

SENATE FILE NO. SF0166

General government appropriations-3.

Sponsored by: Senator(s) Agar, Bebout, Gierau, Hicks and  
Kinskey

A BILL

for

1 AN ACT relating to supplemental appropriations for the  
2 operation of state government; defining terms; increasing or  
3 decreasing certain amounts; adjusting the number of  
4 positions; modifying prior appropriations; making additional  
5 appropriations; making certain appropriations subject to the  
6 terms and conditions specified; providing transfers of  
7 certain funds as specified; directing amendments to the  
8 Medicaid state plan; and providing for an effective date.

9

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

11

12 **Section 1.** As used in this act:

13

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

1

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

6

7 (c) "Approved budget" means as defined by W.S.  
8 9-2-1005(e);

9

10 (d) "A4" means agency trust account;

11

12 (e) "EF" means the agency's account within the  
13 enterprise fund;

14

15 (f) "FF" means federal funds;

16

17 (g) "IS" means the agency's account within the internal  
18 service fund;

19

20 (h) "PF" means the retirement account created by W.S.  
21 9-3-407(a);

22

23 (j) "PR" means private funding sources;

1

2 (k) "P2" means the deferred compensation account  
3 referenced in W.S. 9-3-507;

4

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

7

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

10

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

13

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

16

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

18

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

22

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

3

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

6

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

9

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

12

13          (y) "S10" means the legislative stabilization reserve  
14 account;

15

16          (z) "S13" means the strategic investments and projects  
17 account;

18

19          (aa) "S0" means other funds identified by footnote;

20

21          (bb) "T1" means the omnibus permanent land fund;

22

1           (cc) "T2" means the miners' hospital permanent land  
2 income fund;

3

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

5

6           (ee) "T4" means the poor farm account within the  
7 permanent land fund;

8

9           (ff) "T6" means the university permanent land income  
10 fund;

11

12           (gg) "T7" means the state employee group insurance  
13 flexible benefits account;

14

15           (hh) "T0" means other expendable trust funds  
16 administered by individual agencies for specific functions  
17 within the agencies' authority;

18

19           (jj) "TT" means the tobacco settlement trust income  
20 account.

21

22           **Section 2.** Section 205 of 2018 Wyoming Session Laws,  
23 Chapter 134 is amended to read:

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	GENERAL	FEDERAL	OTHER	TOTAL
APPROPRIATION	FUND	FUNDS	FUNDS	APPROPRIATION
FOR	\$	\$	\$	\$
<b>Section 205. EDUCATION-SCHOOL FINANCE</b>				
PROGRAM				
School Foundation Program <u>1.</u>			1,718,820,000 S5	1,718,820,000
Court Ordered Placements			17,183,639 S5	17,183,639
Foundation-Specials			5,540,000 S5	5,540,000
Education Reform			9,711,919 S5	9,711,919
Student Performance Data _____			<u>6,351,539</u> S5	<u>6,351,539</u>
TOTALS	0	0	1,757,607,097	1,757,607,097

AUTHORIZED EMPLOYEES

Full Time	3
Part Time	<u>0</u>
TOTAL	3

1. (a) In accordance with W.S. 21-13-309(o) and subsection (b) of this footnote, the department of education shall adjust the education resource block grant model for an external cost adjustment for school year 2019-2020 computed as follows:

(i) For the "professional labor category of the model components" inclusive of those components defined by 2012 Wyoming Session Laws, Chapter 99, Section 3 [Attachment "A"(a)(vi)], seven thousand seventy-five ten-thousandths percent (0.7075%), based upon fifty percent (50%) of the inflationary percentage computed under the 2017 Wyoming Comparable Wage Index;

1           (ii) For the "nonprofessional labor category of the model  
2 components" inclusive of those components defined by 2012 Wyoming Session Laws,  
3 Chapter 99, Section 3 [Attachment "A"(a)(v)], seven hundred sixty-eight  
4 thousandths percent (0.768%), based upon fifty percent (50%) of the inflationary  
5 percentage computed under the 2017 Wyoming Comparable Wage Index;

6  
7           (iii) For the "educational materials category of the model  
8 components" inclusive of those components defined by 2012 Wyoming Session Laws,  
9 Chapter 99, Section 3 [Attachment "A"(a)(iii)], one and six thousand six hundred  
10 seventy-five ten-thousandths percent (1.6675%), measured by fifty percent (50%)  
11 of the BLS Producer Price Index for Office Supplies and Accessories;

12  
13           (iv) For the "energy category of the model components" inclusive  
14 of those components defined by 2012 Wyoming Session Laws, Chapter 99, Section 3  
15 [Attachment "A"(a)(iv)], five and four thousand one hundred fifteen  
16 ten-thousandths percent (5.4115%), measured by fifty percent (50%) of the BLS  
17 Producer Price Index for Commercial Electric Power weighted at twenty-nine and  
18 one-tenth percent (29.1%), the BLS Producer Price Index for Commercial Natural  
19 Gas weighted at fifty-eight and fifty-four hundredths percent (58.54%) and the  
20 BLS Producer Price Index for Gasoline weighted at twelve and thirty-six hundredths  
21 percent (12.36%).

22  
23           (b) The external cost adjustments in subsection (a) of this footnote shall  
24 be applied by the department of education to the education resource block grant  
25 model pursuant to the process described in W.S. 21-13-309(o).

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27           **Section 3.** 2018 Wyoming Session Laws, Chapter 134, by  
28 creating new sections 336 through 339 is amended to read:

29

1 [AIR SERVICE FUNDING]

2

3 Section 336.

4

5 (a) There is appropriated fifteen million dollars  
6 (\$15,000,000.00) from the Wyoming commercial air service  
7 improvement account created by W.S. 10-7-105 to the  
8 aeronautics commission. This appropriation shall only be  
9 expended upon the approval of the governor for purposes of  
10 the aeronautics commission entering into a contract and  
11 paying associated expenses supporting commercial air service  
12 in Wyoming in accordance with the provisions of W.S. 10-7-104  
13 and this section. The contract shall define performance  
14 measures for air service delivery. Funds subject to this  
15 section shall only be expended pursuant to the contract when  
16 the performance measures are met. Of this appropriation, not  
17 more than six million dollars (\$6,000,000.00) shall be  
18 expended in any year of a contract entered into under this  
19 section.

20

21 (b) The aeronautics commission shall consult with one  
22 (1) member of the senate appointed by the president of the  
23 senate and one (1) member of the house of representatives



1 appointed by the speaker of the house of representatives,  
2 both within thirty (30) days of the effective date of this  
3 act, regarding terms of any contract under subsection (a) of  
4 this section and before entering into any contract that would  
5 expend funds pursuant to subsection (a) of this section.

6  
7 (c) If no contract is executed pursuant to this section  
8 on or before June 30, 2020, the balance of the appropriation  
9 under subsection (a) of this section shall revert to the  
10 Wyoming air service improvement account on June 30, 2020.

11  
12 [AIR SERVICE FUNDING - CONTINGENCY]

13  
14 **Section 337.** If a contract for commercial air service  
15 in Wyoming is not executed on or before June 30, 2019 in  
16 accordance with the provisions of W.S. 10-7-104 and section  
17 336 of this act with funds appropriated in section 336 of  
18 this act, three million dollars (\$3,000,000.00) of the  
19 appropriation provided by section 336 of this act are  
20 reappropriated on July 1, 2019 to the Wyoming air services  
21 enhancement account created by W.S. 10-3-602. These  
22 reappropriated funds shall only be expended pursuant to the  
23 air service enhancement program under W.S. 10-3-601 and

1 10-3-602 for purposes of maintaining existing commercial air  
2 service contracts in the state through June 30, 2020.

3  
4 [DEPARTMENT OF HEALTH AND DEPARTMENT OF FAMILY SERVICES -  
5 SUPPLEMENTAL FUNDING]

6  
7 **Section 338.**

8  
9 (a) From funds transferred to the state auditor in  
10 accordance with 2018 Wyoming Session Laws, Chapter 134,  
11 Section 300(k) there is appropriated:

12  
13 (i) Five million two hundred fifty-four thousand  
14 sixty-one dollars (\$5,254,061.00) to the department of family  
15 services. The appropriation within this paragraph shall only  
16 be used for purposes directly related to the 2019-2020  
17 supplemental budget recommendations of the governor for the  
18 department for the period beginning July 1, 2019 and ending  
19 June 30, 2020;

20  
21 (ii) Fifteen million one hundred eighty-three  
22 thousand three hundred ninety-five dollars (\$15,183,395.00)  
23 to the department of health. The appropriation within this

1 paragraph shall only be used for purposes directly related to  
2 the 2019-2020 supplemental budget recommendations of the  
3 governor for the department for the period beginning July 1,  
4 2019 and ending June 30, 2020.

5  
6 (b) From funds transferred to the state auditor in  
7 accordance with 2018 Wyoming Session Laws, Chapter 134,  
8 Section 300(k), three million dollars (\$3,000,000.00) shall  
9 revert to the general fund on April 1, 2019.

10  
11 (c) To the extent agency special revenue or federal  
12 funds are available, there is appropriated from those  
13 accounts and funds the amounts necessary to continue  
14 operations within the department of family services and  
15 department of health for the 2020 fiscal year. These funds  
16 shall only be expended:

17  
18 (i) For purposes and programs requested by the  
19 governor in his 2019-2020 biennial budget request for each  
20 department;

21  
22 (ii) For those programs funded in 2018 Wyoming  
23 Session Laws, Chapter 134 in an amount equal to one-half (1/2)

1 of the governor's biennial budget request for each program  
2 and in an amount equal to the reduced funding amount;

3  
4 (iii) In accordance with W.S. 28-1-113(d).

5  
6 (d) The appropriations under this section shall not be  
7 transferred or expended for any purpose other than as  
8 specified in this section. Any unexpended, unobligated funds  
9 remaining from the appropriations in this section or the  
10 transfer in 2018 Wyoming Session Laws, Chapter 134, Section  
11 300(k) shall revert as provided by law on June 30, 2020.

12  
13 [MEDICAID APPROVED SERVICES FOR SCHOOL DISTRICTS]

14  
15 **Section 339.**

16  
17 (a) In addition to the services and supplies authorized  
18 under W.S. 42-4-103(a), subject to approval under subsection  
19 (b) of this section, the state plan for Medicaid shall include  
20 all services authorized under federal law which may be  
21 provided in a school based setting to eligible students,  
22 including services delivered pursuant to an individualized  
23 education plan or individualized family service plan for

1 speech and language therapy, physical therapy, nursing,  
2 occupational therapy, mental health interventions and  
3 services provided by a school psychologist.

4  
5 (b) The director of the department of health, with the  
6 consent of the governor, shall negotiate with the United  
7 States department of health and human services regarding  
8 necessary amendments to the state Medicaid plan, or any  
9 necessary waiver under 42 U.S.C. § 1315, to provide the  
10 services specified under subsection (a) of this section. Any  
11 state Medicaid plan amendments or waiver under this  
12 subsection shall be effective July 1, 2020.

13  
14 (c) Not later than October 1, 2019, the department of  
15 education and the department of health shall report to the  
16 joint education interim committee and the joint labor, health  
17 and social services interim committee on the planned  
18 implementation of services specified under subsection (a) of  
19 this section. The report shall identify any statutory  
20 amendments and other regulatory amendments necessary to allow  
21 reimbursement of services specified under subsection (a) of  
22 this section to Wyoming school districts to begin with the

1 2020-2021 school year, including specific school district  
2 reporting and claims processing requirements.

3

4 (d) The department of health and the department of  
5 education shall include an exception budget request for the  
6 2021-2022 biennium to implement the purposes of this section.

7 The exception budget request shall include state and federal  
8 funds sufficient to pay for services specified under  
9 subsection (a) of this section billed by school districts

10 using the assumption that that state Medicaid plan will  
11 contain authority for school districts to bill the state for  
12 special education services under the state's Medicaid plan  
13 for the 2021-2022 biennium.

14

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

18

19

(END)