of this other fund appropriation, eight hundred eighty-four thousand five hundred dollars (\$884,500.00) for the design of split case production is effective immediately.

Section 014. Miners' Hospital Board

PROGRAM				
Miners' Hospital Board			5,213,000 SR	5,213,000
 TOTALS	<hr/> 0	<hr/> 0	<hr/> 5,213,000	<hr/> 5,213,000

AUTHORIZED EMPLOYEES	
Full Time	0
Part Time	0
TOTAL	0

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 015. Attorney General				
PROGRAM				
Law Office 1.	22,960,359	868,623	470,155 SR 500,000 S1 4,109,509 S5 412,092 TT	29,320,738
Big Horn Water Litigation			501,920 S1	501,920
Criminal Investigations 2., 3.	29,945,960	1,162,195	1,035,172 SR	32,143,327
Law Enforcement Academy	5,471,564	44,644	742,501 EF	6,258,709
Peace Off Stds & Trng	395,393		38,400 SR	433,793
Medical Review Panel	1,558,568			1,558,568
Victim Services Division	8,114,052	5,676,516	2,061,848 SR	15,852,416
Planning Council On DD	721,823	1,121,077		1,842,900
TOTALS	69,167,719	8,873,055	9,871,597	87,912,371

AUTHORIZED EMPLOYEES	
Full Time	247
Part Time	6
TOTAL	253

1. Of this S1 other fund appropriation, five hundred thousand dollars (\$500,000.00) shall only be expended for the purpose of defending the positions taken in formal opinion number 2004-001 issued by the Wyoming attorney general's office on August 31, 2004. These funds shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this five hundred thousand dollar (\$500,000.00) appropriation on June 30, 2020 shall revert pursuant to law.

2. Of this other fund appropriation, sixty-six thousand five hundred dollars (\$66,500.00) for GPS tracking systems is effective immediately.

3. Of this general fund appropriation, one million eight hundred thousand dollars (\$1,800,000.00) for the computerized criminal history system is effective immediately.

Section 020. Environmental Quality

PROGRAM				
Administration	9,193,208			9,193,208
Air Quality 1.	4,062,154	1,400,000	11,750,591 SR	17,212,745
Water Quality	14,207,075	8,913,297	1,100,000 SR	24,220,372
Land Quality	5,077,968	4,281,765		9,359,733
Industrial Siting	534,719			534,719
Solid Waste Management	7,173,911	2,616,902	3,543,820 SR	13,334,633
TOTALS	40,249,035	17,211,964	16,394,411	73,855,410

AUTHORIZED EMPLOYEES	
Full Time	264
Part Time	0
TOTAL	264

1. The department shall develop a notification system that will provide actual direct notice to all customers and permit users of new rate changes. The system shall be operational prior to December 2, 2008.

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Section 021. Department of Audit				
PROGRAM				
Administration	1,322,819	448,285		1,771,104
Banking			4,441,692 SR	4,441,692
Public Funds	5,737,617			5,737,617
Mineral	3,544,512	4,262,919	220,000 S7	8,027,431
Excise	4,439,749			4,439,749
TOTALS	15,044,697	4,711,204	4,661,692	24,417,593

AUTHORIZED EMPLOYEES
 Full Time 123
 Part Time 0
 TOTAL 123

Section 023. Public Service Commission

PROGRAM				
Administration 1.		252,670	6,720,548 SR	6,973,218
Consumer Advocate Division			1,820,132 SR	1,820,132
Universal Service Fund			7,069,427 SR	7,069,427
TOTALS	0	252,670	15,610,107	15,862,777

AUTHORIZED EMPLOYEES
 Full Time 36
 Part Time 0
 TOTAL 36

1. Of this other fund appropriation, any amount appropriated for computer hardware or software shall not be expended until after the chief information officer has reviewed the proposed purchase, made a recommendation to the governor and the governor has determined the expenditure is appropriate.

Section 024. Department of State Parks and Cultural Resources

PROGRAM				
Administration & Support	4,194,665	76,261	102,801 EF	4,373,727
Cultural Resources 1.	12,238,584	2,497,579	261,559 SR	17,383,786
St Parks & Hist. Sites	18,527,163	4,002,439	5,772,769 SR	28,302,371
TOTALS	34,960,412	6,576,279	8,523,193	50,059,884

AUTHORIZED EMPLOYEES
 Full Time 182
 Part Time 92
 TOTAL 274

1. Of this general fund appropriation, one million five hundred thousand dollars (\$1,500,000.00) shall be deposited into the Wyoming cultural trust fund created by W.S. 9-2-2304(a). This appropriation shall be considered one-time funding and shall not be included in the department's 2011-2012 standard budget request.

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 025. Department of Employment				
PROGRAM				
Administration and Support	1,948,304	142,827		2,091,131
Division of Labor Standards	2,004,419	137,851		2,142,270
Workers' Safety & Compensation		2,530,021	49,344,771 EF	51,874,792
Unemp. Insurance & Statistics		17,552,912	6,243,132 SR 55,000 AG	
			1,116,642 EF	24,967,686
Mining Exams			50,000 SR	50,000
Mine Inspector			1,928,562 EF	1,928,562
Unemp. Insurance Revenue			10,000 SR 640,336 AG	650,336
 TOTALS	 <u>3,952,723</u>	 <u>20,363,611</u>	 <u>59,388,443</u>	 <u>83,704,777</u>
AUTHORIZED EMPLOYEES				
Full Time	322			
Part Time	0			
TOTAL	322			

Section 026. Department of Workforce Services

PROGRAM				
Administration 1., 2.	18,500,274	21,790,238	5,527,875 SR 4,400 AG	45,822,787
Vocational Rehabilitation	4,899,658	26,510,000	1,189,081 SR 333,535 AG 264,935 EF	33,197,209
 TOTALS	 <u>23,399,932</u>	 <u>48,300,238</u>	 <u>7,319,826</u>	 <u>79,019,996</u>
AUTHORIZED EMPLOYEES				
Full Time	272			
Part Time	0			
TOTAL	272			

1. Of this general fund appropriation, six hundred fifty thousand dollars (\$650,000.00) for the business training and outreach program is effective immediately.

2. The department shall develop policies to ensure that funds appropriated for the business training and outreach program are distributed on a prioritized needs basis.

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 027. School Facilities Commission				
PROGRAM				
Operations			8,079,473 S6	8,079,473
Major Maintenance			84,182,098 S6	84,182,098
Infrastructure 1.			3,000,000 S6	3,000,000
TOTALS	0	0	95,261,571	95,261,571
AUTHORIZED EMPLOYEES				
Full Time	17			
Part Time	0			
TOTAL	17			

1. (a) Of this other fund appropriation, three million dollars (\$3,000,000.00) shall be expended only by the school facilities commission for infrastructure necessary to connect property on which school buildings are or will be situated, to existing roads, utilities and other infrastructure of municipalities and other local governmental entities. The commission shall by rule and regulation provide procedures applicable to infrastructure expenditures under this footnote. No expenditure of funds under this footnote shall be made unless the following conditions are met:

(i) Following value engineering review, a determination is made by the commission as to capacity levels necessary to connect existing infrastructure to the property on which school buildings and facilities are or will be situated;

(ii) A determination is made by the commission differentiating infrastructure capacity determined necessary under paragraph (a)(i) of this footnote from any excess infrastructure capacity; and

(iii) A determination is made by the office of the attorney general that a legal and contractual requirement exists to:

(A) Repay costs expended for the determined excess infrastructure capacity by the future users of this excess capacity; and

(B) Preserve the necessary infrastructure capacity when school buildings and facilities are actually constructed.

(b) Amounts expended under this footnote for excess infrastructure capacity shall be repaid to the commission on a basis and at times specified by law and by contract as the excess capacity becomes utilized. Amounts repaid shall be deposited by the commission into the school capital construction account.

Section 029. Wyoming Water Development Office

PROGRAM				
Administration			7,728,413 S1	7,728,413
TOTALS	0	0	7,728,413	7,728,413
AUTHORIZED EMPLOYEES				
Full Time	26			
Part Time	0			
TOTAL	26			

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Section 037. State Engineer				
PROGRAM				
Administration	1,461,422			1,461,422
Ground Water Division	4,870,386			4,870,386
Surface Water & Eng. Div.	3,441,437			3,441,437
Board Of Control Division	13,235,647			13,235,647
Support Services Division	3,775,470			3,775,470
Board of Registration			776,163 SR	776,163
Interstate Streams Division	2,608,025		88,690 S1	2,696,715
Special Projects			12,730 AG	12,730
North Platte Settlement	1,726,185			1,726,185
TOTALS	31,118,572	0	877,583	31,996,155
AUTHORIZED EMPLOYEES				
Full Time	136			
Part Time	11			
TOTAL	147			

Section 039. Wildlife/Natural Resources Trust

PROGRAM				
Administration	684,492			684,492
Wild/Natural Res Trust Projects	5,000,000		5,152,500 TO	10,152,500
Wildlife Trust Account 1.	29,500,000			29,500,000
TOTALS	35,184,492	0	5,152,500	40,336,992
AUTHORIZED EMPLOYEES				
Full Time	2			
Part Time	0			
TOTAL	2			

1. This general fund appropriation shall be deposited into the Wyoming wildlife and natural resource trust account created by W.S. 9-15-103(a).

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 040. Game and Fish Commission				
PROGRAM				
Veterinary Svcs Prgm (Brucellosis, CWD)	3,758,205			3,758,205
Sage Grouse Plan/Prot 1., 3.	2,832,131			2,832,131
Comp Wildlife Conserv Strategy	1,817,808			1,817,808
Wolf Management 2.	2,475,095			2,475,095
TOTALS	10,883,239	0	0	10,883,239

AUTHORIZED EMPLOYEES	
Full Time	23
Part Time	0
TOTAL	23

1. Of this general fund appropriation, five hundred thousand dollars (\$500,000.00) for demonstration projects is effective immediately.
2. This general fund appropriation is effective immediately.
3. The commission shall develop rules, regulations and procedures to allow private bird farms in this state to raise native sage grouse for release.

Section 041. Fire Prevention

PROGRAM				
Administration	1,740,691			1,740,691
Fire Prevention Administration	1,864,217			1,864,217
Electrical Safety Administration	1,589,956		519,028 SR	2,108,984
Training	1,346,769			1,346,769
Fire Academy	634,821			634,821
TOTALS	7,176,454	0	519,028	7,695,482

AUTHORIZED EMPLOYEES	
Full Time	36
Part Time	0
TOTAL	36

Section 042. Geological Survey

PROGRAM				
Geologic Program	5,547,970			5,547,970
TOTALS	5,547,970	0	0	5,547,970

AUTHORIZED EMPLOYEES	
Full Time	27
Part Time	0
TOTAL	27

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 044. Insurance Department				
PROGRAM				
Administration			5,416,012 SR	5,416,012
Agent Licensing Board			16,013 SR	16,013
Health Insurance Pool	6,000,000		23,362,277 EF	29,362,277
WY Small Emp Health Reins			17,349,380 EF	17,349,380
TOTALS	6,000,000	0	46,143,682	52,143,682

AUTHORIZED EMPLOYEES	
Full Time	27
Part Time	0
TOTAL	27

Section 045. Department of Transportation

PROGRAM				
Administration			24,613 SR	
			3,874,619 S7	3,899,232
Administrative Services 1.		168,150	1,836,000 SR	
			31,731,291 S7	33,735,441
Law Enforcement		4,965,825	60,000 SR	
			74,668,159 S7	79,693,984
WyoLink	12,030,000		1,211,928 IS	13,241,928
Aeronautics Administration		310,300	3,852,114 S7	4,162,414
Operational Services			2,722,648 IS	2,722,648
Airport Improvements	13,502,011	37,402,188	8,720,860 S7	59,625,059
GF Approp to Comm 2.,3.,4.	200,000,000			200,000,000
TOTALS	225,532,011	42,846,463	128,702,232	397,080,706

AUTHORIZED EMPLOYEES	
Full Time	562
Part Time	1
TOTAL	563

1. Of this other fund appropriation, fifty thousand dollars (\$50,000.00) shall only be expended to prepare a report containing a preliminary planning level prioritized list of specific projects on I-80 intended to reduce accident rates. The identification of specific projects should be based on an analysis of the last ten (10) years of accident data and associated contributing factors. Projects identified should include a preliminary construction cost estimate for each project. The report shall be provided to the joint appropriations interim committee and the joint transportation, highways and military affairs interim committee not later than August 1, 2008. This appropriation is effective immediately.

2. Of this general fund appropriation, three million dollars (\$3,000,000.00) shall only be expended by the commission to provide rotomilled materials to counties for road dust mitigation, and seven million dollars (\$7,000,000.00) shall only be deposited in the industrial road program account, in addition to those funds required to be deposited in that account by W.S. 24-5-118 and shall only be expended by the commission for the industrial road program pursuant to W.S. 24-5-101 through 24-5-122.

3. Prior to the allocation of this general fund appropriation for the fiscal year 2010, each district engineer shall consult with the county commissioners in the engineer's district to prioritize projects to be funded through this appropriation for that fiscal year.

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4. The agency shall include a request for a general fund appropriation of one hundred million dollars (\$100,000,000.00) in the agency's 2011-2012 standard budget request.

Section 048. Department of Health

APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
PROGRAM				
Directors Office	15,434,087	4,302,318		19,736,405
Office Of Rural Health	2,671,453	9,312,141		11,983,594
Community & Family Health	29,620,288	21,988,960	5,528,000 SR 3,521,500 AG	
			6,478,169 A4	67,136,917
Health Care Financing 4.,11.	445,412,844	517,089,101	19,821,196 SR	982,323,141
State Health Officer	1,899,652	13,923,482	150,000 SR 66,947 AG	16,040,081
Prevent Hlth & Sfty	9,220,826	11,144,991	1,738,144 SR 80,000 AG 506,000 A4	
			1,261,929 TT	23,951,890
Mental Health 1.,2.,3.,9.,10.	188,128,286	16,906,704	2,760,832 SR 26,901,023 TT	234,696,845
Developmental Disabilities	119,870,696	9,382,451	402,000 A4	
			340,220 T4	129,995,367
Division on Aging 5.,6.,7.,8.	34,965,135	13,225,341	5,651,721 SR 162,500 AG 997,000 A4	55,001,697
TOTALS	847,223,267	617,275,489	76,367,181	1,540,865,937

AUTHORIZED EMPLOYEES	
Full Time	1,458
Part Time	78
TOTAL	1,536

1. The department shall conduct a study of rates paid for mental health and substance abuse residential treatment bed services and make recommendations to the governor and the joint appropriations interim committee based on the study in the department's 2011-2012 biennial budget request. Funds appropriated under this section for mental health and substance abuse residential treatment bed services shall only be expended for beds actually available for occupancy by clients needing residential treatment and contracts with residential treatment providers shall require a utilization rate of not less than eighty-five percent (85%) in order to receive full payment for contracted services. The formula for calculating the utilization rate shall be determined by the department.

2. Notwithstanding W.S. 9-4-303(a), the department is authorized to deposit all monies and income received and collected by the Wyoming state hospital at Evanston, Wyoming into a special revenue account from July 1, 2008 through June 30, 2010. The department shall expend this revenue to correct life safety code problems and address other conditions as identified by the Partnership to Resolve Mental Health Issues in Wyoming. If any single project is anticipated to or does exceed two hundred thousand dollars (\$200,000.00), it shall be approved by the state building commission. The first five hundred thousand dollars (\$500,000.00) received each fiscal year by the department and any amount in excess of three million dollars (\$3,000,000.00) received over the period beginning July 1, 2008 and ending June 30, 2010 and deposited within the special revenue account pursuant to this footnote shall be paid to the omnibus permanent land fund until such time as the total amount appropriated for the new facility at the state hospital in 1999 Wyoming Session Laws, Chapter 169, Section 3, Section 048 is completely repaid. The department shall report to the joint appropriations interim committee not later than November 1 of each year detailing expenditures under this footnote.

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3. Of this general fund appropriation, one hundred fifty-eight thousand four hundred seven dollars (\$158,407.00) shall only be expended to establish a pilot family treatment court in Judicial District 5A. On or before October 1, 2009, the department in conjunction with the board of judicial policy and administration or a peer review committee appointed by that board shall submit a report to the joint judiciary interim committee evaluating the pilot project.

4. Funds appropriated for health care financing administration of developmental disabilities, health care financing of developmental disabilities adult waiver services, health care financing of developmentally delayed children's waiver, and health care financing of acquired brain injury waiver services shall not be transferred to any other agency, division or program. Funds appropriated but not used for these programs shall be expended for clients on waiting lists or identified, new emergency clients with the two (2) waiver programs with the highest average waiting period. The department may expand the number of clients served by each of the waivers to the extent sufficient funds are available from this appropriation and expansion is consistent with federal requirements. The department shall report quarterly to the governor and the joint appropriations interim committee on the specific amounts transferred between any waiver programs, the total number of clients served in each waiver, the average projected cost of each client, the average individual budgeted amount for each client, the number of persons on the waiting list for each waiver and the cost for each new client served. These funds shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation on June 30, 2010 shall revert pursuant to law.

5. Of this general fund appropriation, two million eight hundred thousand dollars (\$2,800,000.00) shall only be distributed through the existing funding distribution model to senior centers to provide compensation increases for direct care personnel. These funds shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation on June 30, 2010 shall revert pursuant to law.

6. Notwithstanding W.S. 9-4-303(a), for the period beginning July 1, 2008 and ending June 30, 2010, the department is authorized to deposit all monies and income received or collected by the retirement center located in Basin, Wyoming for care of patients into the special revenue fund. The funds collected shall only be used to fund the operation of the retirement center.

7. Of this general fund appropriation, sixty thousand dollars (\$60,000.00) shall only be expended for the foster grandparents program and shall be one-time funding.

8. Of this general fund appropriation, thirty thousand dollars (\$30,000.00) shall be expended to continue support of the alternative long term care home pilot programs authorized by W.S. 42-6-104, including the costs of travel, consultation with other interested Wyoming communities, preparation of periodic reports and attendance at conferences.

9. Of this general fund appropriation, up to three million dollars (\$3,000,000.00) may be used by the department to fund the existing crisis stabilization program and expansion of the program in the mental health and substance abuse division and to fund additional treatment beds for women. The department is authorized to pursue state plan amendments and waivers to the equality care program (Medicaid) to cover mental health and substance abuse services and appropriate provider contract amendments to account for the increase in the equality care claims.

10. Of this federal fund appropriation, up to four million four hundred thousand dollars (\$4,400,000.00) may be used by the department to fund crisis stabilization in additional regions.

11. Funds within this appropriation shall be used as necessary to reimburse services authorized under the Medicaid program involving the delivery of a child, including prenatal and postpartum care related to the delivery, at ninety percent (90%) of the statewide average of the physician's specialty for the services provided as of July 1, 2008, not to exceed one hundred percent (100%) of the provider's usual and customary billed charges. This reimbursement rate

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shall apply if the service was rendered during the period commencing July 1, 2008 and ending June 30, 2010. To be eligible for the increased reimbursement rate provided by this footnote, a provider shall offer to the patient or refer the patient to prenatal health programs developed by the department of health and identified for this purpose by the department in its rules and regulations.				
Section 049. Department of Family Services				
PROGRAM				
Services 3.	113,884,948	23,795,437	1,334,707 SR 1,302,651 AG 5,687,901 TT	146,005,644
Assistance 1.,2.	60,503,442	75,781,898	1,891,699 SR	138,177,039
TOTALS	174,388,390	99,577,335	10,216,958	284,182,683

AUTHORIZED EMPLOYEES	
Full Time	777
Part Time	32
TOTAL	809

1. (a) In accordance with W.S. 42-2-103(d), the state supplemental security income monthly payment for the period beginning July 1, 2008 and ending June 30, 2010 shall be as follows:
 - (i) \$25.00 for an individual living in own household;
 - (ii) \$27.80 for each member of a couple living in their own household;
 - (iii) \$28.72 for an individual living in the household of another;
 - (iv) \$30.57 for each member of a couple living in the household of another.

2. Of this federal fund appropriation, forty-eight thousand dollars (\$48,000.00) shall only be expended for the father factor program during the fiscal period beginning July 1, 2008 and ending June 30, 2009.

3. Of this general fund appropriation, two million dollars (\$2,000,000.00) shall only be expended for community juvenile service boards.

Section 051. Livestock Board

PROGRAM	GENERAL FUND	FEDERAL FUND	OTHER FUNDS	TOTAL
Administration	1,492,105	16,430		1,508,535
Animal Health	1,588,536			1,588,536
Brucellosis 1.	2,161,600	2,028		2,163,628
Brand Recording & Permits			848,580 AG	848,580
Brand Inspection	3,162,735		5,126,239 AG	8,288,974
Predator Control Fees			1,225,000 AG	1,225,000
TOTALS	8,404,976	18,458	7,199,819	15,623,253

AUTHORIZED EMPLOYEES	
Full Time	19
Part Time	0
TOTAL	19

1. For the period beginning July 1, 2008 and ending June 30, 2010, the department is authorized to provide reimbursements for brucellosis testing in an amount not less than three dollars and fifty cents (\$3.50) per head and not to exceed eight dollars (\$8.00) per head as determined by the livestock board.

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Section 055. Oil & Gas Commission				
PROGRAM				
Administration		394,774	8,308,798 AG	8,703,572
Orphan Wells			300,000 SR 700,000 AG	1,000,000
TOTALS	0	394,774	9,308,798	9,703,572

AUTHORIZED EMPLOYEES

Full Time	41
Part Time	0
TOTAL	41

Section 057. Community College Commission

PROGRAM				
Administration	5,903,052	757,545		6,660,597
State Aid	219,000,356			219,000,356
Contingency Reserve			1,600,000 SR	1,600,000
Leveraging Ed Ast Partnerships	225,000	112,500		337,500
Incentive Fund	500,000			500,000
Community Colleges Endowment				
Adult Basic Education	2,555,402	1,841,802		4,397,204
WY Investment in Nursing Prgm	5,525,640			5,525,640
Veterans Tuition Waiver Program	400,000			400,000
WY Teacher Shortage Loan Repay Prgm			800,000 S5	800,000
Public Television 1.	5,630,055			5,630,055
TOTALS	239,739,505	2,711,847	2,400,000	244,851,352

AUTHORIZED EMPLOYEES

Full Time	13
Part Time	0
TOTAL	13

1. (a) Of this general fund appropriation, one million five hundred thousand dollars (\$1,500,000.00) shall be deposited into the Wyoming Public Television Endowment Account, which is created and shall be administered as follows:

(i) Funds from the Wyoming Public Television Endowment Account shall be transferred by the state treasurer to a Wyoming Public Television matching funds account to equally match each cash gift received by Wyoming Public Television and deposited to the matching funds account. A match shall be paid by the state treasurer from the Wyoming Public Television Endowment Account at the time any accumulated amounts actually deposited to the matching funds account total ten thousand dollars (\$10,000.00) or more;

(ii) The state treasurer shall make transfers to the Wyoming Public Television matching funds account not later than the end of the calendar quarter following the quarter during which gifts to the matching funds account total at least ten thousand dollars (\$10,000.00). If gifts are made through a series of payments or transfers, no matching funds shall be transferred under this footnote until the total value of all payments or transfers actually received totals at least ten thousand dollars (\$10,000.00);

(iii) Funds in the matching funds account shall remain inviolate and only the interest income earned from investments of the monies in the matching funds account may be

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distributed. The state treasurer shall distribute income from the matching account to the community college annually. The commission shall distribute these funds together with other appropriated funds to the central Wyoming community college district board for the operations and programming of Wyoming public television pursuant to W.S. 21-18-105(b);

(iv) Income from earnings on the Wyoming Public Television Endowment Account shall be credited to the general fund.

Section 060. Office State Lands and Investments

PROGRAM	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Operations	14,623,096	27,051,395	4,129,174 SR 53,777 AG 2,662,720 S5	48,520,162
Forestry 2.	8,570,218	795,000	226,000 SR	9,591,218
Cnty Emerg Fire Suppression 1.			2,580,000 AG	2,580,000
Fire	4,718,246	3,847,154		8,565,400
Federal Forestry Grants		3,400,449		3,400,449
Transportation Enterprise Fund			2,000,000 SR	2,000,000
TOTALS	27,911,560	35,093,998	11,651,671	74,657,229

AUTHORIZED EMPLOYEES	
Full Time	108
Part Time	4
TOTAL	112

1. Notwithstanding W.S. 36-1-404(d), for the period beginning July 1, 2008 and ending June 30, 2010 any county participating in the emergency fire suppression account program shall pay an annual assessment to the emergency fire suppression account at the rate specified in W.S. 36-1-104(b) (i) and (ii) regardless of the emergency fire suppression account balance.

2. Of this general fund appropriation, one hundred thousand dollars (\$100,000.00) shall only be expended to combat the effects of bark beetle damage throughout Wyoming.

Section 063. Governor's Residence

PROGRAM	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Residence Operation 1.	809,772			809,772
Governor's Residence	10,000			10,000
TOTALS	819,772	0	0	819,772

AUTHORIZED EMPLOYEES	
Full Time	3
Part Time	2
TOTAL	5

1. Of this general fund appropriation, one hundred thousand dollars (\$100,000.00) shall be used to install an irrigation system and to implement a landscape plan.

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 066. Wyoming Tourism Board				
PROGRAM				
Administration	25,396,225		3,600 AG	25,399,825
TOTALS	25,396,225	0	3,600	25,399,825

AUTHORIZED EMPLOYEES
 Full Time 0
 Part Time 0
 TOTAL 0

Section 067. University of Wyoming

PROGRAM				
State Aid 1.	376,003,563			376,003,563
NCAR MOU	1,000,000			1,000,000
TOTALS	377,003,563	0	0	377,003,563

AUTHORIZED EMPLOYEES
 Full Time 0
 Part Time 0
 TOTAL 0

1. Of this general fund appropriation, two hundred fifty thousand dollars (\$250,000.00) shall only be expended for operation of the Haub School of Environment and Natural Resources.

Section 069. Western Interstate Commission for Higher Education

PROGRAM				
Administration & Grants	5,453,400			5,453,400
TOTALS	5,453,400	0	0	5,453,400

AUTHORIZED EMPLOYEES
 Full Time 0
 Part Time 0
 TOTAL 0

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 070. Enhanced Oil Recovery Commission				
PROGRAM				
Commission & Support	448,500			448,500
Technical Outreach & Research	5,662,325			5,662,325
TOTALS 1.	6,110,825	0	0	6,110,825

AUTHORIZED EMPLOYEES	
Full Time	0
Part Time	0
TOTAL	0

1. (a) The Wyoming enhanced and improved oil recovery commission shall oversee and direct development of the programs developed pursuant to this appropriation including:

- (i) Review and approval of all research assignments;
- (ii) Review and approval of all program related contracts and agreements to assure that contracts and agreements are performance based with measurable outcomes and performance timelines;
- (iii) Review and approval of all enhanced oil recovery institute expenditures.

(b) No funds appropriated under this section shall be expended without the prior approval of the Wyoming enhanced and improved oil recovery commission.

Section 072. Retirement System

PROGRAM			
Administration 1.		6,343,048 PF	6,343,048
Highway Patrol		100,000 SR	100,000
Game & Fish-Wardens		160,562 SR	160,562
Deferred Compensation		1,528,331 AG	1,528,331
TOTALS	0	0	8,131,941

AUTHORIZED EMPLOYEES	
Full Time	28
Part Time	0
TOTAL	28

1. Of this other funds appropriation, three hundred sixty-six thousand dollars (\$366,000.00) shall only be expended by the Wyoming retirement board for recruitment and hiring of a chief investment officer to provide investment expertise and oversight of the pension portfolio for the board.

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 080. Department of Corrections				
PROGRAM				
Corrections Operations	71,708,916	317,137	3,156,878 SR 135,300 TO 716,594 TT	76,034,825
Field Services 2.	35,048,932		3,688,284 TT	38,737,216
Honor Conservation Camp	14,666,178		73,439 SR 572,178 TO	15,311,795
Women's Center	15,535,825		61,151 SR 720,000 TO	16,316,976
Honor Farm	12,278,253		771,993 IS 507,268 TO	13,557,514
State Penitentiary	67,776,367		1,739,772 TO	69,516,139
WY Med Corr Institution	13,859,199			13,859,199
TOTALS 1.	230,873,670	317,137	12,142,857	243,333,664

AUTHORIZED EMPLOYEES	
Full Time	1,133
Part Time	3
TOTAL	1,136

1. The department shall report to the joint appropriations interim committee on June 30, 2009 and June 30, 2010 on any transfers of 100 series personal services funds appropriated in this section to any other expenditure series, expense organizations, programs or agencies for the year immediately preceding the due date of the report. The report shall include amounts, where the funds were transferred and the purpose of any transfer.

2. Of this general fund appropriation, the department is authorized to expend up to four hundred thirty-four thousand two hundred dollars (\$434,200.00) for a global positioning tracking system for not more than fifteen percent (15%) of the high risk sex offender population.

Section 081. Board of Parole

PROGRAM	GENERAL FUND	FEDERAL FUND	OTHER FUNDS	TOTAL APPROPRIATION
Administration	1,747,725			1,747,725
TOTALS	1,747,725	0	0	1,747,725

AUTHORIZED EMPLOYEES	
Full Time	7
Part Time	0
TOTAL	7

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 085. Wyoming Business Council				
PROGRAM				
Wyoming Business Council 1.	18,374,993	7,844,061	362,143 SR 1,140,876 EF	27,722,073
Main Street	1,553,077	75,000		1,628,077
Business Ready Communities	79,250,000			79,250,000
Community Facilities Program	15,000,000			15,000,000
TOTALS	114,178,070	7,919,061	1,503,019	123,600,150
AUTHORIZED EMPLOYEES				
Full Time	0			
Part Time	0			
TOTAL	0			

1. Of this general fund appropriation, one hundred fifteen thousand three hundred dollars (\$115,300.00) shall only be expended for the purpose of supporting the council's regional offices. Of this one hundred fifteen thousand three hundred dollar (\$115,300.00) general fund appropriation, twenty-six thousand dollars (\$26,000.00) shall not be included in the council's 2011-2012 standard biennial budget request.

Section 101. Supreme Court

PROGRAM				
Administration	7,392,277	289,939	150,000 SR	7,832,216
Judicial Nominating Committee	15,001			15,001
Law Library	1,685,934			1,685,934
Circuit Courts 1.	24,951,226			24,951,226
Court Auto & Electronic Mgmt	1,315,410		5,842,670 SR	7,158,080
Judicial Retirement	1,573,913			1,573,913
Board Of Jud Plcy & Admin 2.	543,502			543,502
TOTALS	37,477,263	289,939	5,992,670	43,759,872
AUTHORIZED EMPLOYEES				
Full Time	197			
Part Time	29			
TOTAL	226			

1. Of this general fund appropriation, not more than five hundred forty-three thousand seven hundred sixty dollars (\$543,760.00) shall be expended for contractual services.

2. Of this general fund appropriation, three hundred fifty-one thousand six hundred eighty-five dollars (\$351,685.00) shall only be expended for the purpose of making contributions to the retiree health insurance benefits account pursuant to Section 303(e) of this act for all judicial branch employees. This appropriation shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation shall revert as provided by law on June 30, 2010.

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Section 102. Board of Law Examiners				
PROGRAM				
Administration			155,000 SR	155,000
TOTALS	0	0	155,000	155,000
AUTHORIZED EMPLOYEES				
Full Time	0			
Part Time	0			
TOTAL	0			
Section 103. Judicial Supervisory Commission				
PROGRAM				
Administration	329,289			329,289
TOTALS	329,289	0	0	329,289
AUTHORIZED EMPLOYEES				
Full Time	1			
Part Time	0			
TOTAL	1			
Section 120. Judicial District 1-A				
PROGRAM				
Administration	794,007			794,007
TOTALS	794,007	0	0	794,007
AUTHORIZED EMPLOYEES				
Full Time	3			
Part Time	1			
TOTAL	4			
Section 121. Judicial District 1-B				
PROGRAM				
Administration	825,427			825,427
TOTALS	825,427	0	0	825,427
AUTHORIZED EMPLOYEES				
Full Time	3			
Part Time	1			
TOTAL	4			

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 122. Judicial District 2-A				
PROGRAM				
Administration	824,291			824,291
TOTALS	<u>824,291</u>	<u>0</u>	<u>0</u>	<u>824,291</u>
AUTHORIZED EMPLOYEES				
Full Time	4			
Part Time	0			
TOTAL	4			
Section 123. Judicial District 2-B				
PROGRAM				
Administration	917,253			917,253
TOTALS	<u>917,253</u>	<u>0</u>	<u>0</u>	<u>917,253</u>
AUTHORIZED EMPLOYEES				
Full Time	4			
Part Time	0			
TOTAL	4			
Section 124. Judicial District 3-B				
PROGRAM				
Administration	836,041			836,041
TOTALS	<u>836,041</u>	<u>0</u>	<u>0</u>	<u>836,041</u>
AUTHORIZED EMPLOYEES				
Full Time	4			
Part Time	0			
TOTAL	4			
Section 125. Judicial District 3-A				
PROGRAM				
Administration	900,985			900,985
TOTALS	<u>900,985</u>	<u>0</u>	<u>0</u>	<u>900,985</u>
AUTHORIZED EMPLOYEES				
Full Time	4			
Part Time	0			
TOTAL	4			

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ENROLLED ACT NO. 23, SENATE

FIFTY-NINTH LEGISLATURE OF THE STATE OF WYOMING
2008 BUDGET SESSION

APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 126. Judicial District 4				
PROGRAM				
Administration	885,926			885,926
TOTALS	<u>885,926</u>	<u>0</u>	<u>0</u>	<u>885,926</u>
AUTHORIZED EMPLOYEES				
Full Time	4			
Part Time	0			
TOTAL	4			
Section 127. Judicial District 5-A				
PROGRAM				
Administration	910,255			910,255
Water Litigation	410,359			410,359
TOTALS	<u>1,320,614</u>	<u>0</u>	<u>0</u>	<u>1,320,614</u>
AUTHORIZED EMPLOYEES				
Full Time	6			
Part Time	0			
TOTAL	6			
Section 128. Judicial District 5-B				
PROGRAM				
Administration	880,679			880,679
TOTALS	<u>880,679</u>	<u>0</u>	<u>0</u>	<u>880,679</u>
AUTHORIZED EMPLOYEES				
Full Time	4			
Part Time	0			
TOTAL	4			
Section 129. Judicial District 6-A				
PROGRAM				
Administration	888,551			888,551
TOTALS	<u>888,551</u>	<u>0</u>	<u>0</u>	<u>888,551</u>
AUTHORIZED EMPLOYEES				
Full Time	4			
Part Time	0			
TOTAL	4			

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 130. Judicial District 7-A				
PROGRAM				
Administration	908,829			908,829
TOTALS	908,829	0	0	908,829

AUTHORIZED EMPLOYEES
 Full Time 4
 Part Time 1
 TOTAL 5

Section 131. Judicial District 7-B

PROGRAM				
Administration	861,802			861,802
TOTALS	861,802	0	0	861,802

AUTHORIZED EMPLOYEES
 Full Time 4
 Part Time 1
 TOTAL 5

Section 132. Judicial District 9-A

PROGRAM				
Administration	960,814			960,814
TOTALS	960,814	0	0	960,814

AUTHORIZED EMPLOYEES
 Full Time 4
 Part Time 0
 TOTAL 4

Section 133. Judicial District 8-A

PROGRAM				
Administration	904,656			904,656
TOTALS	904,656	0	0	904,656

AUTHORIZED EMPLOYEES
 Full Time 4
 Part Time 0
 TOTAL 4

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 134. Judicial District 9-B				
PROGRAM				
Administration	983,391			983,391
TOTALS	983,391	0	0	983,391

AUTHORIZED EMPLOYEES	
Full Time	4
Part Time	0
TOTAL	4

Section 135. Judicial District 6-B

PROGRAM				
Administration	937,787			937,787
TOTALS	937,787	0	0	937,787

AUTHORIZED EMPLOYEES	
Full Time	4
Part Time	0
TOTAL	4

Section 136. Judicial District 8-B

PROGRAM				
Administration	741,890			741,890
TOTALS	741,890	0	0	741,890

AUTHORIZED EMPLOYEES	
Full Time	3
Part Time	0
TOTAL	3

Section 137. Laramie County District Court 1C

PROGRAM				
Administration	945,006			945,006
TOTALS	945,006	0	0	945,006

AUTHORIZED EMPLOYEES	
Full Time	5
Part Time	0
TOTAL	5

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 138. Sweetwater County District Court 3C				
PROGRAM				
Administration	910,887			910,887
TOTALS	910,887	0	0	910,887

AUTHORIZED EMPLOYEES
 Full Time 4
 Part Time 0
 TOTAL 4

Section 139. Natrona County District Court 7C

PROGRAM				
Administration	858,142			858,142
TOTALS	858,142	0	0	858,142

AUTHORIZED EMPLOYEES
 Full Time 4
 Part Time 0
 TOTAL 4

Section 140. Judicial District 6C

PROGRAM				
Administration	857,492			857,492
TOTALS	857,492	0	0	857,492

AUTHORIZED EMPLOYEES
 Full Time 4
 Part Time 0
 TOTAL 4

Section 151. District Attorney/Jud. Dist. 1

PROGRAM				
Administration	3,957,990			3,957,990
TOTALS	3,957,990	0	0	3,957,990

AUTHORIZED EMPLOYEES
 Full Time 18
 Part Time 1
 TOTAL 19

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 157. District Attorney/Jud. Dist. 7				
PROGRAM				
Administration	3,544,112			3,544,112
TOTALS	3,544,112	0	0	3,544,112

AUTHORIZED EMPLOYEES	
Full Time	20
Part Time	0
TOTAL	20

Section 160. County and Prosecuting Attorneys

PROGRAM				
Administration	6,135,000			6,135,000
TOTALS	6,135,000	0	0	6,135,000

AUTHORIZED EMPLOYEES	
Full Time	0
Part Time	0
TOTAL	0

Section 167. UW - Medical Education

PROGRAM				
Family Practice Centers	17,845,920		2,375,502 SR	20,221,422
WWAMI Medical Education	7,724,549			7,724,549
Adv Practice - RN Psychiatry	565,000			565,000
Dental Contracts	3,039,940			3,039,940
TOTALS	29,175,409	0	2,375,502	31,550,911

AUTHORIZED EMPLOYEES	
Full Time	88
Part Time	19
TOTAL	107

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 205. Education - School Finance				
PROGRAM				
School Foundation Pgm 1., 2.			1,306,413,023 S5	1,306,413,023
Court Ordered Placements			23,057,126 S5	23,057,126
Mill Levy Debt Pledge			5,750,000 S6	5,750,000
Foundation Specials 3.			32,940,000 S5	32,940,000
Education Reform 4.			38,246,768 S5	38,246,768
Student Performance Data Systems			2,501,588 S5	2,501,588
TOTALS	0	0	1,408,908,505	1,408,908,505

AUTHORIZED EMPLOYEES	
Full Time	5
Part Time	0
TOTAL	5

1. In accordance with W.S. 21-13-309(o) this other fund appropriation includes funding for an external cost adjustment of four and three-tenths percent (4.3%) for school year 2008-2009.

2. In addition to formula provided funding, this other fund appropriation includes funding for the summer school and vocational education grant programs as authorized by law.

3. This other fund appropriation includes funding for the instructional facilitators and national board certification programs as authorized by law.

4. The department of education shall study the feasibility of implementing a growth model system of student assessment to meet the requirements of the federal No Child Left Behind Act of 2001. On or before October 1, 2008, the department shall report study results to the joint education interim committee.

Section 211. Board of Equalization

PROGRAM				
Equalization & Tax Appeals	1,845,444			1,845,444
TOTALS	1,845,444	0	0	1,845,444

AUTHORIZED EMPLOYEES	
Full Time	7
Part Time	0
TOTAL	7

Section 220. Environmental Quality Council

PROGRAM				
Administration	742,748			742,748
TOTALS	742,748	0	0	742,748

AUTHORIZED EMPLOYEES	
Full Time	3
Part Time	0
TOTAL	3

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 270. Administrative Hearings				
PROGRAM				
Administration			3,205,646 SR 68,322 IS	3,273,968
TOTALS	0	0	3,273,968	3,273,968

AUTHORIZED EMPLOYEES	
Full Time	10
Part Time	0
TOTAL	10

Section 012. Board of Architects

PROGRAM				
Administration			220,553 SR	220,553
TOTALS	0	0	220,553	220,553

AUTHORIZED EMPLOYEES	
Full Time	0
Part Time	0
TOTAL	0

Section 013. Wyoming Euthanasia Certification Board

PROGRAM				
Administration			39,738 SR	39,738
TOTALS	0	0	39,738	39,738

AUTHORIZED EMPLOYEES	
Full Time	0
Part Time	0
TOTAL	0

Section 016. Barber Examiner's Board

PROGRAM				
Administration			43,135 SR	43,135
TOTALS	0	0	43,135	43,135

AUTHORIZED EMPLOYEES	
Full Time	0
Part Time	0
TOTAL	0

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 017. Radiologic Tech. Board				
PROGRAM				
Administration			106,198 SR	106,198
TOTALS	0	0	106,198	106,198

AUTHORIZED EMPLOYEES	
Full Time	0
Part Time	0
TOTAL	0

Section 018. Real Estate Commission

PROGRAM				
Administration			992,199 SR	992,199
Real Estate Recovery			30,000 SR	30,000
Real Estate Education			80,880 SR	80,880
Real Estate Appraiser			96,207 SR	96,207
Appraiser Education			34,000 SR	34,000
TOTALS	0	0	1,233,286	1,233,286

AUTHORIZED EMPLOYEES	
Full Time	4
Part Time	0
TOTAL	4

Section 019. Professional Teaching Stds Board

PROGRAM				
Prof Teaching Stds Board			1,250,418 SR	1,250,418
TOTALS	0	0	1,250,418	1,250,418

AUTHORIZED EMPLOYEES	
Full Time	6
Part Time	0
TOTAL	6

Section 022. Respiratory Care Practitioners Board

PROGRAM				
Administration			63,493 SR	63,493
TOTALS	0	0	63,493	63,493

AUTHORIZED EMPLOYEES	
Full Time	0
Part Time	0
TOTAL	0

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 028. Bd of Registration In Podiatry				
PROGRAM				
Administration			26,542 SR	26,542
TOTALS	0	0	26,542	26,542

AUTHORIZED EMPLOYEES	
Full Time	0
Part Time	0
TOTAL	0

Section 030. Board of Chiropractic Examiners

PROGRAM				
Administration			67,076 SR	67,076
TOTALS	0	0	67,076	67,076

AUTHORIZED EMPLOYEES	
Full Time	0
Part Time	0
TOTAL	0

Section 031. Collection Agency Board

PROGRAM				
Administration			91,732 SR	91,732
TOTALS	0	0	91,732	91,732

AUTHORIZED EMPLOYEES	
Full Time	0
Part Time	0
TOTAL	0

Section 033. Board of Cosmetology

PROGRAM				
Administration			542,294 SR	542,294
TOTALS	0	0	542,294	542,294

AUTHORIZED EMPLOYEES	
Full Time	1
Part Time	2
TOTAL	3

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 034. Board of Dental Examiners				
PROGRAM				
Administration			300,050 SR	300,050
TOTALS	0	0	300,050	300,050

AUTHORIZED EMPLOYEES
 Full Time 0
 Part Time 0
 TOTAL 0

Section 035. Board of Embalmers

PROGRAM				
Administration			48,602 SR	48,602
TOTALS	0	0	48,602	48,602

AUTHORIZED EMPLOYEES
 Full Time 0
 Part Time 0
 TOTAL 0

Section 038. Pari-Mutuel Commission

PROGRAM				
Administration			996,640 SR	996,640
Wyoming Breeders Award Fund			80,000 SR	80,000
TOTALS	0	0	1,076,640	1,076,640

AUTHORIZED EMPLOYEES
 Full Time 3
 Part Time 2
 TOTAL 5

Section 052. Medical Licensing Board

PROGRAM				
Administration			1,516,929 SR	1,516,929
TOTALS	0	0	1,516,929	1,516,929

AUTHORIZED EMPLOYEES
 Full Time 3
 Part Time 0
 TOTAL 3

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 054. Board of Nursing				
PROGRAM				
Administration & School Accred			1,586,921 SR	
			45,000 AG	1,631,921
Nurse Aides			640,597 SR	
			95,000 AG	735,597
TOTALS	0	0	2,367,518	2,367,518

AUTHORIZED EMPLOYEES
 Full Time 8
 Part Time 0
 TOTAL 8

Section 056. Board of Optometry

PROGRAM				
Administration			103,334 SR	103,334
TOTALS	0	0	103,334	103,334

AUTHORIZED EMPLOYEES
 Full Time 0
 Part Time 0
 TOTAL 0

Section 058. Board of Speech Pathologists & Audiologists

PROGRAM				
Administration			44,751 SR	44,751
TOTALS	0	0	44,751	44,751

AUTHORIZED EMPLOYEES
 Full Time 0
 Part Time 0
 TOTAL 0

Section 059. Board of Pharmacy

PROGRAM				
Licensing Board			1,328,221 SR	1,328,221
TOTALS	0	0	1,328,221	1,328,221

AUTHORIZED EMPLOYEES
 Full Time 6
 Part Time 0
 TOTAL 6

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 061. Wyoming Board of CPA'S				
PROGRAM				
Administration			669,312 SR	669,312
TOTALS	0	0	669,312	669,312

AUTHORIZED EMPLOYEES
 Full Time 2
 Part Time 0
 TOTAL 2

Section 062. Board of Physical Therapy

PROGRAM				
Administration			121,984 SR	121,984
TOTALS	0	0	121,984	121,984

AUTHORIZED EMPLOYEES
 Full Time 0
 Part Time 0
 TOTAL 0

Section 064. Board of Hearing Aid Specialist

PROGRAM				
Administration			31,819 SR	31,819
TOTALS	0	0	31,819	31,819

AUTHORIZED EMPLOYEES
 Full Time 0
 Part Time 0
 TOTAL 0

Section 068. Bd of Psychologist Examiners

PROGRAM				
Administration			125,214 SR	125,214
TOTALS	0	0	125,214	125,214

AUTHORIZED EMPLOYEES
 Full Time 0
 Part Time 0
 TOTAL 0

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 075. Board of Outfitters				
PROGRAM				
Administration			866,375 SR	866,375
TOTALS	0	0	866,375	866,375

AUTHORIZED EMPLOYEES	
Full Time	4
Part Time	0
TOTAL	4

Section 078. Mental Health Professions Licensing Board

PROGRAM				
Administration			267,999 SR	267,999
TOTALS	0	0	267,999	267,999

AUTHORIZED EMPLOYEES	
Full Time	0
Part Time	0
TOTAL	0

Section 079. Board of Nursing Home Administrators

PROGRAM				
Administration			45,630 SR	45,630
TOTALS	0	0	45,630	45,630

AUTHORIZED EMPLOYEES	
Full Time	0
Part Time	1
TOTAL	1

Section 083. Board of Occupational Therapy

PROGRAM				
Administration			83,015 SR	83,015
TOTALS	0	0	83,015	83,015

AUTHORIZED EMPLOYEES	
Full Time	0
Part Time	1
TOTAL	1

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 084. Board of Professional Geologists				
PROGRAM				
Administration			379,187 SR	379,187
TOTALS	0	0	379,187	379,187
AUTHORIZED EMPLOYEES				
Full Time				1
Part Time				1
TOTAL				2
 Section 251. Veterinary Medicine				
PROGRAM				
Administration			123,505 SR	123,505
TOTALS	0	0	123,505	123,505
AUTHORIZED EMPLOYEES				
Full Time				0
Part Time				0
TOTAL				0

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[CAPITAL CONSTRUCTION]

Section 3. 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. 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.

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Section 006. Administration & Information				
PROGRAM				
A&I - Const Mngmt Contingency	3,210,764			3,210,764
A&I-Cap Complex Constr Acct 2.	10,000,000			10,000,000
A&I-Lab Lvl III Desgn/Study 1.	5,600,000			5,600,000
A&I-Lab Construction Acct	10,000,000			10,000,000
Mil Dept - Airfield Upgrade	9,000,000			9,000,000
Mil Dept - Maint Factly Design		381,000		381,000
Ag - State Fair Cap Con	250,000		425,000 AG	675,000
Aty Gen-WLEA Small Arms Storage	128,132			128,132
DEQ - Training School Addition	669,910			669,910
State Parks - Health & Safety			3,000,000 EF	3,000,000
State Parks - Water Facilities			1,880,000 SR	1,880,000
State Parks - Fac Deficiencies	2,400,000			2,400,000
State Parks-Rd Deficiencies 3.	3,700,000			3,700,000
State Parks - Terr Prison			110,000 SR	110,000
G & F Cheyenne Headquarters	14,521,322			14,521,322
Tourism-Welcome Center Site	652,468			652,468
DOC Relocate Modular 3	250,000			250,000
DOC Wayne Martinez Trng Center	289,000			289,000
TOTALS	<u>60,671,596</u>	<u>381,000</u>	<u>5,415,000</u>	<u>66,467,596</u>

1. The University of Wyoming may submit a request to the state building commission to participate in the level III planning of a lab facility to be jointly operated by state agencies and the university.

2. If 2008 Senate File 87 is enacted into law, then this ten million dollar (\$10,000,000.00) general fund appropriation to the capitol complex construction account shall be transferred on July 1, 2008 to the capitol building rehabilitation and restoration account created by 2008 Senate File 87.

3. This general fund appropriation is effective immediately.

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Section 027. School Facilities Commission				
PROGRAM				
School Capital Construction				
1., 2., 3.			271,043,909 S5	
			86,356,900 S6	357,400,809
TOTALS			357,400,809	357,400,809

1. Of this S5 other fund appropriation, twenty million dollars (\$20,000,000.00) is effective immediately.

2. (a) For the period beginning July 1, 2008 and ending June 30, 2010, the state treasurer shall transfer from the school capital construction account those federal coal lease bonus revenues deposited into the school capital construction account pursuant to W.S. 9-4-601(b) occurring from federal coal lease bonus sales made after March 1, 2007 as follows:

(i) Fifty million dollars (\$50,000,000.00) to the Hathaway student scholarship fund created by W.S. 9-4-204(u)(vii);

(ii) After amounts are deposited to the appropriate fund under paragraph (i) of this footnote, any remaining funds shall be deposited into the school foundation program account. Transfers under this footnote into the school foundation program account shall not exceed two hundred twenty-one million forty-three thousand nine hundred nine dollars (\$221,043,909.00).

3. The school facilities commission shall report annually to the joint appropriations interim committee on the effectiveness and savings achieved from the value engineering process on all school construction projects.

Section 057. Community College Commission 1.

PROGRAM				
CWC-72 Bed Housing Facility			8,118,000 PR	8,118,000
LCCC-Res Hall/Dining Fac/Kitchen			23,490,000 PR	23,490,000
NWCC-Simpson Hall Addition			5,546,000 PR	5,546,000
NWCCD Gillette College-Residence Hall			10,455,699 PR	10,455,699
WWCC-Residence Hall			8,869,000 PR	8,869,000
WWCC-Residence Hall			13,250,000 PR	13,250,000
NWCCD Sheridan College-Residence Hall			10,057,000 PR	10,057,000
TOTALS			79,785,699	79,785,699

1. No funds appropriated for major maintenance for community colleges and distributed to the colleges by the commission through the state aid block grant shall be expended for major maintenance on the projects authorized in this section.

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Section 067. University of Wyoming				
PROGRAM				
Cap Con - College of Business	54,227,976			54,227,976
Classroom & Lab Renovations 1.	3,000,000			3,000,000
Fine & Performing Arts	650,000			650,000
Central Energy Plant - Utility Systems	450,000			450,000
TOTALS	58,327,976	0	0	58,327,976

1. This appropriation shall only be expended to match private donations for academic facilities as provided in Section 319 of this act.

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[BUDGET BALANCERS - TRANSFERS]

Section 300.

(a) There is appropriated an amount not to exceed one billion three hundred seventy million four hundred forty-five thousand nine hundred sixty dollars (\$1,370,445,960.00) from the budget reserve account to the general fund. The state auditor shall transfer funds under this subsection as necessary to maintain a positive unappropriated general fund balance.

(b) There is appropriated from the budget reserve account the following:

(i) Ten million dollars (\$10,000,000.00) to water development account II;

(ii) Twenty-four million five hundred thousand (\$24,500,000.00) to water development account III;

(iii) Twenty-seven million six hundred seventy-three thousand eight hundred forty-one dollars (\$27,673,841.00) to the legislative stabilization reserve account.

(c) The appropriations contained in paragraphs (b)(i) and (ii) of this section shall only be transferred as funds become available in the budget reserve account as determined by the state auditor but not later than June 30, 2010. The appropriation to the legislative stabilization reserve account in paragraph (b)(iii) of this subsection shall not be transferred until after the state auditor has determined that there will be sufficient funds within the budget reserve account to fulfill all appropriations and transfers from the general fund and the budget reserve account under this act and any other legislation enacted into law in the 2008 budget session. If necessary the state auditor shall reduce the amount of the appropriation to the legislative stabilization reserve account under paragraph (b)(iii) of this section by an amount necessary to maintain a positive unappropriated budget reserve account balance. Any amount of unappropriated funds remaining in the budget reserve account on June 30, 2010 in excess of one hundred four million eight hundred eighty thousand dollars (\$104,880,000.00) shall be transferred to the legislative stabilization reserve account.

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[FUND BALANCE - DEFINITION]

Section 301.

(a) For the period beginning July 1, 2008 and ending June 30, 2010 and for purposes of this act and any other provision of Wyoming law referencing a "fund balance" and notwithstanding cash or fund balances reflected in the state of Wyoming's Comprehensive Annual Financial Report (CAFR), "unappropriated fund balance" or "unobligated, unencumbered fund balance" means:

(i) The fund cash and petty cash balance from the comparative balance sheet by fund report which is run within five (5) business days following the thirteenth month close;

(ii) Less the fund balance reserved encumbrances from the comparative balance sheet by fund report which is run within five (5) days following the thirteenth month close;

(iii) Less the remaining unspent appropriations from that fund for previous biennia, including those unspent appropriations from the most recent legislative session that were effective immediately, as computed by the state auditor's office;

(iv) Less fund reversions as computed by the state auditor's office;

(v) Plus the net accounts receivable due from the federal government or other entities as of June 30 from the most recently completed fiscal year, as computed by the state auditor's office;

(vi) Plus mineral severance taxes, if any, to be distributed to the fund that have been earned in the most recently completed fiscal year but have not yet been distributed, as determined by the department of revenue;

(vii) Plus sales and use taxes, if any, to be distributed to the fund that have been earned in the most recently completed fiscal year but have not yet been distributed, as determined by the department of revenue;

(viii) Plus federal mineral royalties, if any, to be distributed to the fund that have been earned in the most recently completed fiscal year but have not yet been distributed, as determined by the state treasurer's office.

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[MEDICAID CONTINGENCY APPROPRIATIONS]

Section 302.

(a) There is appropriated from the budget reserve account to the state auditor twenty million dollars (\$20,000,000.00) for the purpose of providing a reserve for the state's share of all Medicaid programs. This appropriation shall only be expended after further action reappropriating these funds by the legislature, and only if the governor determines no other sources of funds are available. These funds shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation on June 30, 2010 shall revert according to law.

(b) There is appropriated from the budget reserve account to the state auditor four million two hundred thousand dollars (\$4,200,000.00) for the purpose of purchasing pandemic flu vaccines and antiviral medications. This appropriation shall only be expended upon determination by the governor that the department of health has insufficient funds available. These funds shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation on June 30, 2010 shall revert according to law.

(c) 2006 Wyoming Session Laws, Chapter 35, Section 302 as amended by 2007 Wyoming Session Laws, Chapter 136, Section 4, Section 302 is repealed.

(d) This section is effective immediately.

[EMPLOYEE BENEFITS]

Section 303.

(a) The state's contribution to the state health insurance plans under W.S. 9-3-210 for each qualifying executive, judicial and legislative branch employee including employees of the University of Wyoming and the community colleges shall be paid from amounts appropriated in agency budgets in the following amounts for the specified time periods:

(i) For the period beginning December 1, 2008 and ending November 30, 2009 an amount to be determined by the employees' group insurance section of the department of administration and information but not to exceed:

(A) Five hundred sixty-one dollars and eighty cents (\$561.80) per month for an employee electing single coverage;

(B) One thousand one hundred twelve dollars and seventy-

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nine cents (\$1,112.79) per month for an employee electing employee plus one (1) dependent coverage; and

(C) One thousand two hundred seventy-one dollars and seventy-six cents (\$1,271.76) per month for an employee electing family coverage.

(ii) For the period beginning December 1, 2009 and ending November 30, 2010 an amount to be determined by the employees' group health insurance section of the department of administration and information but not to exceed:

(A) Six hundred fifty-two dollars and twenty-nine cents (\$652.29) per month for an employee electing single coverage;

(B) One thousand two hundred ninety-four dollars and sixteen cents (\$1,294.16) per month for an employee electing employee plus one (1) dependent coverage; and

(C) One thousand four hundred seventy-nine dollars and fifty-four cents (\$1,479.54) per month for an employee electing family coverage.

(b) Notwithstanding W.S. 9-2-1022(c)(v), and for the period commencing July 1, 2008 and ending June 30, 2010, longevity pay increases shall be paid at a rate of forty dollars (\$40.00) per month for each five (5) years of service to all qualified state employees.

(c) Notwithstanding W.S. 9-2-1008, 9-2-1012(e) and 9-4-207(a) unobligated unexpended monies appropriated from the general fund to the state auditor in 2007 Wyoming Session Laws, Chapter 136, Section 303 for purposes of employee salaries and benefits, shall not revert on June 30, 2008 and are hereby appropriated for the period beginning July 1, 2008 and ending June 30, 2010 to the state auditor to be distributed to executive branch agencies, excluding the University of Wyoming and the community colleges as follows:

(i) For salary adjustments for market inequities as determined by the human resources division of the department of administration and information;

(ii) To provide a compensation pool to be distributed to agencies after approval of the human resources division and the budget division of the department of administration and information for positions that are determined to be in such demand the agency does not have adequate funds to attract and retain qualified employees;

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(iii) To address existing market inequities as determined by the human resources division of the department of administration and information for "X" band employees including at-will attorney positions;

(iv) This subsection is effective immediately.

(d) There is appropriated six million seven hundred thousand dollars (\$6,700,000.00) from the general fund to the state auditor for the period beginning July 1, 2008 and ending June 30, 2010 to be expended only for health insurance benefits for executive, legislative and judicial branch agency retirees, including retirees of the University of Wyoming and the community colleges, who participate in the state employees' and officials' group health insurance plan. Payments to the plan on behalf of eligible retirees shall be made monthly at the rate of eleven dollars and fifty cents (\$11.50) per year of service up to a maximum of thirty (30) years of service for those retirees who are not Medicare eligible, and at the rate of five dollars and seventy-five cents (\$5.75) per year of service up to a maximum of thirty (30) years of service for those retirees who are Medicare eligible.

(e) The retiree health insurance benefits account is created. All state agencies, including the University of Wyoming, the community colleges and the judicial branch shall pay into the account each pay period an amount equal to one percent (1%) of each employee's salary. The funds shall remain in the account until appropriated by the legislature for retiree health insurance benefits in an amount and in a manner to be determined by the legislature. All investment income earned on the account shall remain in the account.

(f) No general fund appropriation in this section shall be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from any such appropriation on June 30, 2010 shall revert pursuant to law.

(g) Provided adequate funds are available, employees whose benefits are paid from nongeneral fund sources shall receive the same benefits as provided in this section and the necessary amounts are hereby appropriated from those accounts and funds.

[WYOMING PIPELINE AUTHORITY - BUDGET AUTHORIZATION]

Section 304.

The state treasurer is authorized to loan from the general fund to the Wyoming natural gas pipeline authority, one million four hundred thirty-seven thousand nine hundred ninety-two dollars (\$1,437,992.00) for operating expenses of the authority, including expenses for staff hired by the

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authority. Monies loaned to the authority under this section shall be repaid, with interest at an annual rate set by the state loan and investment board of not more than four percent (4%), to the general fund at such time and manner as the authority determines it has sufficient revenues to repay the monies after operating expenses are met, but the funds shall be repaid in any event not later than June 30, 2014. A loan agreement shall be prepared and approved by the attorney general before distribution of loan proceeds.

[WYOMING INFRASTRUCTURE AUTHORITY - BUDGET AUTHORIZATION]

Section 305.

The state treasurer is authorized to loan from the general fund to the Wyoming infrastructure authority, one million seven hundred eight thousand five hundred sixty-five dollars (\$1,708,565.00) for operating expenses of the authority, including expenses for staff hired by the authority. Monies loaned to the authority under this section shall be repaid, with interest at an annual rate set by the state loan and investment board of not more than four percent (4%), to the general fund at such time and manner as the authority determines it has sufficient revenues to repay the monies after operating expenses are met, but the funds shall be repaid in any event not later than June 30, 2018. A loan agreement shall be prepared and approved by the attorney general before distribution of loan proceeds.

[FIRE PREVENTION - COLLECTION OF FEES]

Section 306.

Notwithstanding W.S. 35-9-108(e), for the period beginning July 1, 2008 and ending June 30, 2010, the state department of fire prevention and electrical safety is hereby authorized to charge fees not in excess of fees authorized under W.S. 35-9-108(d) to any entity for which it performs any plan inspection or review.

[FLEX - EXECUTIVE]

Section 307.

(a) Notwithstanding W.S. 9-2-1005(a) and (c), the governor is authorized to transfer:

(i) Between programs within any executive branch agency, excluding the University of Wyoming, ten percent (10%) of the total appropriation for the agency;

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(ii) Between executive branch agencies, excluding the University of Wyoming, five percent (5%) of the total appropriation for the agency from which the funds are transferred.

(b) All transfers authorized under this section shall be approved by the governor and reported to the joint appropriations interim committee through the B-11 process.

(c) The authority granted under this section is effective for the period beginning July 1, 2008 and ending June 30, 2010.

(d) Any provision of this act or any other legislation enacted which specifies that an appropriation shall not be transferred or expended for any other purpose, or containing language of like effect, shall prevail over this section and no such funds so appropriated shall be subject to subsection (a) of this section.

[FLEX - JUDICIARY]

Section 308.

(a) Except as otherwise provided in this section, the supreme court may transfer up to five percent (5%) of the total general fund appropriation between programs within the supreme court. With the approval of the district court budget committee up to five percent (5%) of the general fund appropriation to each district court may be transferred to one (1) or more other district courts. Authority pursuant to this section shall be effective for the period commencing July 1, 2008 and ending June 30, 2010. Any transfers pursuant to this section shall be reported annually to the joint appropriations interim committee. The report shall specify the appropriations and authorized positions transferred including transfers between expenditure series, programs and courts.

(b) Any provision of this act or any other legislation enacted which specifies that an appropriation shall not be transferred or expended for any other purpose, or containing language of like effect, shall prevail over this section and no such funds so appropriated shall be subject to subsection (a) of this section.

[POSITION FREEZE]

Section 309.

No legislative appropriations of general fund monies shall be used to hire new employees from July 1, 2008, through June 30, 2010, except to fill a vacancy within the authorized number of positions as indicated by the agency's appropriation act or otherwise specified by legislation enacted in the 2008

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budget session or the 2009 general session. The governor may authorize additional positions in any agency, even if in excess of the positions authorized by the legislature, provided that at least an identical number of vacant positions existing in other agencies are terminated. The additional positions shall be funded using money authorized for the vacant positions.

[BORROWING AUTHORITY - CASH FLOW]

Section 310.

(a) The state auditor is authorized to borrow from pooled fund investments in the treasurer's office amounts necessary to assist the state's general fund cash flow. The amounts borrowed shall be repaid when sufficient general fund revenue is available. The auditor shall borrow funds under this section only to assist the month-to-month cash flow of the general fund and shall not borrow funds under this section when total appropriations together with outstanding encumbrances and obligations for the biennium exceed projected revenues, including transfers from the budget reserve account as authorized by the legislature, for the biennium.

(b) The state auditor is authorized to borrow from pooled fund investments in the state treasurer's office an amount not to exceed one hundred million dollars (\$100,000,000.00), if necessary, for the purpose of assisting the department of transportation's cash flow. The amounts borrowed shall be repaid when sufficient revenue is available. Interest on the unpaid balance shall be the average interest rate earned on pooled fund investments in the previous fiscal year.

[BUDGET REDUCTION AUTHORITY - REVENUE SHORTFALL]

Section 311.

The governor shall review all agency budgets and expenditures every six (6) months. If the governor determines during the review that the probable receipts for the next six (6) month period from taxes or other sources of revenue for any fund or account will be less than were anticipated, and if the governor determines that these receipts plus existing revenues in the fund or account, which are available for the next six (6) month period will be less than the amount appropriated, the governor, within sixty (60) days after reviewing the budget, shall give notice to the state agencies concerned and reduce the amount appropriated to prevent a deficit.

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[MAJOR MAINTENANCE FUNDING PROCESS FOR
STATE FACILITIES, UNIVERSITY AND COMMUNITY COLLEGES]

Section 312.

(a) For the biennium beginning July 1, 2008, there is appropriated from the general fund for major building and facility repair and replacement to the entities and in the amounts specified as provided in this subsection. The formula amount is based on a formula similar to that used for determining major maintenance payments to the public schools, but in amounts to maintain the facilities in a fair condition:

(i) Formula amount	Funding level	Appropriation
\$54,824,623.00 times	100% =	\$54,824,623.00

(ii) The appropriation in paragraph (i) of this subsection shall be distributed as follows:

(A) 42.41% - To the department of administration and information for state facilities managed by the state building commission, state institutions and to fund projects contained within the five (5) year plan submitted by the department of state parks and cultural resources as approved by the state building commission;

(B) 35.95% - To the University of Wyoming for university facilities, excluding student housing, the student union and auxiliary services areas, the latter being those areas funded by university self-sustaining revenues;

(C) 21.64% - To the community college commission for community college district facilities.

(b) Notwithstanding W.S. 9-2-1008, 9-2-1012(e) and 9-4-207(a) appropriations made under subsection (a) of this section shall be separately accounted for by the recipient and shall not revert. Expenditures from these appropriations shall be restricted to expenses incurred for major building and facility repair and replacement as defined in paragraph (d)(i) of this section and as prescribed by rule and regulation of the state building commission.

(c) Not later than October 31, 2009, the general services division of the department of administration and information, the University of Wyoming and the community college commission shall report to the state building commission and the joint appropriations interim committee on the expenditures and commitments made from the appropriations under subsection (a) of this section.

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(d) As used in this section:

(i) "Major building and facility repair and replacement" means the repair or replacement of complete or major portions of building and facility systems at irregular intervals which is required to continue the use of the building or facility at its original capacity for its original intended use, including for compliance with the Americans with Disabilities Act, and including installing fire suppression systems in residential facilities and is typically accomplished by contractors due to the personnel demand to accomplish the work in a timely manner, the level of sophistication of the work or the need for warranted work;

(ii) "Routine maintenance and repair" means activities necessary to keep a building or facility in safe and good working order so that it may be used at its original or designed capacity for its originally intended purposes, including janitorial, groundskeeping and maintenance tasks done on a routine basis and typically accomplished by state, university or community college personnel with exceptions for any routine tasks accomplished by contractors such as elevator or other specialized equipment or building system maintenance.

(e) Not later than September 1, 2009, the general services division of the department of administration and information shall submit to the state building commission a recommendation for funding for the biennium beginning July 1, 2010, for major building and facility repair and replacement for state institutions, for University of Wyoming facilities and for community college facilities. This recommendation shall be based on a formula adopted by the state building commission, which shall be based on the following:

(i) The gross square footage of buildings and facilities for each category of buildings for state facilities, university facilities, and community college facilities, not to exceed seven (7) building categories for each entity, excluding student housing, the student union and auxiliary services areas funded exclusively through university or community college generated revenues;

(ii) A multiplier to maintain facilities in fair condition based on criteria from organizations with expertise in this area, such as the National Association of College and University Business Officials;

(iii) The gross square footage of buildings and the other components of the formula shall otherwise be computed in the same manner as for major maintenance for school facilities under W.S. 21-15-109, including using the most current edition of the R.S. Means construction cost index, as

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modified to reflect current Wyoming construction costs determined by the department of administration and information, division of economic analysis to calculate replacement cost.

[SUPREME COURT/DISTRICT COURT BUDGETS]

Section 313.

The supreme court and all district courts shall submit 2009-2010 supplemental budget requests to the legislature no later than November 1, 2008, and 2011-2012 biennial budget requests to the legislature no later than November 1, 2009. The supreme court and district courts shall prepare all 100 series personal services budget requests using the same methods and practices as the executive branch.

[RETIREMENT STUDY]

Section 314.

(a) There is appropriated one hundred thousand dollars (\$100,000.00) or as much thereof as necessary from the general fund to the state auditor for an independent review of the principles the retirement board has adopted with respect to the methods used in recognizing gains and losses as well as actuarial liabilities and assets. The state auditor shall prepare a request-for-proposal and provide copies to the joint appropriations interim committee prior to release of the proposal. The study shall provide an analysis of the following:

(i) Investment policies with respect to the actuarial soundness of the plan with current employer and employee contributions;

(ii) Investment policies with respect to the ability of the plan to provide cost-of-living adjustments;

(iii) Appropriateness of the structure of the board;

(iv) Investment policies with respect to the actuarial requirements of the plan;

(v) The assumptions used to determine actuarial soundness of the plan.

(b) The state auditor shall provide results of the report to the joint appropriations interim committee not later than December 1, 2008.

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[COMPUTER LEASING - REVIEW BY CIO]

Section 315.

No appropriation for computer hardware or software leasing contained in this act shall be expended for leases beginning on or after July 1, 2008 until the chief information officer has completed an analysis of the benefits/costs of leasing versus purchase and made a recommendation to the governor and the joint appropriations interim committee. No appropriations for computer leases contained in this act shall be contained in any agency's 2011-2012 standard budget request.

[GUARDIAN AD LITEM PROGRAM TRANSFER]

Section 316.

(a) The administration of the guardian ad litem program established pursuant to 2005 Wyoming Session Laws, Chapter 237 is transferred from the Wyoming Supreme Court to the office of the public defender for the period commencing July 1, 2008 and ending June 30, 2010. The program shall reimburse attorneys providing legal representation as guardians ad litem in child protection cases under W.S. 14-3-101 through 14-3-440, children in need of supervision cases under W.S. 14-6-401 through 14-6-440, or termination of parental rights actions brought as a result of a child protection or children in need of supervision action. The office shall adopt policies and rules and regulations governing standards for the legal representation by attorneys as guardians ad litem in child protection or children in need of supervision cases and for the training of those attorneys. Any attorney who seeks reimbursement from the appropriation under this section for legal representation of a child as a guardian ad litem shall meet the standards for guardians ad litem established by the office. Notwithstanding any other provision of this section, an attorney appointed to serve only as a guardian ad litem in a case in which a child has been charged with the commission of a delinquent act may, subject to rules adopted by the office, be eligible for reimbursement under this section. The rules shall include a method for legal representation for juveniles based upon a system which mandates a negotiated contract between the office and each service provider for services on an hourly basis, a per case basis or by a time limited contract. The office shall adopt standards for attorneys that will ensure their advice remains independent of private providers and that their recommendations consider cost impacts and savings to the state of Wyoming. The office shall:

(i) Enter into agreements with the individual counties of the state participating in the program to provide reimbursement for the legal

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representation of children by attorneys as guardians ad litem in child protection or children in need of supervision cases;

(ii) Provide necessary administrative support for the reimbursement program.

(b) No state money appropriated under this section shall be expended in any county unless the county agrees to match, at a minimum, twenty-five percent (25%) of the state money for the reimbursement of legal representation of children by attorneys in child protection or children in need of supervision cases. The office and the individual county shall establish the reimbursement rate within the county for attorneys providing legal representation as guardians ad litem in child protection and children in need of supervision cases.

(c) One (1) full-time equivalent position is transferred from the supreme court to the office of the public defender to assist in the administration of the reimbursement program authorized by this section. The salary and benefits of the position and all equipment necessary to implement the program shall be provided from the appropriation in this section.

(d) The validity of contracts, agreements and other obligations of the state under the program previously administered by the supreme court shall not be affected by this section. The office of the public defender may adopt policies, rules and regulations under this section upon the effective date of this subsection. This subsection is effective immediately.

(e) For the fiscal period beginning July 1, 2008 and ending June 30, 2010, there is appropriated from the general fund to the office of the public defender four million two hundred thousand dollars (\$4,200,000.00). This appropriation shall only be expended for the purpose of the program transferred under this section. Notwithstanding any other provision of law, this appropriation shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation shall revert as provided by law on June 30, 2010. A request for this appropriation shall be included in the office of the public defender's 2011-2012 standard biennial budget request.

(f) The office of the public defender shall report on or before November 1, 2008 and November 1, 2009 to the joint judiciary interim committee and the joint appropriations interim committee on the results of the program transferred by this section including the number of cases and the amount of monies expended for reimbursements and the amounts of matching monies from participating counties.

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(g) Any unexpended unobligated funds appropriated to the supreme court for the period beginning July 1, 2006 and ending June 30, 2008 for the guardian ad litem program shall revert pursuant to law and shall not be transferred or used for any other purpose.

(h) 2005 Wyoming Session Laws, Chapter 237 is repealed.

(j) Except as provided in subsection (d) of this section, this section is effective July 1, 2008.

[CARRYOVER APPROPRIATIONS]

Section 317.

[CARRYOVER OF COLORECTAL CANCER FUNDS]

(a) Notwithstanding W.S. 9-2-1008, 9-2-1012(e) and 9-4-207(a) any unexpended unobligated monies appropriated from the general fund to the department of health in 2006 Wyoming Session Laws, Chapter 35, Section 2, Section 048 as amended by 2007 Wyoming Session Laws, Chapter 136, Section 2, Section 048 for the colorectal cancer program shall not revert on June 30, 2008, and are hereby appropriated to the department of health for the colorectal cancer program for the period beginning July 1, 2008 and ending June 30, 2010.

[CARRYOVER OF SCHOOL INFRASTRUCTURE APPROPRIATION]

(b) Notwithstanding W.S. 9-2-1008, 9-2-1012(e) and 9-4-207(a) any unexpended unobligated monies appropriated from the school foundation program account and from the school capital construction account to the school facilities commission in 2007 Wyoming Session Laws, Chapter 136, Section 3, Section 027, Footnote 7 for purposes of school infrastructure, shall not revert on June 30, 2008, and are hereby appropriated and shall be expended for the purpose of funding school infrastructure under Section 2, Section 027, Footnote 1 of this act for the period beginning July 1, 2008 and ending June 30, 2010.

[CARRYOVER OF UNIVERSITY OF WYOMING SCHOOL OF ENERGY RESOURCES]

(c) Notwithstanding W.S. 9-2-1008, 9-2-1012(e) and 9-4-207(a) an amount not to exceed two million twenty thousand one hundred seventy-seven dollars (\$2,020,177.00) of unexpended, unobligated monies appropriated from the general fund to the University of Wyoming in 2006 Wyoming Session Laws, Chapter 69, Section 2 for the school of energy resources shall not revert on June 30, 2008, and are hereby appropriated to the University of Wyoming for the school of energy resources for the period beginning July 1, 2008 and ending June 30, 2010. This appropriation shall only be expended for the

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purposes specified in 2006 Wyoming Session Laws, Chapter 69, Section 2. Notwithstanding any other provision of law, this appropriation shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation shall revert as provided by law on June 30, 2010.

(d) This section is effective immediately.

[COMMUNITY COLLEGES - ENDOWMENTS]

Section 318.

There is appropriated four million dollars (\$4,000,000.00) from the general fund to the state treasurer for deposit into the community college endowment challenge fund established under W.S. 21-16-1103. This appropriation shall be deposited in equal amounts to the challenge fund account of each community college receiving total distributions from their account under W.S. 21-16-1104 of at least six million five hundred thousand dollars (\$6,500,000.00) before July 1, 2008. These funds shall be expended as prescribed under W.S. 21-16-1101 through 21-16-1104. Notwithstanding W.S. 9-2-1008, 9-2-1012(e) and 9-4-207(a), unexpended unobligated funds shall not lapse as of June 30, 2010, but shall revert on June 30, 2012.

[UNIVERSITY OF WYOMING - CAPITAL CONSTRUCTION AMENDMENTS]

Section 319.

(a) 2006 Wyoming Session Laws, Chapter 35, Section 3, Section 067 as amended by 2007 Wyoming Session Laws, Chapter 136, Section 3, Section 067 is amended to read:

3. (a) This general fund appropriation shall only be expended to provide the state match for the following projects in an amount not to exceed the amounts listed for each project:

Kendall House - IENR	\$750,000 <u>1,100,000</u>
Engineering Labs	\$2,000,000
Law School Moot Court	\$2,000,000 <u>2,250,000</u>
School of Energy Resources Facility	\$20,000,000
International Center	\$1,000,000 <u>1,750,000</u>
{Animal Science - Molecular	
Biology Addition	\$2,500,000
Interdisciplinary Learning Center	\$500,000
Other Engineering, Agriculture and	
College of Education Lab and	
Facilities	\$1,600,000 <u>6,250,000</u>
Natural History Center	\$10,000,000

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(b) The university shall create a sinking fund for the purposes of operation and maintenance of facilities resulting from new construction built as a result of this appropriation. Funding for this sinking fund shall be from university sources and shall be in an amount equal to fifteen percent (15%) of the cost of new construction resulting from this appropriation.

(b) This section is effective immediately.

[AML FUNDING]

Section 320.

(a) No application to the federal office of surface mining for grants from the state of Wyoming's share of abandoned mine land funds from the Surface Mining Control and Reclamation Act Amendments of 2006, Section 411(h)(i), pursuant to 2007 H.R. 6111, shall be made except as expressly authorized by the legislature. The legislature authorizes the department of environmental quality to submit grant applications to the federal office of surface mining for distribution of a portion of such funds for the period ending June 30, 2009, for the following projects:

(i) Twenty-nine million nine hundred ten thousand one hundred thirty-one dollars (\$29,910,131.00) for abandoned coal mine reclamation;

(ii) Eighty-nine thousand eight hundred sixty-nine dollars (\$89,869.00) for the operation of the subsidence insurance program;

(iii) One million two hundred twenty-three thousand eight hundred sixty-six dollars (\$1,223,866.00) for evaluation of potential carbon dioxide sequestration sites and activities related to the advancement of clean coal and carbon management activities;

(iv) Subject to subsection (c) of this section, ten million dollars (\$10,000,000.00) to Carbon county for county road and bridge construction necessitated by the proposed construction of a coal-to-liquids conversion facility;

(v) Seventeen million four hundred twenty thousand five hundred sixty-five dollars (\$17,420,565.00) for the University of Wyoming school of energy resources for the advancement of energy resources;

(vi) Twenty million dollars (\$20,000,000.00) for the University of Wyoming school of energy research, for the development, construction and operation of a high plains gasification facility and technology center;

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(vii) Three million eight hundred thousand dollars (\$3,800,000.00) for clean coal technology research to be expended pursuant to 2007 Wyoming Session Laws, Chapter 186, Section 2(f) as created in Section 325 of this act.

(b) Notwithstanding W.S. 35-11-1210, grant funds received for the projects authorized pursuant to subsection (a) of this section may, but are not required to be, deposited into the state abandoned mine land funds reserve account pursuant to W.S. 35-11-1210. All funds received from the authorized grants are appropriated to the department of environmental quality in the amounts specified in subsection (a) of this section to be expended for the purposes set forth.

(c) Grant funds received pursuant to the application authorized in paragraph (a)(iv) of this section to Carbon county for the relocation, bridge construction and improvement of roads in Carbon county to a coal-to-liquids facility shall not be expended until:

(i) The Wyoming industrial siting council has issued a siting permit for the facility;

(ii) The department of environmental quality has issued a prevention of significant deterioration air construction permit for the facility;

(iii) The Carbon county planning and zoning commission has issued a conditional use permit to allow the construction and operation of the facility;

(iv) The entity constructing the coal-to-liquids facility has provided written documentation to the attorney general that:

(A) Notice to proceed with construction of the facility has been issued under a binding contract with a construction contractor;

(B) Adequate debt and equity funding for construction of the facility has been obtained and that financial close for all such funding has been achieved.

(v) The attorney general has verified each of the requirements in this subsection and provided written notice of that verification to the governor and the joint appropriations interim committee;

(vi) The department of environmental quality has determined that the size or functions of the facility require road and bridge improvements to be made with grant funds.

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(d) All contracts entered into by the state of Wyoming necessary to implement subsection (c) of this section shall be reviewed and approved by the governor.

(e) Except for funds subject to subsection (c) of this section, funds appropriated under this section shall be for the period beginning with the effective date of this section and ending June 30, 2009. Notwithstanding W.S. 9-2-1008, 9-2-1012(e) and 9-4-207(a), any unexpended unobligated funds subject to subsection (c) of this section shall not revert until June 30, 2012.

(f) This section is effective immediately.

[DISTRIBUTION TO COMMON SCHOOL PERMANENT LAND FUND]

Section 321.

Any unobligated unencumbered funds remaining in the school foundation program account in excess of one hundred million dollars (\$100,000,000.00) on June 30, 2010 shall be transferred to the common school permanent land fund.

[ELECTED OFFICIALS-INCIDENTAL EXPENSES]

Section 322.

There is appropriated thirty thousand dollars (\$30,000.00) or as much thereof as necessary from the general fund to the state auditor for reimbursement of incidental expenses incurred by the five (5) state elected officials in the performance of their official duties. Reimbursement of expenditures incurred, not to exceed seven hundred fifty dollars (\$750.00) per official per calendar quarter, shall be made from this appropriation by warrants drawn by the state auditor, upon vouchers issued and signed by the elected official claiming reimbursement, under penalty of false swearing pursuant to W.S. 6-5-303. This appropriation shall be for expenses incurred during the period beginning July 1, 2008 and ending June 30, 2010. This appropriation shall only be expended for the purpose of this section. Notwithstanding any other provision of law, this appropriation shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation shall revert as provided by law on June 30, 2010. This appropriation shall be included in the state auditor's 2011-2012 standard biennial budget request.

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[NEPA REVIEW]

Section 323.

(a) The natural resource staff of the governor's office shall study the importance of federal land development, uses and decisions as they impact Wyoming's citizens and businesses throughout the state. The study shall include:

(i) A review and analysis of the communication, coordination and development involved in current federal agency resource management plans, forest plans and other federal land use plans and related environmental impact statements throughout the state with respect to their adequacy to address all issues, including but not limited to oil and natural gas production, coal mining, timber development, recreation, impacts to rural residences and subdivisions, surface and subsurface impacts, notice to landowners, opportunity for public input and impacts on the human environment, as required under the National Environmental Policy Act (NEPA) of 1969 as amended;

(ii) Addressing whether the process allowed state and local agencies to address whether the plans and environmental impact statements considered impacts to the human environment of the following as required in NEPA regulations:

(A) Oil, natural gas, mining, timber, agriculture, wildlife, municipal, recreation, tourism, social services, groundwater and water issues, soil surveys, the potential for secondary beneficial uses of produced water, state and local land use plans.

(iii) An analysis of whether the plans and environmental impact statements properly considered actions necessary to develop the state's resources, including oil, natural gas, mining, timber, agriculture, wildlife, municipal, recreation, tourism, social services, rural residential, aesthetics and roads.

(b) All state agencies, including the Wyoming department of environmental quality, the Wyoming water development commission, the Wyoming oil and gas conservation commission, the Wyoming game and fish department, the Wyoming department of agriculture, the office of state lands and investments and the state engineer shall cooperate with and assist the governor's natural resource staff as requested in performing the duties required under this section.

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(c) The governor's natural resource staff may consult and coordinate with county and local governmental entities and with local conservation districts as deemed necessary.

(d) The governor's natural resource staff shall report the results of the study to the joint minerals, business and economic development interim committee by September 1, 2008. The report shall include any recommendations for statutory or rule changes to Wyoming's natural resource policy account as well as recommendations for protocols or procedures for reviewing resource plans and environmental impact statements in the future.

(e) There is appropriated twenty thousand dollars (\$20,000.00) from the natural resource policy account to the governor's office. This appropriation shall be for the period beginning with the effective date of this section and ending June 30, 2009. This appropriation shall only be expended for the purpose of this section. Notwithstanding any other provision of law, this appropriation shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation shall revert as provided by law on June 30, 2009. This appropriation shall not be included in the governor's 2011-2012 standard biennial budget request.

[ATHLETICS BRIDGE LOAN]

Section 324.

(a) The purpose of this section is to authorize the university to receive a bridge loan from the corpus of the University of Wyoming permanent land fund account for the purpose of proceeding with construction of the remainder of the previous legislatively approved athletics facilities plan. The state treasurer shall invest funds in the University of Wyoming permanent land fund account in a bridge loan to the University of Wyoming which shall not exceed a total of four million three hundred thousand dollars (\$4,300,000.00) or the amount of binding commitments from donors which have been secured but not yet paid, whichever is less. The loan made under this section shall be repaid not later than December 31, 2011, and the unpaid balance of the loan shall bear interest at five and thirty-five hundredths percent (5.35%) annually.

(b) Transfers of loan funds by the state to the university under this section are subject to the following terms and conditions so that the university can complete its previously authorized athletics facilities plan by receiving an advance on donor commitments:

(i) Transfers shall be made only to the extent that binding commitments from donors for gifts that qualify for the athletics facilities matching program under W.S. 21-16-1001(a)(ii) have been made. The

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university shall provide documentation satisfactory to the state treasurer regarding binding commitments eligible for the transfer of funds;

(ii) Transfers made to the university under this section shall be deemed to be qualifying contributions for the purpose of the state match and the university's access to funds under the athletics facilities matching program, W.S. 21-16-1003;

(iii) When donors make payments toward their binding commitments under paragraph (i) of this subsection, those payments shall be immediately transferred to the state treasurer to repay accrued interest and then to reduce the outstanding balance of the loan funds transferred;

(iv) Not later than January 1, 2012, the university shall repay all loans made under this section and accrued interest. If the payments from donors are insufficient to repay the loan, the loan balance together with any state matching funds exceeding the paid qualifying contributions shall be fully repaid from nonstate revenues generated by the university's department of intercollegiate athletics. Repayment of the loan principal shall be deposited into the university permanent land fund account, and payments of interest shall be deposited in the university permanent land fund income account. Any repayment of unmatched state funds shall be deposited to the challenge account created by W.S. 21-16-1002(a).

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[CLEAN COAL TECHNOLOGY-APPROPRIATIONS]

Section 325.

(a) There is appropriated from the clean coal research account created by W.S. 39-14-802 one million eight hundred twenty-two thousand four hundred eighty-one dollars (\$1,822,481.00) that shall only be expended to fund the research projects which were recommended by the clean coal research task force to the joint minerals, business and economic development interim committee as provided under 2007 Wyoming Session Laws, Chapter 186, Section 2(c). None of the appropriation for a project shall be expended until the full matching amount specified for that project has been received by the university. The projects and dollar amounts are as follows:

Name of Proposal	Submitted By	Funding Request	Match	Outside Match Source	Total Funds	Technology Areas
Pre-Gasification Treatment of PRB Coals for Improved Advanced Clean Coal Gasifier Design	Western Research Institute	\$399,981	\$399,981	Department of Energy, National Energy Technology Lab	\$799,962	Pre-combustion/pre-gasification technologies
Capture & Mineralization of Carbon Dioxide from Coal Combustion Flue Gas Emissions: Pilot Scale Studies	University of Wyoming, Department of Renewable Resources	\$485,000	\$487,115	Jim Bridger Power Plant	\$972,115	Carbon capture and sequestration technologies
Carbon Capture from Coal Flue Gas on Carbonaceous Sorbents	Super-critical Fluids, Inc., Laramie, WY.	\$375,000	\$375,000	PacifiCorp Energy EPRI Super-critical Fluids, Inc.	\$750,000	Carbon capture and sequestration technologies
Novel Fixed-Bed Gasifier for Wyoming Coals	Emery Energy Company, Salt Lake City, UT.	\$562,500	\$562,549	Emery Energy Co. WRI	\$1,124,049	Combustion and gasification design technologies
Totals		\$1,822,481	\$1,824,645		\$3,647,126	

(b) 2007 Wyoming Session Laws, Chapter 186, Section 2(c), (e) and by creating a new subsection (f) and Section 3(b) are amended to read:

Section 2.

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(c) The task force shall issue a report to the governor and the joint minerals, business and economic development interim committee no later than September 30, ~~2007-2008 and 2009~~ including, but not limited to, recommendations regarding funding specific proposals for research into clean coal technologies in Wyoming.

(e) The task force shall exist until ~~September 30, 2009~~ June 30, 2010. Members of the task force who are not legislators shall not receive a salary but shall receive reimbursement for necessary travel and per diem expenses in the manner and amount provided for state employees under W.S. 9-3-102 and 9-3-103. Members of the task force who are legislators shall be paid salary, per diem and travel expenses as provided in W.S. 28-5-101 for their official duties as members of the task force.

(f) If paragraph (a)(vii) of section 320 of this act is enacted into law, the clean coal task force may award funding provided under that paragraph to proposals for clean coal after submitting the task force's recommendations to the joint minerals, business and economic development interim committee for review and comment.

Section 3.

(b) There is appropriated two million five hundred thousand dollars (\$2,500,000.00) from the general fund to a separate account for the purpose of clean coal technology research. Funds deposited in the account shall not be expended until a dollar for dollar match has been provided from nonstate funds, and only upon appropriation by the legislature. Notwithstanding W.S. 9-2-1008 or 9-4-207, unexpended funds shall revert on June 30, ~~2009-2010~~.

[REAUTHORIZATION OF WILDLIFE TRUST CHALLENGE ACCOUNT]

Section 326.

(a) The Wyoming wildlife trust challenge account created by 2006 Wyoming Session Laws, Chapter 35, Section 320 is continued. Any unexpended, unobligated monies appropriated from the general fund to the account by 2006 Wyoming Session Laws, Chapter 35, Section 320 shall not revert on June 30, 2008 and shall remain in the account for the purpose of providing a state match pursuant to subsections (c) through (e) of this section. Unexpended, unobligated monies in the account on June 30, 2010 shall revert as provided by law. The state treasurer shall invest monies within the account and shall deposit the earnings from investments to the general fund.

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(b) To the extent funds are available in the wildlife trust challenge account, the state treasurer shall match gifts actually received during the donation period provided in this subsection by the Wyoming wildlife and natural resource trust account board. A match shall be paid under this section by the state treasurer following any accumulated gift amounts actually received by the Wyoming wildlife and natural resource trust account board in a total of five thousand dollars (\$5,000.00) or more. The match shall be made by transferring from the wildlife trust challenge account to the Wyoming wildlife and natural resource trust account created by W.S. 9-15-103(a) an amount equal to the accumulated amount of the gift. The match applies to gifts received during the donation period commencing July 1, 2006 and ending June 30, 2010.

(c) The state treasurer shall make transfers to the Wyoming wildlife and natural resource trust account created by W.S. 9-15-103(a) not later than the end of the calendar quarter following the quarter during which gifts total at least five thousand dollars (\$5,000.00). If gifts are made through a series of payments or transfers, no matching funds shall be transferred under this section until the total value of all payments or transfers actually received totals at least five thousand dollars (\$5,000.00).

(d) Matching funds paid under this section shall not be distributed to or encumbered by the board in excess of the amount in the wildlife challenge account and shall not be transferred to the Wyoming wildlife and natural resource trust account by the state treasurer except to match gifts actually received by the board.

(e) For the purpose of computing the matching amount, the state treasurer shall use the value of a gift based upon its fair market value at the time the gift is received by the board. The board shall provide evidence of fair market value for any gift if requested by the state treasurer and shall fund the cost of providing any requested evidence.

(f) This section is effective immediately.

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[COMMUNITY COLLEGES - TASK FORCE PLANNING STUDY]

Section 327.

(a) There is created a community college planning task force to consist of the following:

(i) The chairman of the senate education committee and two (2) additional members of the senate appointed by the president of the senate, not more than one (1) of which shall be from the same political party. The chairman, or another senate member designated by the chairman, shall serve as cochairman of the task force;

(ii) The chairman of the house education committee and two (2) additional members of the house of representatives appointed by the speaker of the house, not more than one (1) of which shall be from the same political party. The chairman, or another house member designated by the chairman, shall serve as cochairman of the task force;

(iii) Nine (9) members appointed by the governor as follows:

(A) Two (2) representatives of community colleges to reflect academic and vocational missions of the colleges;

(B) One (1) member representing the department of workforce services;

(C) One (1) member representing the Wyoming travel, recreation and tourism industry;

(D) One (1) representative of the Wyoming oil and gas industry;

(E) One (1) representative of the Wyoming mining industry;

(F) One (1) representative of the small business community in Wyoming;

(G) One (1) representative of the Wyoming health care industry;

(H) One (1) representative of the public.

(b) The task force shall review and evaluate the existing community college system and in conjunction with the statewide college system

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strategic plan required under 2008 House Bill 0017, if enacted into law, develop recommendations to:

(i) Conduct a statewide study on the current capacity level of the college system based upon established student population projections and projected state academic and workforce needs and provide estimates on recommended future capacity needs;

(ii) Create a system which evaluates and prioritizes community college capital construction;

(iii) Identify options for funding of community college capital construction;

(iv) Allocate programming to meet the needs of students in the most cost effective manner;

(v) Address the needs of industry in the development of a trained and skilled workforce;

(vi) Restructure the governance of the community college system to provide for unified oversight and accountability;

(vii) Explore a statewide community college system in respect to governance, revenue generation and representation on the commission; and

(viii) Create a seamless educational system between K-12 to post secondary education.

(c) Appointments shall be in sufficient time to enable the first meeting of the task force to be held not later than May 1, 2008. Thereafter, task force meetings shall be scheduled upon the call of the cochairmen.

(d) The task force may retain consultants as necessary to fulfill its duties under this section and shall administer contracts for consultants to the legislature as approved by management council. The management council may expend funds appropriated under this section for contractual agreements between the council, on behalf of the task force, and professional consultants retained pursuant to this section. The legislative service office, with the assistance of the Wyoming community college commission, shall staff the task force and state agencies shall provide information to the task force as requested in order to fulfill its duties.

(e) Legislative members of the task force shall receive compensation, per diem and travel expenses in the manner and amount as prescribed by W.S. 28-5-101. Remaining task force members who are not state employees shall

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receive the per diem and mileage at the rate paid members of the Wyoming legislature under W.S. 28-5-101 for each day of actual task force meetings and travel to those meetings.

(f) The task force shall report its findings and recommendations to the joint appropriations interim committee and the joint education interim committee by November 1, 2008. The joint education interim committee shall forward any legislation necessary to implement task force recommendations in the 2009 legislative session.

(g) One hundred thirty-five thousand dollars (\$135,000.00) is appropriated from the general fund to the legislative service office for the period commencing on the effective date of this section and ending March 31, 2010, as necessary to fund the community college planning task force in carrying out its duties under this section.

(h) This section is effective immediately.

(j) This section is repealed March 31, 2010.

[LOCAL GOVERNMENT DISTRIBUTIONS-I]

Section 328.

(a) There is appropriated one hundred seventy million dollars (\$170,000,000.00) from the general fund to the office of state lands and investments to be allocated pursuant to the following and as further provided in this section:

(i) Forty-four million eight hundred twenty-six thousand six hundred sixty-seven dollars (\$44,826,667.00) for direct distribution to cities and towns;

(ii) Sixteen million nine hundred thirteen thousand three hundred thirty-three dollars (\$16,913,333.00) for direct distribution to counties;

(iii) Four million one hundred thirty thousand dollars (\$4,130,000.00) for revenue challenged cities and towns;

(iv) Four million one hundred thirty thousand dollars (\$4,130,000.00) for revenue challenged counties;

(v) One hundred million dollars (\$100,000,000.00) for county block distribution for capital projects.

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[CITY AND TOWN DIRECT DISTRIBUTION ALLOCATIONS]

(b) Funds appropriated in paragraph (a)(i) of this section are to be distributed to cities and towns in two (2) equal distributions on August 15, 2008 and on August 15, 2009, subject to the following:

(i) From these distributions each city or town with a population of thirty-five (35) or less shall first receive two thousand five hundred dollars (\$2,500.00) and each city or town with a population over thirty-five (35) shall first receive five thousand dollars (\$5,000.00). From the remainder each city and town shall receive amounts in accordance with a municipal supplemental funding formula as provided in this paragraph with each city or town receiving amounts in the proportion which the adjusted population of the city or town bears to the adjusted population of all cities and towns in Wyoming. The municipal supplemental funding formula shall be calculated by the office of state lands and investments as follows:

(A) Calculate the per capita distribution of sales and use tax revenues for the fiscal year beginning July 1, 2006 and ending June 30, 2007 to each county, including distributions to each city and town within that county, under W.S. 39-15-111 and 39-16-111, but excluding the distribution exclusively to counties under W.S. 39-15-111(b)(iii) made from an amount equivalent to one percent (1%) of the tax collected under W.S. 39-15-104, and excluding the distribution exclusively to counties under W.S. 39-16-111(b)(iii) made from an amount equivalent to one percent (1%) of the tax collected under W.S. 39-16-104;

(B) Arrange the counties in ascending order by the per capita distribution calculated;

(C) Following the arrangement of counties in subparagraph (B) of this paragraph, list the population of each city and town within the county;

(D) Apply the appropriate adjustment factor determined in subdivisions (I) through (V) of this subparagraph for a county to each city and town within that county:

(I) Beginning with the county with the lowest per capita distribution, an adjustment factor of one and one-half (1.5) shall be applied to each county listed under subparagraph (B) of this paragraph, so long as its incorporated population plus the incorporated population of each county with a lower per capita distribution is within the lowest tenth percentile. The adjustment factor shall be applied for each of these counties by multiplying the incorporated population of the county by one hundred fifty percent (150%);

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(II) An adjustment factor determined under this subdivision shall be applied to the county with the next higher per capita distribution not qualifying for the adjustment factor under subdivision (I) of this subparagraph. The adjustment factor for this county shall be determined by:

(1) Multiplying by one hundred fifty percent (150%) that portion of the incorporated population of that county which is within the lowest tenth percentile;

(2) Multiplying by one hundred twenty-five percent (125%) the incorporated population of that county which is within the lowest twentieth percentile and at or above the tenth percentile;

(3) If applicable, multiplying by one hundred percent (100%) the incorporated population of that county which is at or above the twentieth percentile;

(4) Dividing the sum of the products of subdivisions (II)(1) through (3) of this subparagraph by the incorporated population of that county.

(III) If an adjustment factor has not been applied under subdivision (I) or (II) of this subparagraph, an adjustment factor of one and one-quarter (1.25) shall be applied to each county listed under subparagraph (B) of this paragraph, so long as its incorporated population plus the incorporated population of each county with a lower per capita distribution does not exceed the twentieth percentile. The adjustment factor shall be applied for each of these counties by multiplying the incorporated population of the county by one hundred twenty-five percent (125%);

(IV) An adjustment factor determined under this subdivision shall be applied to the next higher listed county not qualifying for the adjustment factor under subdivision (III) of this subparagraph. The adjustment factor for this county shall be determined by:

(1) Multiplying by one hundred twenty-five percent (125%) that portion of the incorporated population of that county which is within the lowest twentieth percentile;

(2) Multiplying by one hundred percent (100%) the incorporated population of that county which is at or above the lowest twentieth percentile;

(3) Dividing the sum of the products of

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subdivisions (IV)(1) and (2) of this subparagraph by the incorporated population of that county.

(V) An adjustment factor of one (1) shall be applied to the remaining counties.

(E) Distribute the remainder of the revenues under this paragraph on a per capita basis using the total adjusted population for all cities and towns and the adjusted population for each city or town as calculated under subparagraph (D) of this paragraph;

(F) As used in this paragraph:

(I) A county's "incorporated population" means the population of all cities and towns within the county;

(II) "Percentile" means that portion of the incorporated population as listed in the arrangement of cities and towns under subparagraphs (B) and (C) of this paragraph.

[COUNTY DIRECT DISTRIBUTION ALLOCATIONS]

(c) Funds appropriated in paragraph (a)(ii) of this section are to be distributed to counties in two (2) equal distributions on August 15, 2008 and on August 15, 2009. From these distributions each county shall receive the following:

(i) An equal share of fifteen percent (15%) of the total amount to be distributed; and

(ii) Of the remaining eighty-five percent (85%), an amount to be distributed to each county in the proportion each county's population bears to the total population of the state.

[CITY AND TOWN REVENUE CHALLENGED ALLOCATIONS]

(d) Funds appropriated in paragraph (a)(iii) of this section are to be distributed to eligible cities and towns in two (2) equal distributions on August 15, 2008 and on August 15, 2009, subject to the following:

(i) Each eligible city and town shall receive amounts in accordance with a municipal supplemental funding formula as provided in this paragraph. The municipal supplemental funding formula shall be calculated by the office of state lands and investments as follows:

(A) Calculate the per capita distribution of sales and use tax revenues for the period beginning July 1, 2006 and ending June 30,

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2007 to each county, including distributions to each city and town within that county, under W.S. 39-15-111 and 39-16-111, but excluding the distribution exclusively to counties under W.S. 39-15-111(b)(iii) made from an amount equivalent to one percent (1%) of the tax collected under W.S. 39-15-104, and excluding the distribution exclusively to counties under W.S. 39-16-111(b)(iii) made from an amount equivalent to one percent (1%) of the tax collected under W.S. 39-16-104;

(B) Arrange the counties in ascending order by the per capita distribution calculated;

(C) Following the arrangement of counties in subparagraph (B) of this paragraph, list the population of each city and town within the county;

(D) Apply the appropriate adjustment factor determined in subdivisions (I) through (V) of this subparagraph for a county to each city and town within that county:

(I) Beginning with the county with the lowest per capita distribution, an adjustment factor of one and one-half (1.5) shall be applied to each county listed under subparagraph (B) of this paragraph, so long as its incorporated population plus the incorporated population of each county with a lower per capita distribution is within the lowest tenth percentile. The adjustment factor shall be applied for each of these counties by multiplying the incorporated population of the county by one hundred fifty percent (150%);

(II) An adjustment factor determined under this subdivision shall be applied to the county with the next higher per capita distribution not qualifying for the adjustment factor under subdivision (I) of this subparagraph. The adjustment factor for this county shall be determined by:

(1) Multiplying by one hundred fifty percent (150%) that portion of the incorporated population of that county which is within the lowest tenth percentile;

(2) Multiplying by one hundred twenty-five percent (125%) the incorporated population of that county which is within the lowest twentieth percentile and at or above the tenth percentile;

(3) If applicable, multiplying by one hundred percent (100%) the incorporated population of that county which is at or above the twentieth percentile;

(4) Dividing the sum of the products of

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subdivisions (II)(1) through (3) of this subparagraph by the incorporated population of that county.

(III) If an adjustment factor has not been applied under subdivision (I) or (II) of this subparagraph, an adjustment factor of one and one-quarter (1.25) shall be applied to each county listed under subparagraph (B) of this paragraph, so long as its incorporated population plus the incorporated population of each county with a lower per capita distribution does not exceed the twentieth percentile. The adjustment factor shall be applied for each of these counties by multiplying the incorporated population of the county by one hundred twenty-five percent (125%);

(IV) An adjustment factor determined under this subdivision shall be applied to the next higher listed county not qualifying for the adjustment factor under subdivision (III) of this subparagraph. The adjustment factor for this county shall be determined by:

(1) Multiplying by one hundred twenty-five percent (125%) that portion of the incorporated population of that county which is within the lowest twentieth percentile;

(2) Multiplying by one hundred percent (100%) the incorporated population of that county which is at or above the lowest twentieth percentile;

(3) Dividing the sum of the products of subdivisions (IV)(1) and (2) of this subparagraph by the incorporated population of that county.

(V) An adjustment factor of one (1) shall be applied to the remaining counties.

(E) From the adjusted population of a city or town as calculated in subparagraphs (A) through (D) of this paragraph, subtract the actual population of the city or town to determine the resulting population adjustment. Distribute the funding under this paragraph in the proportion which the population adjustment of the city or town bears to the population adjustments of all cities and towns in Wyoming as calculated under subparagraph (D) of this paragraph;

(F) As used in this paragraph:

(I) A county's "incorporated population" means the population of all cities and towns within the county;

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(II) "Percentile" means that portion of the incorporated population as listed in the arrangement of cities and towns under subparagraphs (B) and (C) of this paragraph.

[COUNTY REVENUE CHALLENGED ALLOCATIONS]

(e) Funds appropriated in paragraph (a)(iv) of this section are to be distributed to eligible counties in two (2) equal distributions on August 15, 2008 and on August 15, 2009. The office of state lands and investments shall calculate the amounts to be distributed to eligible counties as determined by this subsection as follows:

(i) Multiply each county's total assessed valuation for tax year 2007 by twelve mills (.012). This amount shall represent the county property tax available;

(ii) Calculate the sum of the following to determine the county funding need:

(A) Nine hundred thousand dollars (\$900,000.00); plus

(B) The product of the county population from zero (0) to five thousand (5,000) multiplied by one hundred fifty dollars (\$150.00); plus

(C) The product of the county population from five thousand one (5,001) to twenty-five thousand (25,000) multiplied by one hundred twenty dollars (\$120.00); plus

(D) The product of the county population above twenty-five thousand (25,000) multiplied by eighty dollars (\$80.00).

(iii) Calculate the property tax shortfall for each county by subtracting the property tax available as determined by paragraph (i) of this subsection from the county funding need as determined by paragraph (ii) of this subsection. If the amount is greater than zero (0), the county shall be eligible for distribution of money under this subsection;

(iv) The amount distributed under this subsection to each eligible county shall be in the proportion that the county's property tax shortfall bears to the total property tax shortfall of all counties eligible to receive a distribution under this subsection.

[COUNTY BLOCK ALLOCATIONS - CAPITAL PROJECTS]

(f) Funds appropriated in paragraph (a)(v) of this section shall only be expended for the purpose of grants for capital improvement projects and

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subject to subsection (g) of this section shall be allocated for each county as follows:

(i) To each county an amount equal to the amount allocated in paragraph (a)(v) of this section multiplied by eighty percent (80%) divided by the total state population and multiplied by the county's population; plus

(ii) To each county, an amount equal to the remainder of the amount allocated in paragraph (a)(v) of this section multiplied by each county's inverse per capita assessed valuation factor computed as follows:

(A) Divide each county's tax year 2007 assessed valuation by that county's population to compute county assessed valuation per capita and the total state tax year 2007 assessed valuation by the total state population to compute state assessed valuation per capita;

(B) Divide the state assessed valuation per capita by each county's assessed valuation per capita to compute an inverse ratio for each county;

(C) Sum all the county inverse ratios computed in subparagraph (f)(ii)(B) of this section for a state total inverse ratio;

(D) Divide each county's inverse ratio by the state total inverse ratio to compute each county's inverse per capita assessed valuation factor.

(g) Funds subject to subsection (f) of this section shall only be expended for capital projects including capital projects constructed by special districts. To be eligible for the grants, the board of county commissioners and the governing bodies of the cities and towns within that county that comprise at least seventy percent (70%) of the incorporated population shall certify to the state loan and investment board that they have reached agreement on the projects for which the funds will be used.

(h) For purposes of this section, population is to be determined by resort to the latest decennial federal census as updated by the bureau of census.

(j) Any political subdivision which impedes the establishment of any necessary cellular tower or other equipment site required for the WyoLink interoperable public safety communications system on any property owned by that political subdivision shall not be eligible to receive monies distributed under this section.

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[LOCAL GOVERNMENT DISTRIBUTIONS-II]

Section 329.

(a) There is appropriated one hundred seventy million dollars (\$170,000,000.00) from the general fund to the office of state lands and investments to be allocated pursuant to the following and as further provided in this section:

(i) Thirty-three million eight hundred twenty-six thousand six hundred sixty-seven dollars (\$33,826,667.00) for direct distribution to cities and towns;

(ii) Sixteen million nine hundred thirteen thousand three hundred thirty-three dollars (\$16,913,333.00) for direct distribution to counties;

(iii) Four million one hundred thirty thousand dollars (\$4,130,000.00) for revenue challenged cities and towns;

(iv) Four million one hundred thirty thousand dollars (\$4,130,000.00) for revenue challenged counties;

(v) Ninety-one million dollars (\$91,000,000.00) for county block distribution for capital projects;

(vi) Twenty million dollars (\$20,000,000.00) for loss of revenue from the exemption of food for domestic home consumption from excise taxation. In conjunction with the department of revenue the office of state lands and investments is authorized to distribute funds appropriated under this paragraph monthly for the period beginning July 1, 2008 and ending June 30, 2010 to cities, towns and counties based upon historical data on distributions made to local governments from sales and use tax revenues from sales of food for domestic home consumption, or based upon the industry average calculated by the department, whichever is greater. The "industry average calculated by the department" means the North American Industry Classification System (NAICS) code for 3318 bakeries, 4451 grocers, 4452 specialty foods, 4471 convenience stores, 4521 department stores and 4529 general merchandise.

[CITY AND TOWN DIRECT DISTRIBUTION ALLOCATIONS]

(b) Funds appropriated in paragraph (a)(i) of this section are to be distributed to cities and towns in two (2) equal distributions on August 15, 2008 and on August 15, 2009, subject to the following:

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(i) From these distributions each city or town with a population of thirty-five (35) or less shall first receive two thousand five hundred dollars (\$2,500.00) and each city or town with a population over thirty-five (35) shall first receive five thousand dollars (\$5,000.00). From the remainder each city and town shall receive amounts in accordance with a municipal supplemental funding formula as provided in this paragraph with each city or town receiving amounts in the proportion which the adjusted population of the city or town bears to the adjusted population of all cities and towns in Wyoming. The municipal supplemental funding formula shall be calculated by the office of state lands and investments as follows:

(A) Calculate the per capita distribution of sales and use tax revenues for the fiscal year beginning July 1, 2006 and ending June 30, 2007 to each county, including distributions to each city and town within that county, under W.S. 39-15-111 and 39-16-111, but excluding the distribution exclusively to counties under W.S. 39-15-111(b)(iii) made from an amount equivalent to one percent (1%) of the tax collected under W.S. 39-15-104, and excluding the distribution exclusively to counties under W.S. 39-16-111(b)(iii) made from an amount equivalent to one percent (1%) of the tax collected under W.S. 39-16-104;

(B) Arrange the counties in ascending order by the per capita distribution calculated;

(C) Following the arrangement of counties in subparagraph (B) of this paragraph, list the population of each city and town within the county;

(D) Apply the appropriate adjustment factor determined in subdivisions (I) through (V) of this subparagraph for a county to each city and town within that county:

(I) Beginning with the county with the lowest per capita distribution, an adjustment factor of one and one-half (1.5) shall be applied to each county listed under subparagraph (B) of this paragraph, so long as its incorporated population plus the incorporated population of each county with a lower per capita distribution is within the lowest tenth percentile. The adjustment factor shall be applied for each of these counties by multiplying the incorporated population of the county by one hundred fifty percent (150%);

(II) An adjustment factor determined under this subdivision shall be applied to the county with the next higher per capita distribution not qualifying for the adjustment factor under subdivision (I) of this subparagraph. The adjustment factor for this county shall be determined by:

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(1) Multiplying by one hundred fifty percent (150%) that portion of the incorporated population of that county which is within the lowest tenth percentile;

(2) Multiplying by one hundred twenty-five percent (125%) the incorporated population of that county which is within the lowest twentieth percentile and at or above the tenth percentile;

(3) If applicable, multiplying by one hundred percent (100%) the incorporated population of that county which is at or above the twentieth percentile;

(4) Dividing the sum of the products of subdivisions (II)(1) through (3) of this subparagraph by the incorporated population of that county.

(III) If an adjustment factor has not been applied under subdivision (I) or (II) of this subparagraph, an adjustment factor of one and one-quarter (1.25) shall be applied to each county listed under subparagraph (B) of this paragraph, so long as its incorporated population plus the incorporated population of each county with a lower per capita distribution does not exceed the twentieth percentile. The adjustment factor shall be applied for each of these counties by multiplying the incorporated population of the county by one hundred twenty-five percent (125%);

(IV) An adjustment factor determined under this subdivision shall be applied to the next higher listed county not qualifying for the adjustment factor under subdivision (III) of this subparagraph. The adjustment factor for this county shall be determined by:

(1) Multiplying by one hundred twenty-five percent (125%) that portion of the incorporated population of that county which is within the lowest twentieth percentile;

(2) Multiplying by one hundred percent (100%) the incorporated population of that county which is at or above the lowest twentieth percentile;

(3) Dividing the sum of the products of subdivisions (IV)(1) and (2) of this subparagraph by the incorporated population of that county.

(V) An adjustment factor of one (1) shall be applied to the remaining counties.

(E) Distribute the remainder of the revenues under this

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paragraph on a per capita basis using the total adjusted population for all cities and towns and the adjusted population for each city or town as calculated under subparagraph (D) of this paragraph;

(F) As used in this paragraph:

(I) A county's "incorporated population" means the population of all cities and towns within the county;

(II) "Percentile" means that portion of the incorporated population as listed in the arrangement of cities and towns under subparagraphs (B) and (C) of this paragraph.

[COUNTY DIRECT DISTRIBUTION ALLOCATIONS]

(c) Funds appropriated in paragraph (a)(ii) of this section are to be distributed to counties in two (2) equal distributions on August 15, 2008 and on August 15, 2009. From these distributions each county shall receive the following:

(i) An equal share of fifteen percent (15%) of the total amount to be distributed; and

(ii) Of the remaining eighty-five percent (85%), an amount to be distributed to each county in the proportion each county's population bears to the total population of the state.

[CITY AND TOWN REVENUE CHALLENGED ALLOCATIONS]

(d) Funds appropriated in paragraph (a)(iii) of this section are to be distributed to eligible cities and towns in two (2) equal distributions on August 15, 2008 and on August 15, 2009, subject to the following:

(i) Each eligible city and town shall receive amounts in accordance with a municipal supplemental funding formula as provided in this paragraph. The municipal supplemental funding formula shall be calculated by the office of state lands and investments as follows:

(A) Calculate the per capita distribution of sales and use tax revenues for the period beginning July 1, 2006 and ending June 30, 2007 to each county, including distributions to each city and town within that county, under W.S. 39-15-111 and 39-16-111, but excluding the distribution exclusively to counties under W.S. 39-15-111(b)(iii) made from an amount equivalent to one percent (1%) of the tax collected under W.S. 39-15-104, and excluding the distribution exclusively to counties under W.S. 39-16-111(b)(iii) made from an amount equivalent to one percent (1%) of the tax collected under W.S. 39-16-104;

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(B) Arrange the counties in ascending order by the per capita distribution calculated;

(C) Following the arrangement of counties in subparagraph (B) of this paragraph, list the population of each city and town within the county;

(D) Apply the appropriate adjustment factor determined in subdivisions (I) through (V) of this subparagraph for a county to each city and town within that county:

(I) Beginning with the county with the lowest per capita distribution, an adjustment factor of one and one-half (1.5) shall be applied to each county listed under subparagraph (B) of this paragraph, so long as its incorporated population plus the incorporated population of each county with a lower per capita distribution is within the lowest tenth percentile. The adjustment factor shall be applied for each of these counties by multiplying the incorporated population of the county by one hundred fifty percent (150%);

(II) An adjustment factor determined under this subdivision shall be applied to the county with the next higher per capita distribution not qualifying for the adjustment factor under subdivision (I) of this subparagraph. The adjustment factor for this county shall be determined by:

(1) Multiplying by one hundred fifty percent (150%) that portion of the incorporated population of that county which is within the lowest tenth percentile;

(2) Multiplying by one hundred twenty-five percent (125%) the incorporated population of that county which is within the lowest twentieth percentile and at or above the tenth percentile;

(3) If applicable, multiplying by one hundred percent (100%) the incorporated population of that county which is at or above the twentieth percentile;

(4) Dividing the sum of the products of subdivisions (II)(1) through (3) of this subparagraph by the incorporated population of that county.

(III) If an adjustment factor has not been applied under subdivision (I) or (II) of this subparagraph, an adjustment factor of one and one-quarter (1.25) shall be applied to each county listed under subparagraph (B) of this paragraph, so long as its incorporated population

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plus the incorporated population of each county with a lower per capita distribution does not exceed the twentieth percentile. The adjustment factor shall be applied for each of these counties by multiplying the incorporated population of the county by one hundred twenty-five percent (125%);

(IV) An adjustment factor determined under this subdivision shall be applied to the next higher listed county not qualifying for the adjustment factor under subdivision (III) of this subparagraph. The adjustment factor for this county shall be determined by:

(1) Multiplying by one hundred twenty-five percent (125%) that portion of the incorporated population of that county which is within the lowest twentieth percentile;

(2) Multiplying by one hundred percent (100%) the incorporated population of that county which is at or above the lowest twentieth percentile;

(3) Dividing the sum of the products of subdivisions (IV)(1) and (2) of this subparagraph by the incorporated population of that county.

(V) An adjustment factor of one (1) shall be applied to the remaining counties.

(E) From the adjusted population of a city or town as calculated in subparagraphs (A) through (D) of this paragraph, subtract the actual population of the city or town to determine the resulting population adjustment. Distribute the funding under this paragraph in the proportion which the population adjustment of the city or town bears to the population adjustments of all cities and towns in Wyoming as calculated under subparagraph (D) of this paragraph;

(F) As used in this paragraph:

(I) A county's "incorporated population" means the population of all cities and towns within the county;

(II) "Percentile" means that portion of the incorporated population as listed in the arrangement of cities and towns under subparagraphs (B) and (C) of this paragraph.

[COUNTY REVENUE CHALLENGED ALLOCATIONS]

(e) Funds appropriated in paragraph (a)(iv) of this section are to be distributed to eligible counties in two (2) equal distributions on August

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15, 2008 and on August 15, 2009. The office of state lands and investments shall calculate the amounts to be distributed to eligible counties as determined by this subsection as follows:

(i) Multiply each county's total assessed valuation for tax year 2007 by twelve mills (.012). This amount shall represent the county property tax available;

(ii) Calculate the sum of the following to determine the county funding need:

(A) One million two hundred thousand dollars (\$1,200,000.00); plus

(B) The product of the county population from zero (0) to five thousand (5,000) multiplied by one hundred sixty dollars (\$160.00); plus

(C) The product of the county population from five thousand one (5,001) to twenty-five thousand (25,000) multiplied by one hundred thirty dollars (\$130.00); plus

(D) The product of the county population above twenty-five thousand (25,000) multiplied by one hundred dollars (\$100.00).

(iii) Calculate the property tax shortfall for each county by subtracting the property tax available as determined by paragraph (i) of this subsection from the county funding need as determined by paragraph (ii) of this subsection. If the amount is greater than zero (0), the county shall be eligible for distribution of money under this subsection;

(iv) The amount distributed under this subsection to each eligible county shall be in the proportion that the county's property tax shortfall bears to the total property tax shortfall of all counties eligible to receive a distribution under this subsection.

[COUNTY BLOCK ALLOCATIONS - CAPITAL PROJECTS]

(f) Funds appropriated in paragraph (a)(v) of this section shall only be expended for the purpose of grants for capital improvement projects and subject to subsection (g) of this section shall be allocated for each county as follows:

(i) To each county an amount equal to one percent (1%) of the total amount appropriated in paragraph (a)(v) of this section; plus

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(ii) To each county an amount equal to the remainder of the amount allocated in paragraph (a)(v) of this section multiplied by seventy-five percent (75%) divided by the total state population and multiplied by the county's population; plus

(iii) To each county, an amount equal to the remainder of the amount allocated in paragraph (a)(v) of this section after distributions under paragraphs (i) and (ii) of this subsection, multiplied by each county's inverse per capita assessed valuation factor computed as follows:

(A) Divide each county's tax year 2007 assessed valuation by that county's population to compute county assessed valuation per capita and the total state tax year 2007 assessed valuation by the total state population to compute state assessed valuation per capita;

(B) Divide the state assessed valuation per capita by each county's assessed valuation per capita to compute an inverse ratio for each county;

(C) Sum all the county inverse ratios computed in subparagraph (f)(iii)(B) of this section for a state total inverse ratio;

(D) Divide each county's inverse ratio by the state total inverse ratio to compute each county's inverse per capita assessed valuation factor.

(g) Funds subject to subsection (f) of this section shall only be expended for capital projects including capital projects constructed by special districts. To be eligible for the grants, the board of county commissioners and the governing bodies of the cities and towns within that county that comprise at least seventy percent (70%) of the incorporated population shall certify to the state loan and investment board that they have reached agreement on the projects for which the funds will be used.

(h) For purposes of this section, population is to be determined by resort to the latest decennial federal census as updated by the bureau of census.

(j) Any political subdivision which impedes the establishment of any necessary cellular tower or other equipment site required for the WyoLink interoperable public safety communications system on any property owned by that political subdivision shall not be eligible to receive monies distributed under this section.

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[LOCAL GOVERNMENT DISTRIBUTION-III]

Section 330.

(a) There is appropriated ten million dollars (\$10,000,000.00) from the general fund to the office of state lands and investments for emergency capital project grants to local governments as determined by the state loan and investment board.

(b) There is appropriated thirty-three million four hundred thousand dollars (\$33,400,000.00) from the local government capital construction account for grants to local governments for unfunded or partially funded large capital construction projects under the process set forth in subsection (g) of Sections 328 and 329 of this act or for operating grants as determined by the state loan and investment board:

(i) Of this local government capital construction appropriation one million dollars (\$1,000,000.00) may be awarded by the state loan and investment board for the purpose of providing grants to local governments for investment grade energy audits of buildings and operations. Grants pursuant to this paragraph shall be matched by local governments with a contribution of not less than one dollar (\$1.00) for each two dollars (\$2.00) of the grant amount. If the full one million dollars (\$1,000,000.00) allocated is not fully expended by June 30, 2010, the remaining funds shall be expended for unfunded or partially funded large capital construction projects.

[PERSONAL SERVICES - TRANSFERS]

Section 331.

Nonfederal fund appropriations for 100 series personal services contained in this act shall not be transferred to any other series or expended for any purpose other than personal services. Nonfederal fund appropriations for 100 series personal services for the department of corrections shall not be subject to this section.

[BITTER CREEK CLEAN-UP PROJECT]

Section 332.

The department of environmental quality shall expend any unencumbered and unobligated funds available from funds distributed to Wyoming from the abandoned mine land program under W.S. 35-11-1201 through 35-11-1209 in an amount not to exceed four million five hundred thousand dollars

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(\$4,500,000.00) for phase 1 of the Bitter Creek clean-up project. Funds authorized under this section shall not revert until the project is completed. This section is effective immediately.

[FACULTY ENDOWMENT DECREASE]

Section 333. 2006 Wyoming Session Laws, Chapter 45, Section 1(c)(intro) and (ii) is amended to read:

(c) There is appropriated from the common school permanent fund reserve account created by W.S. 9-4-713(f) a total of ~~four million two hundred thousand dollars (\$4,200,000.00)~~ three million two hundred thousand dollars (\$3,200,000.00) to be distributed as specified in this subsection to permit the community colleges and the University of Wyoming to begin to implement the plan for the excellence in higher education endowment as submitted by the excellence in higher education endowment committee on October 1, 2005, during the biennium commencing July 1, 2006. The purpose of this appropriation is to permit the community colleges and university to implement the plan during the first two (2) years of a three (3) year phase-in period. Of this appropriation:

(ii) ~~Two million eight hundred thousand dollars (\$2,800,000.00)~~ One million eight hundred thousand dollars (\$1,800,000.00) shall be distributed to the University of Wyoming and shall be expended exclusively for the purposes specified in W.S. 21-16-1202(b).

[PUBLIC LIBRARY ENDOWMENT CHALLENGE FUND]

Section 334.

If 2008 Senate File 0029 is enacted into law, then eight hundred thousand dollars (\$800,000.00) from the general fund and one million dollars (\$1,000,000.00) from the common school permanent fund reserve account created by W.S. 9-4-713(f) is appropriated to fund the Wyoming public library endowment challenge fund account created by that act. The amount appropriated into the endowment challenge fund under this section shall be deposited in equal amounts by the state treasurer into each of the twenty-three (23) separate endowment challenge fund accounts established for the Wyoming public libraries under that act. Any unexpended funds from the amounts deposited under this section shall revert to the budget reserve account on July 1, 2015.

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[RAILROAD QUIET ZONE]

Section 335.

The Wyoming department of transportation and the transportation commission shall cooperate with the development of quiet zone projects funded by local governments that include roads under the jurisdiction of the state, provided the proposed quiet zone would conform with the requirements of 49 C.F.R. Part 222, and provided further that the Wyoming department of transportation and the commission shall not impose any greater requirement than provided in 49 C.F.R. Part 222.

[UW - URANIUM RESEARCH CENTER]

Section 336.

The University of Wyoming school of energy resources shall work with other University of Wyoming departments to develop a plan and timeline for establishing a uranium research center within the school of energy research. The center shall focus on developing expertise and outreach in uranium recovery technology, specifically by "in-situ" recovery. The plan shall be submitted to the joint minerals, business and economic development interim committee by October 1, 2008.

[REPEALER]

Section 399.

(a) 2007 Wyoming Session Laws, Chapter 136, Section 4, Section 327 is repealed.

(b) This section is effective immediately.

[EFFECTIVE DATE]

Section 400.

(a) As used in this act, "effective immediately" means 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. Any appropriation contained in this act which is effective immediately shall not lapse until June 30, 2010, unless otherwise specified.

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(b) Except as otherwise provided, this act is effective July 1, 2008.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk