

Bill No.: HB0001 **Effective:** **Immediately**

LSO No.: **23LSO-0407**

Enrolled Act No.: HEA No. 0037

Chapter No.: 94

Prime Sponsor: Joint Appropriations Committee

Catch Title: **General government appropriations.**

Subject: Supplemental Budget Bill for FY2023-2024 Fiscal Biennium.

Summary/Major Elements:

Revised appropriations to 2022 Wyoming Session Laws, Chapter 51:

Reductions or Additional Appropriations for Purposes of Spending by Funding Source:*

General Fund (GF) appropriations increased by a net \$380 million, which includes Governor's vetoes, but not contingent actions on other acts that are specified in this act.

Federal Funds (FF) appropriations increased by a net \$102 million.

School Foundation Program Account (S5) appropriations increased by a net \$58 million.

School Capital Construction Account (S6) appropriations increased by a net \$129 million.

Net Other Funds** appropriations of \$10 million.

**Does not include funding transfers to permanent funds, budget balancer (S10), or appropriations from other acts.*

***Includes all other funding sources not shown above, e.g., Special Revenue (SR), Pension Funds (PF), etc.*

Additional Appropriations for Savings:

Common School Account within the Permanent Land Fund: This act modifies transfers among state accounts to deposit up to \$367.6 million to the Common School Account within the Permanent Land Fund; this is comprised of \$121.1 million revenue redirection and \$246.5 million from the School Foundation Program Account (S5).

Permanent Wyoming Mineral Trust Fund: This act transfers up to \$367.6 million to the Permanent Wyoming Mineral Trust Fund; this is comprised of \$150.0 million General Funds and up to \$217.6 million from the Legislative Stabilization Reserve Account (S10).

Common School Permanent Fund Reserve Account: This act transfers up to \$359.1 million to the Common School Permanent Fund Reserve Account; this is comprised of \$139.7 million S10 and \$219.4 million from the School Foundation Program Reserve Account and from revenue redirections.

Permanent Wyoming Mineral Trust Fund Reserve Account: This act transfers up to \$274.7 million S10 to the Permanent Wyoming Mineral Trust Fund Reserve Account.

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Hathaway Student Scholarship Reserve Account: This act transfers up to \$4.6 million S10 to the Hathaway Student Scholarship Reserve Account.

Higher Education Endowment Reserve Account: This act transfers up to \$1.2 million S10 to the Higher Education Endowment Reserve Account.

School Capital Construction Account: This act transfers \$327.1 million S5 to the School Capital Construction Account.

The act also contains increases to total authorized positions for the Executive Branch of 19 full-time equivalent (FTE) positions. These positions are summarized as follows:

- Department of Revenue: 3 FTE
- Department of Environmental Quality: 4 FTE
- Public Service Commission: 2 FTE
- State Construction Department: 1 FTE
- Wyoming Gaming Commission: 3 FTE
- Office of State Lands and Investments: 4 FTE
- Wyoming Retirement System: 1 FTE
- Department of Education: 1 FTE

General Government: This act contains revised appropriations for executive branch and judicial branch agencies for the FY2023-2024 biennium. A condensed overview of large agencies and programs follows:

- **Department of Administration and Information:** This act increases appropriations of \$10.3 million GF (Section 2, Section 006). This includes \$4.5 million for risk management activities; \$1.8 million for operations and utilities for the Thyra Thomson Building; \$2.4 million for a restoration of a 2021 budget reduction pertaining to leasing; and \$1.6 million for miscellaneous expenditures.
- **State Parks and Cultural Resources:** This act transfers \$9.0 million GF to the Wyoming Cultural Trust Fund (Section 2, Section 024).
- **Wildlife/Natural Resources Trust:** This act transfers \$5.0 million GF and \$5.0 million in Other Funds to the Wyoming Wildlife Natural Resource Trust and appropriates an additional \$1.5 million to address invasive species (Section 2, Section 039).
- **Department of Health:** This act increases appropriations of \$34.3 million GF and \$97.1 million FF (Section 2, Section 048). The GF increase is \$22.2 million in the Health Care Financing Division; \$9.2 million in the Behavioral Health Division; and \$2.7 million in the Aging Division. This act authorizes the transfer of up to \$39.3 million in Department of Health reversions to the Wyoming State Hospital Demolition Account, which is created in this act (and in 2023 Senate Enrolled Act 84).
- **Office of State Lands and Investments:** This act increases appropriations of \$4.5 million GF and \$6.2 million OF (Section 2, Section 060). This includes \$6.2 million from the Local

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Government Capital Construction Account (from the repeal of Section 3, Section 300(n) of the 2022 Budget Bill) for the Mineral Royalty Grant program.

- **Enterprise Technology Services:** This act increases appropriations by \$7.3 million GF, one-time, for cybersecurity (Section 2, Section 077).
- **Department of Corrections:** This act increases appropriations by \$6.1 million GF (Section 2, Section 080). This includes \$4.1 million GF for the cost of adult community corrections placements, \$1.6 million GF for probation and parole incentives and sanctions, and \$380,000 for the first phase of a technology replacement.
- **Wyoming Business Council:** This act increases appropriations by \$30.1 million GF (Section 2, Section 085). \$30.0 million of this increased appropriation is one-time funding for the Investment Ready Communities program.

K-12 Education:

- **Education-School Finance (Section 2, Section 205):** This act increases appropriations by \$57.4 million from the School Foundation Program Account for an ongoing external cost adjustment to the education resource block grant model.
- **School Major Maintenance (Section 2, Section 027).** This act appropriates \$9.0 million from the School Capital Construction Account for major maintenance of school facilities.
- **K-12 School Capital Construction (Section 3, Section 313):** This act appropriates \$100.0 million from the School Capital Construction Account for school capital construction.

Higher Education:

- **Community Colleges:** This act increases appropriations of \$369,172 GF for capital construction prioritization modeling software (Section 2, Section 057) and \$500,000 GF for community colleges enterprise inflation (Section 3, Section 328 (b)).
- **University of Wyoming:** This act increases appropriations by \$45.1 million GF. This includes \$20.6 million for the University's State Aid block grant funding; \$15.1 million for the School of Energy Resources; \$5.5 million for Tier 1 Engineering; and \$4.0 million for Endowments & Matching (Section 2, Section 067).

Major Maintenance for State Facilities:

- This act appropriates \$8.7 million GF for major maintenance of state facilities (Section 3, Section 308).

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Judicial Branch:

- **Supreme Court:** This act increases appropriations by \$1.3 million GF. This includes \$877,000 GF for salary increases for Supreme Court, District Court and Circuit Court justices (Section 2, Section 101 and footnote 4).
- This act authorizes one additional FTE for purposes of a staff attorney in the Supreme Court's administrative office.
- **District Courts:** This act increases appropriations by \$25,920 GF for Judicial District 9B for increased housing allowances (Section 2, Section 134).

Various Provisions regarding appropriations/transfers from accounts:

- This act transfers \$20 million GF to the Wyoming's Tomorrow Scholarship Endowment Fund.
- This act appropriates \$50 million GF for energy research matching funds.
- This act appropriates \$80 million GF to the Office of the Governor for matching funds for energy research and federal infrastructure grants.
- This act appropriates \$14.9 million GF, \$3.5 million FF and \$2.2 million OF for enterprise inflation for distribution to executive branch agencies, community colleges, and the University of Wyoming.
- This act appropriates \$48.9 million GF for increases in employee compensation and a proportionate amount of FF and Other Funds. This appropriation is allocated as follows: \$28.4 million for executive branch employees, \$12.3 million for university employees, \$6.5 million for community college employees, \$1.7 million for judicial branch employees, and proportional amounts from non-general fund sources for agencies whose operations are not funded with general funds.

The following are required by this act:

- Negotiation with the federal government regarding the operation of a narrowly tailored, long-term care waiver to expand long-term home care and community-based services.
- A study of the program of all-inclusive care for the elderly.
- Reporting on the use of energy matching funds, federal match funds for infrastructure grants and on use of appropriation for governor's project contingencies.

The Governor vetoed the following provisions that were not overridden:

- Section 2, Section 001, Office of the Governor, portions of footnote 9 (special contingencies).
- Section 2, Section 006, Administration and Information, footnote 1 (employee survey and state employee childcare feasibility study) and portions of footnote 3 (Capitol open on weekends).

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- Section 2, Section 011, Department of Revenue, portions of footnote 1 (dollar for dollar reductions for appropriations for related acts on property tax relief).
- Section 2, Section 020, Department of Environmental Quality, portions of footnote 2 (references to deputy director/ombudsman).
- Section 2, Section 045, Department of Transportation, portions of footnote 4 (users).
- Section 2, Section 048, Department of Health, portions of footnote 18, (study of PACE).
- Section 2, Section 048, Department of Health, portions of footnote 19 (specifications for rebasing methodology).
- Section 2, Section 072, Retirement System, portions of footnote 1 (executive authorization for compensation increases).
- Section 2, Section 101, Supreme Court, portions of footnote 4 (technical correction for count of district court judges).
- Section 3, Section 321 Energy Matching Funds, portion of subsection (a), (d) and (e) (remove lithium mining limitation and remove timeframe for reporting).
- Section 3, Section 325, Match Federal Infrastructure Grants, portion of subsection (d) (remove timeframe for reporting).
- Section 3, Section 327, Governor's Project Contingencies, portion of subsection (b) (remove timeframe for reporting).
- Section 3, Section 328, Enterprise Inflation, portion of subsection (b) (modify community colleges).
- Section 3, Section 332, Capitol Square Improvements, portion of subsection (a) (remove prioritization and limitation to public meeting rooms).

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