

SENATE FILE NO. SF0035

State budget department.

Sponsored by: Joint Appropriations Committee

A BILL

for

1 AN ACT relating to administration of government; approving
2 the implementation plan to transfer the budget division of
3 the department of administration and information to the state
4 budget department; specifying duties of the department;
5 conforming provisions to reflect responsibilities;
6 recreating, renumbering and amending statutes for the
7 department of administration and information; repealing
8 conflicting provisions; directing the legislative service
9 office to correct statutory references; and providing for an
10 effective date.

11

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

13

14 **Section 1.**

15

1 (a) W.S. 9-2-2021 created the state budget department
2 and required the director to prepare a reorganization plan.
3 Pursuant to W.S. 9-2-2021(c) and (d), the state budget
4 department reorganization plan dated October 1, 2020 was
5 approved by the governor and submitted to the joint
6 appropriations committee. The legislature hereby approves
7 that reorganization plan for implementation.

8

9 (b) The budget division within the department of
10 administration and information and associated budgetary and
11 fiscal functions within the department of administration and
12 information are transferred from the department of
13 administration and information to the state budget department
14 as a Type 1 transfer.

15

16 (c) All positions, personnel, appropriations,
17 property, equipment and authority in agencies and programs
18 transferred to the state budget department by this act are
19 under the control of the state budget department. The validity
20 of rules, regulations, contracts, agreements or other
21 obligations of agencies or programs transferred by this act
22 is not affected by this act.

23

1 (d) This act recreates and renumbers statutes
2 pertaining to the department of administration and
3 information. The validity of rules, regulations, contracts,
4 agreements or other obligations of agencies or programs that
5 are recreated and renumbered by this act is not affected by
6 this act.

7

8 **Section 2.** W.S. 9-2-1001.1, 9-2-1003.1 and 9-2-3202 are
9 created to read:

10

11 **9-2-1001.1. Creation.**

12

13 The state budget department is created.

14

15 **9-2-1003.1. Director of department; appointment;
16 removal; cooperation with legislature and judiciary.**

17

18 (a) The administrative head of the department shall be
19 a director appointed by the governor with the advice and
20 consent of the senate. Appointments for the director of the
21 department shall be in accordance with W.S. 28-12-101 through
22 28-12-103.

23

1 (b) The governor may remove the director as provided in
2 W.S. 9-1-202.

3

4 (c) The director may:

5

6 (i) Employ professional, technical and other
7 assistants to work in the director's office, along with other
8 employees necessary to carry out the purpose of this act;

9

10 (ii) Adopt reasonable rules to administer this act
11 pursuant to the Wyoming Administrative Procedure Act;

12

13 (iii) Formulate through the director's office the
14 policies and programs to be carried out by the department.

15

16 (d) This act shall be construed to provide the
17 governor, through the department, with a more coordinated and
18 responsive system of management of the executive branch of
19 state government, and to preserve and protect the separation
20 of powers mandated by article 2, section 1 of the Wyoming
21 constitution. The department shall cooperate with the
22 legislature and the judiciary which may utilize the services
23 and assistance of the department to achieve economy in

1 government, but procedures affecting the administration of
2 the legislature shall be determined by the legislature and
3 the management council, and procedures affecting the
4 administration of the judiciary shall be determined by the
5 judges for their respective courts, and they shall not be
6 bound by rules and regulations promulgated by the department.

7

8

ARTICLE 32

9

DEPARTMENT OF ADMINISTRATION AND INFORMATION

10

11 **9-2-3202. Definitions; powers generally; duties of**
12 **governor; provisions construed; cooperation with legislature**
13 **and judiciary; divisions enumerated.**

14

15 (a) As used in this act:

16

17 (i) "Agency" means an office, department, board,
18 commission or operating unit of the executive branch of state
19 government;

20

21 (ii) "Department" means the department of
22 administration and information;

23

1 (iii) "Executive branch" means the executive
2 department of state government established by article 2,
3 section 1 of the Wyoming constitution;

4

5 (iv) "Judiciary" means the judicial department of
6 state government established by article 2, section 1 of the
7 Wyoming constitution;

8

9 (v) "Legislature" means the legislative
10 department of state government established by article 2,
11 section 1 of the Wyoming constitution;

12

13 (vi) "This act" means W.S. 9-2-3201 through
14 9-2-3221.

15

16 **Section 3.** W.S. 2-3-1002(a)(vi), 5-2-123,
17 6-3-902(b)(ii), 7-6-103(a), 7-6-113(b)(intro),
18 7-19-302(a)(xii), 9-1-403(a)(viii), 9-1-409(e)(xiii)(B),
19 9-2-128(d), 9-2-419, 9-2-1002(a)(ii), (iv), (x) and (xii),
20 9-2-1004(a)(intro), (i), by creating a new paragraph (vi) and
21 (c), 9-2-1005(b)(iv), (e)(i)(C), (f) and (p), 9-2-1007(a),
22 9-2-1010(a)(intro) and (ii), 9-2-1011(a), (c) and (d),
23 9-2-1012(a), (b) and (f) through (h), 9-2-1013(b),

1 9-2-1014(a) through (c), 9-2-1104(a)(i), 9-2-2012(d),
2 9-2-2202(b)(iii), 9-3-203(a)(iv), 9-3-211(c),
3 9-3-402(a)(vii)(M), 9-3-406(a)(xiii)(B), 9-3-412(b) and
4 (c)(iv), 9-3-413, 9-3-424(a), 9-3-501(a)(iii),
5 9-4-204(s)(ii), 9-4-205(c), 9-4-206(b), 9-4-207(b),
6 (e)(iii)(B)(intro) and (g), 9-4-214(a), 9-4-217(e),
7 9-4-715(q)(iii), 9-5-106(b), 9-7-104(g), 9-12-103(g)(i),
8 9-17-128(a)(v), 11-20-201(b), 13-2-807(d), 14-5-104,
9 16-3-101(b)(ii), (ix)(G) and (xii), 16-3-103(h)(iv),
10 16-4-122(b), 19-7-103(b)(xii) and (xxi),
11 21-2-204(h)(viii)(A), 21-15-119(a)(intro), 21-18-203(a),
12 21-18-204(b), 21-18-225(a)(intro), 22-25-107(e),
13 24-2-115(b)(v), 26-2-105, 26-2-106(c), 28-8-111(b),
14 33-1-302(a)(viii) and (ix), 35-1-243(d), 36-4-110(b)(i),
15 40-14-636(j), 40-23-112(e) and 42-4-120(m) are amended to
16 read:

17

18 **2-3-1002. Definitions.**

19

20 (a) As used in this act:

21

22 (vi) "Custodian" means a person that carries,
23 maintains, processes, receives or stores a digital asset of

1 a user through the internet as defined in W.S.
2 ~~9-2-1035(a)(iii)~~ 9-2-3219(a)(iii);

3

4 **5-2-123. Supreme court budget submittal.**

5

6 The supreme court shall submit standard and supplemental
7 budget requests to the legislature not later than November 1
8 of the year preceding the fiscal year in which the standard
9 or supplemental budget is to take effect. Subject to W.S.
10 9-2-1003.1(d), the supreme court shall prepare all personal
11 services budget requests using the same methods and practices
12 as the executive branch.

13

14 **6-3-902. Unlawful impersonation through electronic**
15 **means; penalties; definitions; civil remedies.**

16

17 (b) For purposes of this section:

18

19 (ii) "Internet" means as defined in W.S.

20 ~~9-2-1035(a)(iii)~~ 9-2-3219(a)(iii);

21

1 **7-6-103. Creation of office of state public defender;**
2 **appointment of state public defender and assistants; duties;**
3 **removal.**

4

5 (a) There is created the office of the state public
6 defender. The office of the state public defender shall be
7 deemed a state agency for budgeting purposes pursuant to W.S.
8 ~~9-2-1001~~ 9-2-1001.1 through ~~9-2-1026~~ 9-2-1014.2.

9

10 **7-6-113. Funding.**

11

12 (b) Each county shall appropriate funds to supplement
13 the state public defender budget in accordance with an
14 equitable formula determined by the state public defender and
15 the state budget ~~division of the~~ department ~~of administration~~
16 ~~and information~~ in cooperation with the legislative service
17 office, taking into account the following factors:

18

19 **7-19-302. Registration of offenders; procedure;**
20 **verification; fees.**

21

22 (a) Any offender residing in this state or entering
23 this state for the purpose of residing, attending school or

1 being employed in this state shall register with the sheriff
2 of the county in which he resides, attends school or is
3 employed, or other relevant entity specified in subsection
4 (c) of this section. The offender shall be photographed,
5 fingerprinted and palmprinted by the registering entity or
6 another law enforcement agency and shall provide the
7 following additional information when registering:

8

9 (xii) Internet identifiers, including each email
10 address and other designations used by the offender for
11 self-identification or routing in internet communications or
12 postings. As used in this paragraph, "internet" means as
13 defined in W.S. ~~9-2-1035(a)(iii)~~9-2-3219(a)(iii); and

14

15 **9-1-403. State auditor; duties; prohibited acts;**
16 **powers; investigative subpoenas.**

17

18 (a) The state auditor shall:

19

20 (viii) On or before the fifteenth day of each
21 month, make available in electronic or hard copy detailed
22 statements of expenditures and revenues for each state entity
23 that receives an appropriation in accordance with budget

1 classification. These statements shall be available to each
2 entity and to the state budget ~~division~~department.

3

4 **9-1-409. State treasurer; duties generally; demand**
5 **accounts; state revenues paid to treasurer.**

6

7 (e) The state treasurer may implement and administer a
8 performance compensation plan in accordance with this
9 subsection. The plan shall:

10

11 (xiii) Subject participating employees to the
12 following terms and conditions related to leave time:

13

14 (B) Senior analysts and analysts shall
15 receive leave time in accordance with standards and rules
16 established or promulgated in accordance with W.S.
17 ~~9-2-1022(a)~~9-2-3207(a).

18

19 **9-2-128. Health care innovation; studies; account.**

20

21 (d) The department may enter into agreements to carry
22 out this section. Except as otherwise provided in this
23 section, agreements under this section shall be exempt from

1 the procurement requirements set forth in W.S. ~~9-2-1016~~
2 9-2-3204 and other state laws and rules governing the
3 procurement of services by a state agency. The department
4 shall obtain approval of all agreements from the attorney
5 general.

6

7 **9-2-419. Marking, defacing, removing or tampering with**
8 **certain materials; penalty.**

9

10 Any person marking, defacing, removing or tampering in any
11 manner whatsoever with any property acquired under W.S.
12 9-2-404 through 9-2-415, by the director or, acquired under
13 W.S. ~~9-2-1026.5~~ 9-2-3210 through ~~9-2-1026.7~~ 9-2-3212 by the
14 state librarian or state library board is guilty of a
15 misdemeanor punishable by a fine of not more than one hundred
16 dollars (\$100.00).

17

18 ARTICLE 10

19 ~~DEPARTMENT OF ADMINISTRATION AND INFORMATION~~

20 STATE BUDGET DEPARTMENT

21

22 **9-2-1002. Definitions; provisions construed;**
23 **cooperation with legislature and judiciary.**

1

2 (a) As used in this act:

3

4 (ii) "Department" means the state budget
5 ~~department of administration and information;~~

6

7 (iv) "Exception budget" means a budget prepared by
8 an entity containing requests for appropriations which vary
9 from the standard budget as prepared by the ~~budget division~~
10 department or otherwise represents additional or increased
11 services. The agency shall justify the new or increased
12 services and describe all new staff, support services and
13 additional equipment which will be required. The exception
14 budget shall also be used to describe any decreases in
15 nongeneral fund revenues formally supporting an entity's
16 services and for which a general fund appropriation is being
17 requested;

18

19 (x) "This act" means W.S. ~~9-2-1001-9-2-1001.1~~
20 through ~~9-2-1026.13-9-2-1014.2~~;

21

22 (xii) "Base budget" means a budget containing all
23 legislative appropriations as defined by W.S.

1 9-2-1013(d)(iv), which shall be prepared by the ~~division~~
2 department for each entity containing all programs for the
3 biennium preceding the biennium for which a standard budget
4 is being prepared pursuant to this act. The base budget and
5 all information accompanying the base budget as required by
6 this act shall be of sufficient detail to parallel components
7 of the standard budget prepared for each entity under this
8 act;

9

10 **9-2-1004. Duties of the department; receipt of monthly**
11 **statements of income, revenues and expenditures of state**
12 **agencies and offices; authority to contract; purposes.**

13

14 (a) The department ~~through its budget division~~ shall:

15

16 (i) In conjunction with the human resources
17 division of the department of administration and information,
18 assure that all personnel transactions conform to budget
19 requirements;

20

21 (vi) Appear before the joint appropriations
22 committee as requested by the committee to provide

1 information on the budgetary and financial affairs of the
2 state.

3
4 (c) The ~~budget division~~department, with the approval
5 of the governor, may enter into contracts on behalf of the
6 state of Wyoming with the federal government or any agency
7 thereof for the purpose of initiating unified or joint letters
8 of credit, simplified fund matching ratios, consolidated
9 grants-in-aid, cost allocation programs, state audit of
10 federally sponsored programs or any other practice that will
11 allow the more effective, efficient and economical use of
12 state and federal revenues.

13

14 **9-2-1005. Payment of warrants; budget powers of**
15 **governor; agency budgets; federal funds; new employees.**

16

17 (b) Subject to subsection (c) of this section, the
18 governor may:

19

20 (iv) Authorize the implementation of the personnel
21 classification and compensation plan consistent with W.S.

22 ~~9-2-1022(b)~~9-2-3207;

23

1 (e) As used in this section:

2

3 (i) "Approved budget" means:

4

5 (C) A budget for a program as developed by
6 the ~~budget division~~department and approved by the governor
7 for appropriations for which no budgeted request was
8 submitted.

9

10 (f) The joint appropriations ~~interim~~-committee of the
11 legislature shall compile the approved budget for each
12 agency's appropriation and transmit the budget to the
13 governor and the agency.

14

15 (p) The governor shall make available monthly for
16 public inspection information on the exercise of his
17 authority under paragraph (b)(ii), (v) and subsection (g) of
18 this section and under W.S. 9-2-1014.2 for the immediately
19 preceding month. The information shall be made available on
20 the Wyoming public finance and expenditure of funds website
21 created by W.S. ~~9-2-1036(a)~~9-2-3220(a).

22

1 **9-2-1007. Restrictions on indebtedness and**
2 **expenditures of state agencies; allotment system.**

3
4 (a) No indebtedness shall be incurred or expenditure
5 made by any agency in excess of the amount appropriated or
6 otherwise authorized by law or where expressly prohibited by
7 law or regulation adopted under this act or prohibited by
8 federal law. Expenditures from the account administered
9 through the surplus property section of the division of
10 general services within the department of administration and
11 information shall be made only as permitted by federal law.
12 Transfers in budget categories shall not be permitted by the
13 department where the items of appropriation or other revenues
14 are explicitly limited to a defined purpose by law or
15 regulation adopted under this act. No agency shall revise,
16 modify or otherwise change its approved budget without the
17 prior approval of the department. ~~through the budget~~
18 ~~division.~~

19
20 **9-2-1010. Duties of department; biennial budgets and**
21 **appropriations.**

22
23 (a) The department ~~through the budget division~~ shall:

1

2 (ii) Prescribe the form, contents and procedure of
3 and for budget documents with the advice of the chairman of
4 the joint appropriations ~~interim~~-committee; and

5

6 **9-2-1011. Duties of the department; preparation of**
7 **standard budget estimates; entities to prepare expanded and**
8 **exception budgets; form; required information; base budgets.**

9

10 (a) Subject to subsection (c) of this section, the
11 department ~~through the budget division~~ shall prepare standard
12 budget estimates. Entities shall prepare expanded and
13 exception budgets in a form consistent with the standard
14 budgets as directed by the department.

15

16 (c) The ~~budget division~~department shall for purposes
17 of preparing the standard budget for entities under this
18 section, include the base budget and the specific amount the
19 base budget differs from the standard budget estimate. The
20 differences shall be itemized and explained in writing on a
21 standardized form prescribed by rule and regulation of the
22 ~~division~~department. The base budget and accompanying forms
23 shall be included within the budget estimates and related

1 information for each entity as compiled under W.S.
2 9-2-1012(b).

3

4 (d) Except as otherwise provided by law, budgets for
5 the game and fish department and department of transportation
6 shall be submitted to the governor and the ~~budget division~~
7 ~~department~~ as provided in this subsection. The budget shall
8 be submitted in a manner and format approved by the ~~budget~~
9 ~~division department~~ and shall be submitted by the game and
10 fish commission by August 1 of each year and by the
11 transportation commission by October 1 of each year. The
12 manner and format approved by the ~~budget division department~~
13 shall provide for legislative review. Any modification to
14 the manner and format shall be reported to the joint
15 appropriations committee immediately upon approval.

16

17 **9-2-1012. Duties of the department; transmittal of**
18 **standard budget and manual; return of completed exception and**
19 **expanded budgets; submission to governor; disposition of**
20 **excess general fund appropriations; submission of selected**
21 **budget information to joint appropriations committee.**

22

1 (a) The department ~~through the budget division~~ shall
2 transmit a standard budget and a manual of instruction for
3 the preparation of exception and expanded budgets to entities
4 on or before August 15 of odd numbered years. On or before
5 September 15 of odd numbered years entities shall return the
6 completed exception and expanded budgets.

7

8 (b) The director of the department ~~and administrator of~~
9 ~~the budget division~~ after compiling the requested budget
10 estimates and related information collected from the several
11 agencies of the state shall submit the overall state budget
12 estimate and related information along with their comments
13 and recommendations to the governor no later than November 1
14 of each budget period.

15

16 (f) In addition to subsection (b) of this section and
17 not later than October 1 of each odd-numbered year, the
18 ~~administrator of the budget division~~ director of the
19 department shall file with the legislative service office a
20 copy of the base budget, standard budget estimate and
21 accompanying base budget forms required under W.S.
22 9-2-1011(c) for each entity. The legislative service office

1 shall provide copies of the information filed under this
2 subsection to the joint appropriations ~~interim~~-committee.

3

4 (g) The state employee compensation commission shall
5 submit to the ~~budget division~~-~~department~~ and the joint
6 appropriations ~~interim~~-committee within the time periods
7 specified in subsection (a) of this section its
8 recommendations regarding state employee compensation. The
9 ~~budget division and~~-department shall consider those
10 recommendations in developing budgets and submitting
11 recommendations to the governor pursuant to subsection (b) of
12 this section. When distributing the overall state budget to
13 the legislature, the governor shall summarize the manner in
14 which the proposed budget addresses the recommendations of
15 the state employee compensation commission.

16

17 (h) If the governor exercises his authority provided by
18 W.S. ~~9-2-1022(a)(xi)(F)(VI)~~-~~9-2-3207(a)(xi)(F)(VI)~~ to create
19 an at-will employment contract position, the governor shall
20 seek continued authorization for that position by a budget
21 request in the next session of the legislature. If
22 authorization for the at-will employee contract position is
23 not specifically approved in the general appropriations bill,

1 the position shall terminate and shall not be reauthorized in
2 the future without prior legislative approval.

3

4 **9-2-1013. State budget; distribution of copies to**
5 **legislators; copies and reports of authorizations; interfund**
6 **loans.**

7

8 (b) The ~~budget division of the~~ department shall furnish
9 to the legislative service office copies of all
10 authorizations by the governor pursuant to W.S. 9-2-1005(b)
11 within ten (10) days following the authorization. The
12 legislative service office shall make quarterly reports of
13 all authorizations by the governor to the legislative
14 management council and the joint appropriations ~~interim~~
15 committee. The furnishing of copies of authorizations
16 required under this subsection shall be in addition to the
17 notice required by W.S. 9-2-1005(b).

18

19 **9-2-1014. Report required with budget request; format**
20 **and contents of report; compilation of compendium of agency**
21 **reports; distribution of copies.**

22

1 (a) An agency's budget request to the department shall
2 be accompanied by a written, comprehensive report of the
3 programs, objectives, activities and condition covering the
4 previous fiscal period. The report shall be in a format
5 developed by the department and the department of
6 administration and information, in conjunction with the
7 agency and the legislative service office. Notice of the
8 format requirements shall be forwarded to each agency no later
9 than July 15 of each year. The report shall detail the fiscal
10 affairs of the reporting agency including receipts and
11 expenditures and make recommendations for improving the
12 agency's programs. The report shall include an annual
13 performance report which provides a means of evaluation of
14 the outcomes included in an agency strategic plan required by
15 W.S. 28-1-115 and 28-1-116.

16

17 (b) Upon the receipt of all agency reports, the
18 department of administration and information shall compile
19 and index the information into a single compendium that will
20 facilitate its use by the governor and the legislature. When
21 preparing the compendium neither the department of
22 administration and information nor the state budget
23 department shall in ~~no~~any manner alter or amend the

1 information received from an agency without that agency's
2 written direction. The report of any agency to the department
3 is available pursuant to the Public Records Act.

4

5 (c) Electronic or printed copies of the compendium and
6 the state budget document shall be submitted to the governor
7 and to each legislator. Printed copies of the compendium shall
8 be furnished to the ~~budget division department~~ and the state
9 library division within the department of administration and
10 information, the state auditor, the department of audit, the
11 legislative service office, and to any legislator requesting
12 a printed copy.

13

14 **9-2-1104. Commission; powers and duties; advisory**
15 **capacity to promote system development; public meetings;**
16 **clerical and administrative support.**

17

18 (a) The commission shall:

19

20 (i) Work with the state budget ~~division of the~~
21 ~~department, of administration and information,~~ the department
22 of enterprise technology services, the department of homeland
23 security and the department of transportation in an advisory

1 capacity to promote the development, improvement and
2 efficiency of public safety communications systems in the
3 state;

4

5 **9-2-2012. Department of corrections created; director**
6 **appointed; structure.**

7

8 (d) The board of parole shall be deemed a state agency
9 for budgeting purposes pursuant to W.S. ~~9-2-1001~~9-2-1001.1
10 through ~~9-2-1026~~9-2-1014.2.

11

12 **9-2-2202. Duties and function of office.**

13

14 (b) In addition to conducting hearings pursuant to
15 subsection (a) of this section, the office of administrative
16 hearings may, if requested, provide hearing services for any
17 other state agency, provided:

18

19 (iii) Hearings will be conducted in an impartial
20 manner pursuant to the Wyoming Administrative Procedure Act,
21 applicable provisions of the Wyoming Rules of Civil Procedure
22 and any rules for the conduct of contested cases adopted by
23 the director of the office of administrative hearings which

1 shall take precedence over hearing rules promulgated by the
2 requesting agency. In the case of personnel hearings
3 conducted pursuant to W.S. ~~9-2-1019~~9-2-3206, the state
4 personnel rules shall govern the conduct of the hearings;

5

6 **9-3-203. Definitions.**

7

8 (a) As used in this act:

9

10 (iv) "Employee" means any employee of a
11 participating school district or participating board of
12 cooperative educational services whose salary is paid by
13 funds of the district or board, or any official or employee
14 of the state of Wyoming whose salary is paid by state funds,
15 including employees and faculty members of the University of
16 Wyoming and various community colleges in the state, except
17 persons employed on intermittent, irregular, or less than
18 halftime basis and any at-will contract employee who does not
19 meet the requirements established under W.S.
20 ~~9-2-1022(a)(xi)(F)(III) or (IV)~~9-2-3207(a)(xi)(F)(III) or
21 (IV). "Employee" shall not include employees of the
22 agricultural extension service of the University of Wyoming
23 who hold federal civil service appointments, are required to

1 participate in federal civil service retirement and who elect
2 to participate in the federal employees' health benefit
3 program as authorized in W.S. 9-3-210(d);

4

5 **9-3-211. Deductions from salaries of monthly**
6 **contributions by employees and officials; establishment of**
7 **procedure.**

8

9 (c) Notwithstanding any other provision of the State
10 Employees' and Officials' Group Insurance Act and for the
11 contributions provided by W.S. ~~9-2-1022(a)(xi)(F)(IV)~~
12 9-2-3207(a)(xi)(F)(IV), the contributions required by
13 subsection (a) of this section may be paid by the Wyoming
14 livestock board for state employee members in order to be
15 treated as employer contributions for the sole purpose of
16 determining tax treatment under the United States Internal
17 Revenue Code, section 414(h). The amounts shall be stated in
18 the employment contract.

19

20 **9-3-402. Definitions.**

21

22 (a) As used in this article:

23

1 (vii) "Member" means and includes any full-time or
2 regular part-time employee of an employer, including
3 substitute teachers if treated by the employer as regular,
4 part-time employees and including law enforcement officers
5 and firefighter members, but "member" does not mean:

6

7 (M) An at-will contract employee under W.S.
8 ~~9-2-1022(a)(xi)(F)~~ 9-2-3207(a)(xi)(F), unless specifically
9 authorized by the contract pursuant to W.S.
10 ~~9-2-1022(a)(xi)(F)(III) or (IV)~~ 9-2-3207(a)(xi)(F)(III) or
11 (IV);

12

13 **9-3-406. Retirement board; employment and compensation**
14 **of director, consulting actuary and assistants; director**
15 **designated secretary; compensation of members; quorum; seal.**

16

17 (a) The board shall employ a director and a consulting
18 actuary and other professional and clerical assistants
19 necessary for the administration of the retirement system and
20 the Wyoming deferred compensation program established under
21 W.S. 9-3-501 through 9-3-508. The compensation of employees
22 shall be fixed by the board, subject to confirmation and
23 approval by the human resources division and together with

1 all other necessary expenses of the board shall be paid by
2 vouchers drawn on the state treasurer of Wyoming. The director
3 shall also serve, without additional compensation, as
4 secretary of the board. The board shall have the authority
5 to obtain the financial and criminal background history of an
6 employee or employment applicant of the Wyoming retirement
7 system in accordance with W.S. 7-19-106 and 7-19-201. In
8 fixing compensation of employees the board may implement and
9 administer a performance compensation plan in accordance with
10 this subsection. The plan shall:

11

12 (xiii) Subject participating employees to the
13 following terms and conditions related to leave time:

14

15 (B) Senior analysts and analysts shall
16 receive leave time in accordance with standards and rules
17 established or promulgated in accordance with W.S.
18 ~~9-2-1022(a)~~ 9-2-3207(a).

19

20 **9-3-412. Members' contributions; payroll deductions;**
21 **employer authorized to pay employee's share.**

22

1 (b) Except as provided by W.S. ~~9-2-1022(a)(xi)(F)(III)~~
2 ~~or (IV)~~ 9-2-3207(a)(xi)(F)(III) or (IV), in order to be
3 treated as employer contributions for the sole purpose of
4 determining tax treatment under the United States Internal
5 Revenue Code, section 414(h) the contributions required by
6 subsection (a) of this section shall be paid by the employer
7 for state employee members and may be paid by the employer
8 for member employees of political subdivisions of this state.
9 Any contract employee authorized to participate in the state
10 retirement system under W.S. ~~9-2-1022(a)(xi)(F)(III)~~
11 9-2-3207(a)(xi)(F)(III) shall pay the entire member
12 contribution and the entire employer contribution under W.S.
13 9-3-413. For the contributions as provided by W.S.
14 ~~9-2-1022(a)(xi)(F)(IV)~~ 9-2-3207(a)(xi)(F)(IV), the
15 contributions required by subsection (a) of this section may
16 be paid by the Wyoming livestock board for state employee
17 members in order to be treated as employer contributions for
18 the sole purpose of determining tax treatment under the United
19 States Internal Revenue Code, section 414(h). The amounts
20 shall be stated in the employment contract.

21

22 (c) The contributions under subsection (b) of this
23 section shall be paid from the source of funds which is used

1 in paying salary to the member. The employer may pay these
2 contributions by a reduction in cash salary of the member or
3 by an offset against a future salary increase, or by a
4 combination of a reduction in salary and an offset against a
5 future salary increase, provided:

6

7 (iv) For full-time brand inspection contract
8 employees authorized to participate in the state retirement
9 system under W.S. ~~9-2-1022(a)(xi)(F)(IV)~~
10 9-2-3207(a)(xi)(F)(IV), not more than five and fifty-seven
11 hundredths percent (5.57%) of the contract employee's salary
12 shall be paid by the livestock board unless specified
13 otherwise by legislative act.

14

15 **9-3-413. Employer's contributions; payable monthly;**
16 **transfer to account; interest imposed upon delinquent**
17 **contributions; recovery.**

18

19 Except as provided by W.S. ~~9-2-1022(a)(xi)(F)(III) or (IV)~~
20 9-2-3207(a)(xi)(F)(III) or (IV), 9-3-431 and 9-3-432, each
21 employer excluding employers of firefighter members, shall on
22 a monthly basis, pay into the account a contribution equal to
23 eight and sixty-two hundredths percent (8.62%) of the salary

1 paid to each of its members covered under this article for
2 the period from September 1, 2018 through June 30, 2019, eight
3 and eighty-seven hundredths percent (8.87%) of the salary
4 paid for the period from July 1, 2019 through June 30, 2020,
5 nine and twelve hundredths percent (9.12%) of the salary paid
6 for the period from July 1, 2020 through June 30, 2021 and
7 thereafter nine and thirty-seven hundredths percent (9.37%)
8 of the salary paid. Employers of firefighter members shall
9 pay into the account a contribution equal to seven and twelve
10 hundredths percent (7.12%) of the salary paid. Employer
11 contributions for any month, together with the members'
12 contributions for that month, if any, shall be transferred to
13 the board not later than the twelfth day of the following
14 month. These contributions shall be credited to the account
15 in a manner as directed by the board. Any employer failing
16 to transfer contributions under this section in sufficient
17 time for the board to receive the contributions by the
18 twenty-fifth day of the month due shall be assessed interest
19 at the assumed rate of return as determined by the board,
20 compounded annually. Interest imposed under this section
21 shall be payable not later than the twelfth day of the next
22 succeeding month. If the contributions and any interest
23 imposed under this section are not transferred to the board

1 when due, they may be recovered, together with court costs,
2 in an action brought for that purpose in the first judicial
3 district court in Laramie County, Wyoming.

4

5 **9-3-424. Refund of contributions upon termination of**
6 **employment; procedure; redeposit; limitation on refund.**

7

8 (a) Except as provided in subsection (b) of this
9 section, any member covered by this article, including an
10 at-will contract employee under W.S. ~~9-2-1022(a)(xi)(F)(III)~~
11 ~~or (IV)~~ 9-2-3207(a)(xi)(F)(III) or (IV), who terminates his
12 employment or any employee of the agricultural extension
13 service of the University of Wyoming who has not elected to
14 continue to be covered by this article is entitled to a refund
15 of his account. In addition, any member who is entitled to a
16 refund who is an at-will contract employee under W.S.
17 ~~9-2-1022(a)(xi)(F)(III)~~ 9-2-3207(a)(xi)(F)(III), shall be
18 entitled to a refund of his account plus any employer matching
19 contributions made by that member. In addition, any member
20 who is entitled to a refund who is an at-will contract
21 employee under W.S. ~~9-2-1022(a)(xi)(F)(IV)~~
22 9-2-3207(a)(xi)(F)(IV), shall be entitled to a refund of his
23 account plus any employer matching contributions made by that

1 member. The refunds shall be made only upon written request
2 to the board. A member may elect, at the time and in the
3 manner prescribed by the system, to have the refund of his
4 account paid directly to an eligible retirement plan as
5 specified by the member. Any member who withdraws from the
6 system under this section shall forfeit all rights to further
7 benefits, employer matching contributions and service credit
8 under the system. Any person who later returns to service
9 covered by this article may redeposit a single lump-sum amount
10 equal to the amount of the contributions withdrawn, together
11 with an amount equal to the actuarial equivalent of the
12 benefits to be derived from the redeposit, past employer
13 contributions, the individual's attained age and the benefit
14 structure of the appropriate plan, and upon earning not less
15 than two (2) years service credit, may reestablish his service
16 credits as of the time of withdrawal of his contributions.
17 For service prior to July 1, 2002, any law enforcement member
18 covered under W.S. 9-3-432 may redeposit the amount of
19 contributions withdrawn for service covered under W.S.
20 9-3-432, in a lump sum, together with interest and the
21 actuarial equivalent of the difference between the benefit
22 provided under W.S. 9-3-415 through 9-3-419 and the benefit
23 provided under W.S. 9-3-432, and upon earning not less than

1 two (2) years service credit, may reestablish his service
2 credit as of the time of withdrawal of his contributions. Any
3 redeposit payment pursuant to this subsection shall be made
4 not later than ten (10) years following the date of
5 reemployment or prior to retirement, whichever first occurs.
6 A member may make a redeposit under this subsection with
7 personal funds or, subject to rules and regulations
8 established by the board, through rollover contributions.
9 Unless received by the system in the form of a direct
10 rollover, the rollover contribution shall be paid to the
11 system on or before sixty (60) days after the date it was
12 received by the member. Unless otherwise permitted by section
13 401(a)(8) of the Internal Revenue Code, forfeitures shall not
14 be applied to increase the benefits that any employee would
15 otherwise receive under the system.

16

17 **9-3-501. Definitions.**

18

19 (a) As used in this article:

20

21 (iii) "Employee" means any person including any
22 elected official employed by and receiving compensation from
23 the state of Wyoming or a county, city, town or other

1 political subdivision, but does not include any at-will
2 contract employee under W.S. ~~9-2-1022(a)(xi)(F)~~
3 9-2-3207(a)(xi)(F);

4

5 **9-4-204. Funds established; use thereof.**

6

7 (s) It is the intent of the legislature to establish
8 uniform requirements for state government accounting and
9 financial reporting in accordance with the generally accepted
10 accounting principles (GAAP) as promulgated by the
11 governmental accounting standards board (GASB), or its
12 successor bodies, so that the financial position and the
13 results of operations of state government can be publicly
14 available to citizens, legislators, financial institutions
15 and others interested in such information. To implement these
16 requirements:

17

18 (ii) All state agencies in all branches of
19 government and specifically the state budget ~~division of the~~
20 department, ~~of administration and information,~~ the governor
21 and the consensus revenue estimating group shall use the fund
22 types specified in subsection (t) of this section in preparing

1 state budget documents, budget recommendations, revenue
2 estimates and legislation;

3

4 **9-4-205. Appropriations and expenditures.**

5

6 (c) The revenues and other resources in any funds
7 created by this act which are not affected by subsection (a)
8 or (b) of this section may be expended pursuant to law or
9 agreement if in conformity with the requirements of the state
10 budget ~~division of the~~ department, of administration and
11 information, if any.

12

13 **9-4-206. Disposition of revenue; cash accounts;**
14 **investment of monies held by state institutions.**

15

16 (b) Supplemental additions to approved budgets for
17 acceptance and expenditure of federal funds authorized for
18 acceptance by the governor after notice is provided to the
19 legislature pursuant to W.S. 9-2-1005(b) shall be in writing,
20 signed by the governor or his designated representative with
21 copies to the state auditor and state budget department, of
22 administration and information. Upon approval by the
23 governor, federal revenue that is accepted and which will

1 result in a saving or replacement of state monies to
2 accomplish a budgeted activity or function shall be
3 transferred to the general fund with appropriate explanation.
4

5 **9-4-207. Disposition of unexpended appropriations.**
6

7 (b) All unexpended federal funds appropriations and
8 budget authorizations to accept and expend federal funds as
9 provided by W.S. 9-4-206(b) shall be reviewed by the state
10 budget department ~~of administration and information~~ at the
11 end of the fiscal period. The department may authorize amounts
12 to be carried forward into the next fiscal period which are
13 necessary to complete activities or functions in progress,
14 for activities or functions not then started, and for purposes
15 as specified in subsection (d) of this section. Federal funds
16 not carried forward shall revert to the general fund unless
17 federal requirements provide otherwise or unless otherwise
18 provided by the legislature.
19

20 (e) In each even numbered year:
21

22 (iii) Not later than December 1, the auditor
23 shall:

1

2 (B) In consultation with the state budget
3 department, ~~of administration and information~~, report to the
4 governor and joint appropriations ~~interim~~ committee on all
5 unexpended appropriations or authorizations remaining after
6 September 30. The state chief information officer shall be
7 consulted for purposes of information technology projects
8 within the report. The report shall include:

9

10 (g) The state auditor, in consultation with the state
11 budget department, ~~of administration and information~~, shall
12 accommodate the department of transportation's October
13 through September fiscal period in implementing the reporting
14 requirements of subsections (e) and (f) of this section
15 regarding the disposition of unexpended appropriations while
16 still identifying any reversions by October 1 of each even
17 numbered year.

18

19 **9-4-214. Control and budgetary accounts; uniform**
20 **accounting systems.**

21

22 (a) The state auditor shall establish general control
23 accounts for each fund appropriation included in legislative

1 appropriation acts to reflect the amount of expenditure
2 approved charging against each type of fund the expenditures
3 as made to disclose the unexpended authorizations. The state
4 budget department ~~of administration and information~~ shall
5 establish budgetary accounts as necessary. The state auditor,
6 state treasurer and the state budget department ~~of~~
7 ~~administration and information~~ shall develop and maintain the
8 state's uniform centralized accounting system and methods for
9 identifying, classifying and reporting revenues, receipts and
10 disbursements including accounts and subaccounts for all
11 nonappropriated state funds and shall develop and implement
12 a uniform modified accrual accounting system.

13

14 **9-4-217. Uniform state accounting system.**

15

16 (e) The state auditor, with assistance from the
17 department of audit, the state budget ~~division of the~~
18 department, ~~of administration and information,~~ and the state
19 treasurer shall prescribe such internal control procedures
20 for any state agency as he deems necessary to assure assets
21 are properly safeguarded, accounting entries are accurate and
22 reliable, and assets and resources are being utilized
23 consistent with the requirements of the law and duly

1 established managerial policies in an effective, economical
2 and efficient manner.

3

4 **9-4-715. Permissible investments.**

5

6 (q) The state treasurer, or his designee, which shall
7 be registered under the Investment Advisor's Act of 1940 as
8 amended if required to be registered by the terms of that act
9 as amended shall invest the legislative stabilization reserve
10 account created in W.S. 9-4-219 in a manner to obtain the
11 highest return possible subject to the following:

12

13 (iii) After consultation with the state budget
14 ~~division of the~~ department, of administration and
15 information, up to fifty-five percent (55%) of the
16 unobligated, unencumbered balance of the legislative
17 stabilization reserve account in excess of the amount
18 specified in paragraph (ii) of this subsection, as calculated
19 by the state auditor on October 1 of each fiscal year, may be
20 invested in equities, including stocks of corporations.
21 Investments under this paragraph shall be made in compliance
22 with subsections (c) and (d) of this section;

23

1 **9-5-106. State building commission; powers relative to**
2 **use of state buildings; rules authorized; exceptions.**

3
4 (b) The secretary to the commission under W.S.
5 ~~9-2-1016(b)(xxi)~~ 9-2-3204(b)(xxi) shall administratively
6 implement any rules of the state building commission adopted
7 under this section. The director of the department of
8 administration and information may adopt rules and
9 regulations which make violation of rules adopted by the
10 commission under subsection (a) of this section grounds for
11 disciplinary action for any state employee violating the
12 rules of the state building commission regarding operation,
13 management or use of state buildings.

14

15 **9-7-104. Community development authority; creation;**
16 **composition; compensation; termination; meetings; surety**
17 **bonds; personal liability; fiscal control.**

18

19 (g) Notwithstanding any other provision, the directors,
20 the executive director and the employees of the authority
21 shall receive approval in advance from the governor prior to
22 traveling out of state on official business. Except as
23 specifically provided in this act, the provisions of W.S.

1 ~~9-2-1001~~9-2-1001.1 through ~~9-2-1024~~9-2-1014.2 and 9-2-3201
2 through 9-2-3208 do not apply to the authority.

3

4 **9-12-103. Wyoming business council; creation;**
5 **composition; compensation; termination; meetings; surety**
6 **bonds; fiscal control.**

7

8 (g) Except as specifically provided in this act, the
9 following provisions do not apply to the council:

10

11 (i) W.S. ~~9-2-1001~~9-2-1001.1 through ~~9-2-1026~~
12 9-2-1014.2 and 9-2-3201 through 9-2-3209;

13

14 **9-17-128. Reports by corporation; audits; budget;**
15 **fiscal year.**

16

17 (a) To ensure the financial integrity of the lottery,
18 the corporation through its board of directors shall:

19

20 (v) Submit to the governor, the department of
21 audit and the joint revenue interim committee by June 30 of
22 each year a copy of the annual operating budget for the
23 corporation for the next fiscal year. This annual operating

1 budget shall be approved by the board and be on forms as
2 prescribed by the state budget department; ~~of administration~~
3 ~~and information;~~

4

5 **11-20-201. Designation of contract services to**
6 **implement brand inspection laws; bond required; bond of**
7 **inspectors; interstate cooperative agreements.**

8

9 (b) The agency, or the board may contract for
10 inspectors as the board deems necessary to carry out specified
11 duties. The board may contract for inspectors through an
12 individual at-will contract. The board may contract to
13 provide the inspector salary, mileage, per diem and other
14 necessary reimbursable expenses, membership in the state
15 employees' and officials' group insurance plan in accordance
16 with W.S. ~~9-2-1022(a)(xi)(F)(IV)~~ 9-2-3207(a)(xi)(F)(IV) and
17 9-3-207, and the state retirement system in accordance with
18 W.S. ~~9-2-1022(a)(xi)(F)(IV)~~ 9-2-3207(a)(xi)(F)(IV) and
19 9-3-412. The board shall be authorized to establish mileage
20 rates without regard to the limitations provided in W.S.
21 9-3-103. During the time that inspectors are acting within
22 the scope of their duties on behalf or in service of the state
23 in their official capacity, inspectors are covered by the

1 provisions of the Wyoming Governmental Claims Act, W.S.
2 1-39-101 through 1-39-120, and the state self-insurance
3 program, W.S. 1-41-101 through 1-41-111. It may assign
4 inspectors inside or outside of this state as it deems
5 appropriate. A blanket bond or individual bonds shall be
6 executed to the state with good and sufficient surety in an
7 amount determined by the board, conditioned for the full and
8 faithful performance and discharge of the inspector's duties.
9 The bond shall be approved by and filed in the office of the
10 board.

11

12 **13-2-807. Examinations; periodic reports; cooperative**
13 **agreements; assessment of fees.**

14

15 (d) The commissioner may enter into contracts with any
16 bank supervisory agency having concurrent jurisdiction over
17 a Wyoming state bank or an out-of-state state bank operating
18 a branch in this state pursuant to this article to engage the
19 services of the agency's examiners at a reasonable rate of
20 compensation, or to provide the services of the
21 commissioner's examiners to the agency at a reasonable rate
22 of compensation. Any such contract shall not be subject to
23 the provisions of W.S. ~~9-2-1016(b)~~ 9-2-3204(b).

1

2 **14-5-104. Agreements with other party states**
3 **authorized; when approval required.**

4

5 Officers and agencies of the state of Wyoming and its
6 subdivisions having authority to place children may enter
7 into agreements with appropriate officers or agencies of
8 other party states pursuant to article IV(b) of W.S. 14-5-101.
9 Any agreement which contains a financial commitment or
10 imposes a financial obligation on the state of Wyoming, a
11 subdivision or agency thereof is not binding unless it has
12 the written approval of the ~~administrator~~director of the
13 state budget ~~division of the Wyoming~~ department ~~of~~
14 ~~administration and information~~ or the county treasurer in the
15 case of a county.

16

17 **16-3-101. Short title; definitions.**

18

19 (b) As used in this act:

20

21 (ii) "Contested case" means a proceeding including
22 but not restricted to ratemaking, price fixing and licensing,
23 in which legal rights, duties or privileges of a party are

1 required by law to be determined by an agency after an
2 opportunity for hearing but excludes designations under W.S.
3 ~~9-2-1022(h)(i)~~ 9-2-3207(h)(i);

4

5 (ix) "Rule" means each agency statement of general
6 applicability that implements, interprets and prescribes law,
7 policy or ordinances of cities and towns, or describes the
8 organization, procedures, or practice requirements of any
9 agency. The term includes the amendment or repeal of a prior
10 rule, but does not include:

11

12 (G) Designations under W.S. ~~9-2-1022(h)(i)~~
13 9-2-3207(h)(i); or

14

15 (xii) "Internet" means as defined in W.S.
16 ~~9-2-1035(a)(iii)~~ 9-2-3219(a)(iii);

17

18 **16-3-103. Adoption, amendment and repeal of rules;**
19 **notice; hearing; emergency rules; proceedings to contest;**
20 **review and approval by governor.**

21

22 (h) An agency may incorporate, by reference in its
23 rules and without publishing the incorporated matter in full,

1 all or any part of a code, standard, rule or regulation that
2 has been adopted by an agency of the United States or of this
3 state, another state or by a nationally recognized
4 organization or association, provided:

5

6 (iv) The incorporating agency maintains and makes
7 available for public inspection a copy of the incorporated
8 matter at cost from the agency and the rules of the
9 incorporating agency state where the incorporated matter is
10 available on the internet as defined in W.S. ~~9-2-1035(a)(iii)~~
11 9-2-3219(a)(iii); and

12

13 **16-4-122. Required annual audits; reports; contents and**
14 **filing.**

15

16 (b) Copies of the audit reports shall be filed with and
17 preserved by the county clerk of each affected county and
18 shall be open to inspection by any interested person. Copies
19 of all audits shall also be filed with the director of the
20 state department of audit. Copies of school audits shall also
21 be filed with the state department of education on or before
22 December 15 following the end of the audited fiscal year.
23 Copies of community college audit findings shall also be filed

1 with the community college commission and the state budget
2 ~~division of the~~ department ~~of administration and information~~
3 as provided by W.S. 21-18-204.

4

5 **19-7-103. Adjutant general; appointment; rank;**
6 **removal; duties and qualifications.**

7

8 (b) The adjutant general of Wyoming shall have powers
9 and duties and be paid a salary as follows:

10

11 (xii) He may dispose of lands, buildings or
12 fixtures under the control of the department by sale, exchange
13 or other transfer. He may execute deeds for such transfers in
14 the name of the state. Money from such sale, exchange or
15 transfer may be utilized for the acquisition of additional
16 lands, buildings or fixtures within the same budget biennium.
17 Any such sale, exchange or other transfer shall be conducted
18 in accordance with the provisions of W.S. 36-9-101, 36-9-102
19 and 36-9-104 through 36-9-120, except these provisions of
20 W.S. title 36, chapter 9 shall not apply when both the title
21 to the land and to all buildings thereon is solely in the
22 name of the department or any division of the department and
23 the provisions of W.S. ~~9-2-1016(b)(viii)~~ 9-2-3204(b)(viii)

1 also shall not apply when both the title to the land and to
2 all buildings thereon is solely in the name of the department
3 or any division of the department. The sections of title 36
4 identified in this paragraph and W.S. ~~9-2-1016(b)(viii)~~
5 9-2-3204(b)(viii) also shall not apply when any such sale,
6 exchange or other transfer is to another governmental entity,
7 state agency or local government, as defined in W.S. 1-39-103,
8 even if the title to the land and to all buildings thereon
9 are not solely in the name of the department or a division
10 thereof;

11

12 (xxi) He may use federal procurement procedures
13 when letting contracts concerning properties under the
14 control of the adjutant general, subject to authorization as
15 provided in W.S. ~~9-2-1016(b)(iv)(H)~~9-2-3204(b)(iv)(H);

16

17 **21-2-204. Wyoming Accountability in Education Act;**
18 **statewide education accountability system created.**

19

20 (h) For all schools a progressive system of support and
21 intervention to assist schools shall be established by the
22 state board through the department. The system shall increase
23 the ability of schools and school districts to improve

1 achievement and growth indicator performance and expand the
2 ability for schools and school districts within the state to
3 continuously improve. The system shall clearly identify and
4 prescribe the actions for each level of support, including
5 comprehensive and targeted support and intervention. The
6 state superintendent shall take action based upon system
7 results according to the following:

8

9 (viii) To the extent permitted by law and rule and
10 regulation, plans submitted in compliance with paragraphs (v)
11 and (vi) of this subsection shall serve to comply with similar
12 requirements administered by the state superintendent and the
13 department, and the state board shall ensure the plans
14 minimize submission of duplicative information, material and
15 the administrative burdens placed upon schools. In addition,
16 the following shall apply to the plans submitted under this
17 subsection:

18

19 (A) All plans submitted under this subsection
20 shall be made available for public inspection through
21 internet access as defined by W.S. ~~9-2-1035(a)(iii)~~
22 9-2-3219(a)(iii);

23

1 **21-15-119. Commission budget and funding**
2 **recommendations.**

3
4 (a) Notwithstanding W.S. 9-2-1012, the commission shall
5 annually, not later than September 1, develop and submit a
6 recommended budget for projects and school capital
7 construction financing to the governor, through the state
8 budget ~~division of the~~ department ~~of administration and~~
9 ~~information~~ and to the select committee on school facilities.
10 The department shall prepare and provide information as
11 requested by the commission. The commission shall include
12 with its recommended budget to the select committee the
13 comprehensive assessment specified in W.S. 21-15-115(b), the
14 prioritized list of projects specified in W.S. 21-15-117
15 including the amounts allocated to each project and the annual
16 building status report specified under W.S. 21-15-121. The
17 recommended budget submitted by the commission shall include:

18
19 **21-18-203. Budget procedure.**

20
21 (a) In collaboration with the boards of the community
22 colleges, the commission shall submit state appropriation
23 requests on behalf of the community college system in

1 compliance with the statewide community college system
2 strategic plan. The standard budget request submitted by the
3 commission for state aid to community colleges under W.S.
4 21-18-205 for the fiscal biennium commencing July 1, 2020 and
5 every four years thereafter, shall be equal to the amount
6 defined in W.S. 9-2-1002(a)(ix). A request for an enrollment
7 adjustment to the standard budget for state aid to community
8 colleges shall be submitted every four (4) years commencing
9 in the fiscal biennium beginning July 1, 2018. The enrollment
10 adjustment shall be based solely upon the calculation under
11 subsection (e) of this section. The budget requests shall be
12 made upon forms and in a format to be determined by the state
13 budget ~~division of the~~ department ~~of administration and~~
14 ~~information.~~

15
16 **21-18-204. Commission and districts subject to public**
17 **records provisions; Uniform Municipal Fiscal Procedures Act.**

18
19 (b) The community college districts are subject to the
20 provisions of the Uniform Municipal Fiscal Procedures Act.
21 Audits for each community college required by W.S. 16-4-121
22 shall be performed by independent auditors selected by the
23 college. The audits shall be conducted in accordance with

1 guidelines set forth in W.S. 9-1-507. The independent
2 auditors shall submit audit findings to the college board of
3 trustees, the commission and the state budget ~~division of the~~
4 ~~department. of administration and information.~~ Questions by
5 the commission regarding audits shall be submitted to the
6 community colleges for response.

7

8 **21-18-225. College maintenance and capital**
9 **construction funding.**

10

11 (a) As part of its administrative functions, the
12 community college commission shall identify community college
13 building needs and develop a prioritized list of community
14 college capital construction projects. The prioritized
15 community college capital construction projects shall be
16 reported by the commission to the state construction
17 department in accordance with subsection (g) of this section.
18 Following review, analysis and study, the state construction
19 department shall forward recommendations for community
20 college capital construction projects to the state building
21 commission. The state construction department shall also
22 submit major maintenance budget requests for college
23 buildings to the legislature in accordance with this section.

1 Major maintenance budget requests shall be based upon the
2 square footage submitted by the commission under subsection
3 (f) of this section and upon a formula adopted by the state
4 building commission, and upon forms and in a format specified
5 by the state budget ~~division of the~~ department. ~~of~~
6 ~~administration and information.~~ College building maintenance
7 budget requests submitted by the state construction
8 department to the legislature and capital construction budget
9 requests forwarded by the state building commission to the
10 legislature shall include only necessary building square
11 footage:

12

13 **22-25-107. Where reports to be filed.**

14

15 (e) The secretary of state shall maintain a searchable
16 database of reports filed pursuant to this chapter available
17 to the public on or through the Internet as defined in W.S.
18 ~~9-2-1035(a)(iii)~~ 9-2-3219(a)(iii). The secretary of state
19 shall be responsible for the provision of training and
20 instruction for filers on how to access and use the campaign
21 finance electronic filing system. The training shall be for
22 the purpose of educating filers about use of the system, and
23 is not intended to assist filers with filing their reports.

1

2 **24-2-115. Program for specific service signing by**
3 **businesses or attractions; department duties and**
4 **responsibilities; contracting of duties; fees.**

5

6 (b) In establishing the program under this section, the
7 department shall by rule and regulation:

8

9 (v) Provide for oversight of the program and
10 subject to W.S. ~~9-2-1016(b)~~9-2-3204(b), may establish
11 necessary procedures for contracting services for the
12 construction, erection and maintenance of highway specific
13 service signing pursuant to this section;

14

15 **26-2-105. Insurance commissioner; salary.**

16

17 The commissioner shall receive a salary as provided under
18 W.S. ~~9-2-1022~~9-2-3207.

19

20 **26-2-106. Deputy commissioner, examiners, clerks,**
21 **assistants and consultants.**

22

1 (c) Salary for personnel in subsections (a) and (b) of
2 this section shall be as provided under W.S. ~~9-2-1022~~
3 9-2-3207.

4

5 **28-8-111. Assistance to be provided by state and local**
6 **officers or agencies; duty of audited agencies.**

7

8 (b) In preparing fiscal and personnel notes for
9 proposed legislation as required by joint rule of the
10 legislature, the state budget ~~division of the~~ department ~~of~~
11 ~~administration and information, its successor,~~ and any agency
12 or department of state government shall furnish any
13 information or assistance relative thereto as soon as
14 reasonably practicable upon request of the director.

15

16 **33-1-302. Duties of licensure boards.**

17

18 (a) Except as otherwise specifically provided by
19 statute, a board authorized to establish examination,
20 inspection, permit or license fees for any profession or
21 occupation regulated under this title or under W.S.
22 11-25-105, 21-2-802 or 23-2-414 shall:

23

1 (viii) Receive budget, fiscal, administrative and
2 clerical service from the department of administration and
3 information as provided in W.S. ~~9-2-1002(b)~~9-2-3202(b) and
4 9-2-1707(b)(iii), except as provided hereinafter. The
5 licensure board or commission shall pay a reasonable rate
6 established by rule and regulation of the department of
7 administration and information for services necessary to
8 support the operation of the licensure board or commission.
9 A board or commission may terminate services described herein
10 upon demonstration to the department of administration and
11 information, in the manner and form determined sufficient by
12 the department of administration and information, that the
13 board or commission is financially independent and able to
14 secure staff to perform the functions necessary for
15 independent operation;

16

17 (ix) If applicable, pay the amount determined
18 appropriate for any cost allocation program supporting
19 licensure boards as determined by the state budget department
20 ~~of administration~~ as provided in W.S. 9-2-1004(c).

21

22 **35-1-243. Public health nursing.**

23

1 (d) If the commissioners of a county enter into a
2 memorandum of understanding to provide public health nursing
3 services under the system specified in paragraph (a)(ii) of
4 this section, at the request of the commissioners of the
5 county, county employee positions assisting in providing
6 public health functions may be transferred to state at-will
7 employee contract positions under W.S. ~~9-2-1022(a)(xi)(F)~~
8 9-2-3207(a)(xi)(F) or to permanent state positions, provided
9 that the number of positions transferred under this
10 subsection shall not exceed the largest number of public
11 health nursing positions in the county between July 1 and
12 December 31 of the year prior to the transfer. A transfer
13 under this subsection shall mean payment of monies to the
14 department for the purpose of creating a position under W.S.
15 35-1-243(a)(ii). Any state employee position created shall
16 comply with the state of Wyoming personnel rules. The
17 department may charge an administrative fee and accept county
18 or other local funds to defray the cost of transferred
19 positions as provided in the memorandum of understanding. The
20 funds shall be deposited by the state treasurer in a separate
21 account. The funds in the account are continuously
22 appropriated to the department of health and shall be paid
23 out upon request of the department as provided by law.

1 Positions transferred under this subsection into state
2 permanent positions shall be paid benefits in the same manner
3 and at the same rates as for comparable state employees
4 pursuant to the state of Wyoming compensation policy. The
5 department's authorization for employee positions shall be
6 expanded by operation of law to accommodate all positions
7 transferred to the state under this subsection and shall
8 continue so long as the county that requested the transfers
9 satisfies its obligations under its memorandum of
10 understanding with the department. Upon a county's failure
11 to make all payments required by its memorandum of
12 understanding with the department or upon the county's
13 request, the department shall no longer have any state
14 positions transferred by the county under this subsection
15 and, upon written notice to the transferred employees and the
16 county, shall follow the state of Wyoming personnel rules
17 regarding reductions in force. All positions created under
18 this subsection shall be included within the department's
19 standard or supplemental budget request.

20

21 **36-4-110. Power to lease or rent concessions.**

22

1 (b) The department, with the advice of the commission,
2 shall promulgate rules that shall apply to any for profit
3 business concession with a five (5) year or greater contract
4 or lease term to promote the uniform and effective
5 administration of state outdoor recreation areas and
6 facilities. Rules adopted under this subsection shall
7 specify:

8
9 (i) Uniform procedures for bidding, entering into
10 leases or contracts and assessing fees under this section,
11 consistent with W.S. ~~9-2-1016(b)(iv)~~9-2-3204(b)(iv), and
12 making any forms available in electronic format on the
13 department website;

14

15 **40-14-636. Records; confidentiality.**

16

17 (j) The administrator may enter into contracts with any
18 supervisory agency having concurrent jurisdiction over a
19 Wyoming licensee pursuant to this act to engage the services
20 of the agency's examiners at a reasonable rate of
21 compensation. Any contract under this subsection shall not
22 be subject to the provisions of W.S. ~~9-2-1016(b)~~9-2-3204(b).

23

1 **40-23-112. Records; confidentiality of records;**
2 **exception.**

3

4 (e) The commissioner may enter into contracts with any
5 mortgage lending or mortgage brokering supervisory agency
6 having concurrent jurisdiction over a Wyoming licensee
7 pursuant to this act to engage the services of the agency's
8 examiners at a reasonable rate of compensation. Any such
9 contract shall not be subject to the provisions of W.S.
10 ~~9-2-1016(b)~~ 9-2-3204(b).

11

12 **42-4-120. Contracts for waiver services; authority of**
13 **department; emergency case services; cost based payments;**
14 **training and certification of specialists.**

15

16 (m) The department shall ensure that state agencies
17 working with service providers receiving funds pursuant to
18 this section shall have established employment first
19 policies, including competitive employment in an integrated
20 setting, consistent with the requirements of W.S. ~~9-2-1022~~
21 9-2-3207.

22

1 **Section 4.** W.S. 9-2-1001 is renumbered as 9-2-3201,
2 9-2-1002(a)(xi), (xiii) through (xv) and (b) through (d) as
3 9-2-3202(a)(vii) through (xii) and (b) through (d), 9-2-1003
4 as 9-2-3203, 9-2-1016 as 9-2-3204, 9-2-1017 as 9-2-3205,
5 9-2-1019 as 9-2-3206, 9-2-1022 as 9-2-3207, 9-2-1024 as
6 9-2-3208, 9-2-1026 as 9-2-3209, 9-2-1026.5 through
7 9-2-1026.13 as 9-2-3210 through 9-2-3218 and 9-2-1035 through
8 9-2-1037 as 9-2-3219 through 9-2-3221.

9

10 **Section 5.** W.S. 9-2-1002(d)(i), renumbered as
11 9-2-3202(d)(i) by Section 4 of this act and 9-2-2021(g) are
12 repealed.

13

14 **Section 6.** In preparing the statutes of the state of
15 Wyoming for printing after the 2021 general session in
16 accordance with W.S. 28-8-105(a)(v), the legislative service
17 office shall correct any references to section numbers that
18 are renumbered by this act and which are not otherwise
19 corrected. This authority shall include correction of
20 internal references in the renumbered W.S. 9-2-3202(a)(vii),
21 9-2-3209, 9-2-3219(a)(vii) and 9-2-3220(b)(iv).

22

1 **Section 7.** This act is effective immediately upon
2 completion of all acts necessary for a bill to become law as
3 provided by Article 4, Section 8 of the Wyoming Constitution.

4

5

(END)