

HOUSE BILL NO. HB0200

Developmental disabilities trust fund.

Sponsored by: Representative(s) Brechtel, Berger, Hastert, Robinson and Warren

A BILL

for

1 AN ACT relating to a developmental disabilities trust fund;
2 creating a developmental disabilities trust fund as
3 specified; specifying criteria for project grants;
4 specifying use of the interest on the trust funds;
5 requiring an annual report; providing rulemaking authority;
6 providing an appropriation; and providing for an effective
7 date.

8

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

10

11 **Section 1.** W.S. 35-1-901 is created to read:

12

13

ARTICLE 9

14

DEVELOPMENTAL DISABILITIES TRUST FUND

15

1 **35-1-901. Wyoming developmental disabilities trust**
2 **fund; establishment of trust fund; corpus inviolate;**
3 **investment by state treasurer.**

4
5 (a) An account within the trust and agency fund is
6 established which shall be referred to as the Wyoming
7 developmental disabilities trust fund. The trust fund
8 shall consist of those funds designated to the account by
9 law and other contributions, grants, gifts, bequests and
10 donations to the trust fund.

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12 (b) The monies deposited into the trust fund
13 established pursuant to this section are inviolate and
14 constitute a permanent or perpetual trust fund. The monies
15 shall be transmitted to the state treasurer for credit to
16 the trust fund and shall be invested by the state treasurer
17 as authorized under W.S. 9-4-711 in a manner to obtain the
18 highest return possible consistent with the preservation of
19 the corpus. The interest earned from investment of the
20 corpus of the trust fund shall be annually credited by the
21 state treasurer not later than June 30 of each year into a
22 separate account within the trust and agency fund and
23 distributed in accordance with this section.

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1 (c) The investment income from the developmental
2 disabilities trust fund shall be administered by the
3 governor with the advice and counsel of the governor's
4 council on developmental disabilities to fund:

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6 (i) Projects authorized under the provisions of
7 the Developmental Disabilities Assistance and Bill of
8 Rights Act, 42 U.S.C. 15001 et seq., including projects
9 focusing on employment, education and early intervention,
10 housing, health, childcare, recreation, transportation,
11 quality assurance and formal or informal community
12 supports;

13
14 (ii) Projects that would assist in the delivery
15 of services to qualified individuals with developmental
16 disabilities who may not yet be receiving services under
17 the Developmental Disabilities Assistance and Bill of
18 Rights Act, 42 U.S.C. 15001 et seq.; or

19
20 (iii) Projects not authorized under the
21 provisions of the Developmental Disabilities Assistance and
22 Bill of Rights Act, 42 U.S.C. 15001 et seq., including
23 major maintenance, new capital construction and the
24 procurement of vehicles. Grants to projects under this

1 paragraph shall not exceed fifty percent (50%) of the
2 investment income available for distribution annually.

3

4 (d) Any entity receiving grants under this section
5 shall provide for matching funds or in-kind support equal
6 to at least thirty-five percent (35%) of the total project
7 cost.

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9 (e) The governor, with the advice and counsel of
10 governor's council on developmental disabilities, shall
11 promulgate rules and regulations to administer the grant
12 program and the awarding of grants pursuant to this
13 section.

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15 (f) Beginning September 1, 2005, the governor's
16 council on developmental disabilities shall provide a
17 report to the governor and the joint appropriations interim
18 committee specifying:

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20 (i) The total amount of interest income earned
21 from the developmental disabilities trust fund during the
22 preceding state fiscal year; and

23

1 (ii) A detailed list of the projects funded and
2 the amount provided for each project from the interest
3 income earned from the developmental disabilities trust
4 fund.

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6 (g) The governor's council on developmental
7 disabilities may request assistance from the state
8 treasurer to prepare the annual report required by this
9 section.

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11 **Section 2.** Effective July 1, 2005, there is
12 appropriated twenty million dollars (\$20,000,000.00) from
13 the budget reserve account to the developmental
14 disabilities trust fund created by this act.

15

16 **Section 3.** This act is effective July 1, 2005.

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(END)