

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO. _____

Community colleges-amendments.

Sponsored by: HDRAFT

A BILL

for

1 AN ACT relating to community colleges; establishing a
2 statewide college system operations and facility funding
3 mechanism based upon a prescribed system wide strategic
4 planning process attaching state funding to state
5 interests; providing for system operational budgeting and
6 program approval and termination aligned with strategic
7 planning; accordingly aligning system components and system
8 accountability measures; creating a mechanism for
9 prioritizing and funding system capital construction needs;
10 modifying facility major maintenance funding and
11 accordingly restricting use of specified revenues;
12 delegating authority and imposing duties upon the community
13 college commission, the department of administration and
14 information and upon community college districts; granting

1 rulemaking authority; imposing reporting requirements;
2 prescribing initial strategic plan development; providing
3 transitional funding thresholds and funding considerations;
4 providing appropriations and authorizing positions; and
5 providing for effective dates.

6

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

8

9 **Section 1.** W.S. 21-18-225 is created to read:

10

11 **21-18-225. College maintenance and capital**
12 **construction funding.**

13

14 (a) As part of its administrative functions, the
15 community college commission shall forward prioritized
16 community college building needs for development of capital
17 construction budget recommendations by the state building
18 commission in accordance with this section. The commission
19 shall also submit major maintenance budget requests for
20 college buildings to the legislature in accordance with
21 this section. Major maintenance budget requests shall be
22 made upon forms and in a format specified by the budget
23 division of the department of administration and

1 information. College building maintenance budget requests
2 submitted by the commission and capital construction budget
3 requests forwarded by the state building commission shall
4 include only necessary building square footage required for
5 provision of those education programs comprising the
6 statewide college system strategic plan developed and
7 maintained under W.S. 21-18-202(a)(v).

8

9 (b) To carry out this section and in accordance with
10 rules and regulations of the state building commission
11 promulgated under W.S. 9-5-107(d) and (e) serving as
12 guidelines for implementation and administration of this
13 section, the commission shall establish and maintain:

14

15 (i) A statewide community college building data
16 base comprised of building inventory, specific building
17 condition, square footage, usage, space utilization and
18 building capacity data;

19

20 (ii) Statewide planning and reporting criteria
21 and guidelines for use by community college districts in
22 developing and maintaining comprehensive long-range plans
23 for district building needs as required under W.S.

1 21-18-304(a)(xi), providing necessary guidance to college
2 districts for separating future building space needs and
3 requests attached to the statewide college system strategic
4 plan from other district space requests;

5

6 (iii) Methodologies for use by community college
7 districts in computing future student enrollments, building
8 space demands and future building needs in establishing
9 long-range plans addressing district building needs.

10

11 (c) The commission shall conduct and maintain a
12 comprehensive assessment of community college buildings and
13 future space requirements as defined by the statewide
14 strategic plan. The comprehensive building assessment
15 shall be designed and maintained to provide timely and
16 uniform statewide data on building condition and building
17 longevity and future space requirements. The needs
18 assessment shall be revised annually to reflect current
19 conditions and shall be capable of providing data
20 sufficient to accommodate a five (5) year planning cycle.

21

22 (d) On or before November 1 of each year, the
23 commission shall, based upon the assessment performed under

1 subsection (c) of this section and upon facility plans and
2 annual reports submitted by each college pursuant to W.S.
3 21-18-304(a)(xi), prioritize community college construction
4 needs for the current fiscal year and the succeeding four
5 (4) fiscal years based upon:

6

7 (i) Criteria for statewide capacity for education
8 programs aligned to the statewide college system strategic
9 plan;

10

11 (ii) Analysis of student enrollment changes based
12 upon commission approved enrollment projection methodology,
13 to determine the need for changes in statewide building
14 capacities over time for delivering statewide education
15 program needs identified within the strategic plan;

16

17 (iii) A methodology and process established by
18 the commission for identifying the most critical building
19 needs.

20

21 (e) The commission may modify construction needs
22 prioritized under subsection (d) of this section in any
23 subsequent fiscal year as necessary to address statewide

1 needs as substantiated by data, condition assessments,
2 needs analysis and other information assembled by the
3 commission under this section. Needs receiving a lower
4 priority than previously assigned may be removed or
5 reprioritized by the commission. Construction needs
6 modified under this subsection shall be reported to the
7 general services division of the department of
8 administration and information.

9

10 (f) In addition to subsection (d) of this section and
11 on or before November 1 of each year, the commission shall
12 report college building square footage to the general
13 services division of the department of administration and
14 information as necessary for computation of major building
15 and facility repair and replacement funds for community
16 college buildings. The reported square footage shall be
17 restricted to that square footage necessary for the
18 delivery of education programs comprising the statewide
19 college system strategic plan.

20

21 (g) Upon prioritizing community college construction
22 needs under subsection (d) of this section, the commission
23 shall not later than November 15 of each year, report the

1 prioritized list to the general services division of the
2 department of administration and information. In
3 accordance with W.S. 9-5-108(a)(ii), the general services
4 division shall review, analyze and study construction needs
5 prioritized under subsection (d) of this section and
6 conduct necessary value engineering analysis, schematic
7 design review, safety and security assessments and other
8 analysis and review prior to submission of recommendations
9 to the state building commission. The state building
10 commission shall consider and incorporate prioritized
11 construction needs recommendations into legislation
12 requesting necessary funding, developed under W.S.
13 9-5-108(a)(ii)(J), for submission to the legislature for
14 review, authorization and approval. The legislation shall
15 also include a separate appropriation for contingency costs
16 associated with recommended construction projects and a
17 separate appropriation for administrative costs of the
18 general services division for management of the recommended
19 construction projects as required by subsection (j) of this
20 section. The community college commission shall submit a
21 separate budget request for project design and planning
22 funds to be available to assist community colleges with
23 costs incurred in developing and providing necessary plans,

1 designs and other information to the general services
2 division for purposes of this subsection. The general
3 services division shall consult with the community college
4 commission in developing recommendations under this
5 subsection.

6

7 (h) The commission shall provide copies of the needs
8 assessment, construction priorities and major maintenance
9 square footage established under this section to members of
10 the legislature on or before December 1 of each year.

11

12 (j) Subject to amounts made available by legislative
13 appropriation and to any conditions which may be attached
14 to appropriation expenditures, the commission shall
15 distribute state funds for building construction approved
16 and authorized by the legislature. Distributions of state
17 funds for any approved and authorized construction project
18 shall be in accordance with payment schedules established
19 by rule and regulation of the commission. Payments by the
20 commission shall be contingent upon the receipt of any
21 local district funding for the capital construction project
22 as may be required by legislative authorization, and shall
23 also include the written approval of the general services

1 division, department of administration and information, of
2 prescribed phases of the construction project and the
3 completion of certain project phases. Construction phases
4 for which approval of the division is required shall be
5 specified by commission rule and regulation, clearly
6 prescribing a process for division review and approval of
7 project plans and specifications, project development and
8 project changes and change orders. In carrying out duties
9 under this subsection, the division may execute powers
10 prescribed under W.S. 9-5-108(a)(iii) in coordination with
11 the commission and the appropriate community college
12 district. No scheduled payment shall be made by the
13 commission without the approval of the division as required
14 by the prescribed process.

15

16 (k) Appropriations for major building and facility
17 repair and replacement shall be distributed by the
18 commission to community colleges in amounts determined by
19 the funding formula developed by the general services
20 division of the department of administration and
21 information, subject to restrictions imposed on qualifying
22 square footage pursuant to this section.

23

1 **Section 2.** W.S. 21-18-202(a) by creating new
2 paragraph (v), (c)(ii), (d)(i), (ii), (e)(v)(A), (B),
3 (C)(intro) and by creating a new subsection (h),
4 21-18-203(a), 21-18-205(c), (e) and (f) and 21-18-304(a) by
5 creating a new paragraph (xi) are amended to read:

6

7 **21-18-202. Powers and duties of the commission.**

8

9 (a) The commission shall perform the following general
10 functions:

11

12 (v) Develop and maintain a statewide college
13 system strategic plan for the delivery of educational
14 programs in Wyoming by each college pursuant to subsection
15 (h) of this section.

16

17 (c) The commission shall perform the following
18 administrative functions:

19

20 (ii) In accordance with W.S. 21-18-203(a),
21 prepare budget requests for the operation and support of
22 the colleges and the commission, and pursuant to W.S.

1 21-18-225, prepare budget requests for major building and
 2 facility repair and replacement;

3

4 (d) The commission shall perform the following
 5 approval functions:

6

7 (i) Approve all new ~~credit certificate and degree~~
 8 programs qualifying for state funding pursuant to the
 9 statewide community college strategic plan developed under
 10 subsection (h) of this section;

11

12 (ii) Review existing ~~certificate and degree~~
 13 programs, determine the most effective and efficient
 14 delivery of programs qualifying for state funding pursuant
 15 to the statewide community college system strategic plan
 16 and terminate state funding for those programs ~~with~~
 17 ~~consistently low enrollment~~ which are inconsistent with the
 18 statewide community college system strategic plan;

19

20 (e) The commission shall perform the following review
 21 and report functions:

22

1 (v) (A) The commission shall provide annual
2 reports to the legislature and governor on the performance
3 of individual community colleges and the college system as
4 well as on the achievement of statewide priorities as
5 ~~defined by the legislature and as~~ specified in the
6 statewide college system strategic plan. The commission and
7 the colleges shall work together in a collaborative effort
8 in defining the report formats and the methodology and data
9 elements required in preparing the reports and a reasonable
10 time line for completion of reports;

11

12 (B) For the reporting effort under this
13 paragraph, the commission shall maintain a management
14 information system and each community college shall
15 maintain accurate administrative records to provide the
16 necessary data to the commission for these studies and
17 reports. ~~The core measurements defined by the American~~
18 ~~Association of Community Colleges shall be used.~~ The
19 colleges shall provide the commission with all data
20 required in preparing each of the reports the commission
21 shall request. The commission and the colleges shall
22 safeguard all institutional and individual student record
23 data under the provisions of the Privacy Act of 1974 and

1 the Family Educational Rights and Privacy Act or subsequent
2 similar enactments;

3

4 (C) Reports provided by the commission to
5 the legislature and governor shall be+ attached with and
6 aligned to the college system performance benchmarks,
7 outcome measures and other performance indicators specified
8 in and defined by the strategic plan.

9

10 (h) The commission shall prior to the beginning of
11 each biennial budget period, review, update and modify the
12 statewide college system strategic plan. The plan shall
13 clearly prescribe the components of the educational program
14 and attach program components to statewide system
15 priorities. This plan shall serve as the basis for state
16 operational and capital construction budget requests and
17 funding of the statewide college system for the applicable
18 biennial budget period. In developing, reviewing and
19 updating the strategic plan, the commission shall:

20

21 (i) Consult with the seven (7) community
22 colleges, state and local governmental agencies and other

1 agencies and organizations representing state economic and
2 industry sectors;

3

4 (ii) Include mechanisms within the planning
5 process which assure statewide access to academic programs,
6 career-technical education and training programs, dual and
7 concurrent enrollment programs, remedial and continuing
8 education programs responding to needs of students,
9 employers and the state workforce, including program access
10 through outreach or coordinated electronic system
11 technology;

12

13 (iii) Develop performance benchmarks, outcome
14 measures and other performance indicators which serve as
15 the basis for annual reporting to the legislature and the
16 governor under paragraph (e)(v) of this section, including
17 but not limited to:

18

19 (A) Student goal attainment and retention;

20

21 (B) Persistence;

22

1 (C) Degree and certificate completion

2 rates;

3

4 (D) Placement rate of graduates in the

5 workforce;

6

7 (E) Licensure and certification pass rates;

8

9 (F) Demonstration of critical literacy

10 skills;

11

12 (G) Success in subsequent, related

13 coursework;

14

15 (H) Number and rate of students who

16 transfer.

17

18 (iv) Attach performance indicators to funding

19 incentives to achieve established results.

20

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

22

1 (a) In collaboration with the boards of the community
2 colleges, the commission shall submit state appropriation
3 requests on behalf of the community college system in
4 compliance with the statewide community college system
5 strategic plan, which are based upon amounts appropriated
6 to the system by the legislature for the biennial period
7 immediately preceding the biennium for which the budget
8 request is to be made. Exception budget requests may be
9 made for any biennial budget period by the commission on
10 behalf of the college system which are in addition to the
11 prior period adjusted amount and unless otherwise specified
12 by the commission, are limited exclusively to the fiscal
13 period for which the request is submitted and shall not be
14 included in any subsequent biennial budget request. The
15 requests shall be made upon forms and in a format to be
16 determined by the budget division of the department of
17 administration and information.

18

19 **21-18-205. Appropriation and distribution of state**
20 **funds; restrictions; budget authority.**

21

22 (c) State funding for the assistance of community
23 colleges shall be appropriated to the community college

1 commission unless otherwise specified by law. Subject to
2 the provisions of this section, funds appropriated for each
3 biennium shall be distributed by the commission to
4 community colleges in amounts determined by a funding
5 allocation model adopted by rule of the commission. Funding
6 allocation model components for fixed and variable costs
7 shall be defined by and computed in accordance with
8 guidelines and procedures prescribed by rule and regulation
9 of the commission, applied to the distribution of state
10 appropriations for each biennial budget period and
11 recalibrated at a schedule specified by rule and regulation
12 of the commission, but in no event less than once every
13 four (4) years. The commission ~~may~~ shall maintain a
14 contingency reserve account in accordance with this
15 subsection utilizing any revenue derived under W.S.
16 9-4-601(b)(iv)(A) to be ~~distributed as a component of the~~
17 ~~funding allocation model~~ allocated to community colleges
18 for specific use by the colleges for emergency repairs and
19 preventive maintenance of building square footage required
20 for provision of those education programs comprising the
21 statewide college system strategic plan. If the
22 unobligated, unencumbered balance of the contingency
23 reserve account established under this subsection is

1 thirty-five million dollars (\$35,000,000.00) as of July 1
2 of any fiscal year, the revenues under W.S.
3 9-4-601(b)(iv)(A) may be distributed by the commission in
4 the same manner as state appropriations for major building
5 and facility repair and replacement.

6
7 (e) The commission may by exception budget, request
8 additional state funding to be designated as special
9 purpose funding, accounted for and distributed separately
10 from distributions under the funding allocation model.
11 Special purpose funding under this subsection shall be
12 limited to amounts and for the period of time specified by
13 the legislature and shall not be included in any subsequent
14 biennial budget unless specifically requested by the
15 commission and approved by the legislature. Funds
16 appropriated pursuant to this subsection shall be
17 distributed in amounts and at times determined by the
18 commission, subject to the following:

19
20 (i) Special purpose funding, accounted for
21 separately, to be designated as adjustments to funding
22 allocation model distributions for the effects of
23 enrollment growth shall not be transferred to or expended

1 for any other purpose. Any amount of this special purpose
2 funding request remaining unexpended or unencumbered at the
3 end of the budget period for which appropriated shall
4 revert according to law;

5
6 (ii) Special purpose funding may be requested
7 under this subsection for use by the commission in funding
8 new programs addressing unanticipated and emerging
9 statewide needs during the biennial budget period which are
10 consistent with the statewide community college system
11 strategic plan. Funds appropriated by the legislature for
12 purposes of this paragraph shall be accounted for
13 separately and shall not be transferred or expended for any
14 other purpose or as part of state assistance under
15 subsection (c) of this section. Any unexpended or
16 unencumbered amount of special purpose funding under this
17 paragraph remaining at the end of the budget period for
18 which appropriated shall revert as provided by law.

19
20 (f) Up to eight percent (8%) of each community
21 college's unrestricted operating funds for a biennium may
22 be carried forward into the next biennium by each community
23 college. The cumulative total amount of unrestricted

1 operating funds carried forward from previous bienniums
2 under this subsection shall never exceed eight percent (8%)
3 of the community college's current biennium unrestricted
4 operating funds. Funds carried forward in accordance with
5 this subsection shall not lapse pursuant to W.S. 9-4-207
6 and commencing with the 2011-2012 biennium and each
7 biennium thereafter, a portion of the funds carried forward
8 shall be expended only for emergency needs, as defined by
9 rule and regulation of the commission and associated with
10 the operation of education programs included within the
11 statewide college system strategic plan. Determination of
12 the unrestricted operating funds carried forward under this
13 subsection which are subject to the expenditure limitation
14 imposed under this subsection shall, for each community
15 college, be based upon the proportion of that college's
16 total operating revenues comprised of state appropriations,
17 as computed for the immediately preceding fiscal year.

18

19 **21-18-304. District board generally; duties.**

20

21 (a) The community college district board shall:

22

1 (xi) Develop and maintain a comprehensive plan of
2 district buildings addressing district long-term building
3 needs, clearly distinguishing those building needs
4 associated with education space needs attached to the
5 statewide college system strategic plan developed by the
6 community college commission under W.S. 21-18-202(a)(v)
7 from other district needs which may be included within the
8 district's long-term plan. Building plans and capital
9 construction requests shall be submitted to the commission
10 in a form and format specified by commission rule and
11 regulation. In addition, the board shall provide planning,
12 design and other information required by the department of
13 administration and information under W.S. 21-18-225(g) and
14 shall cooperate with the department and the commission as
15 necessary to undertake any building construction project
16 receiving state funds and addressing needs prioritized by
17 the commission in accordance with W.S. 21-18-225.

18

19 **Section 3.** W.S. 21-18-202(b)(vii), (e)(v)(C)(I)
20 through (XIII) and (D) is repealed.

21

22 **Section 4.** [INITIAL STRATEGIC PLAN DEVELOPMENT]

23

1 (a) In executing W.S. 21-18-202(h), as amended by
2 section 2 of this act, and prior to development of
3 2011-2012 biennial budget requests required by W.S.
4 21-18-202(c)(ii), as amended by section 2 of this act, and
5 W.S. 21-18-225, as created by section 1 of this act, the
6 commission shall:

7

8 (i) Following discussions with and consideration
9 of contributions by the seven (7) community colleges, state
10 and local governmental agencies and other agencies and
11 organizations representing state economic and industry
12 sectors required under W.S. 21-18-202(h)(i), as amended
13 under section 2 of this act, report preliminary recommended
14 components of the statewide strategic plan to the governor,
15 to members of the joint appropriations and joint education
16 interim committees of the legislature and to members of the
17 community college planning task force created by 2008
18 Wyoming session laws, chapter 48, section 327;

19

20 (ii) Schedule and conduct a joint meeting of the
21 commission and representatives of the governor, the
22 legislative joint appropriations and joint education
23 interim committees and representatives of the community

1 college planning task force, for purposes of joint
2 consideration of the preliminary statewide strategic plan
3 components and state interests identified and incorporated
4 into the plan;

5

6 (iii) On or before July 31, 2009, prepare a draft
7 statewide strategic plan forwarded as result of the joint
8 meeting conducted in accordance with paragraph (ii) of this
9 subsection, which shall be of sufficient content and scope
10 to guide budget development under paragraph (iv) of this
11 subsection;

12

13 (iv) Utilize the draft statewide strategic plan
14 forwarded under paragraph (iii) of this subsection as the
15 basis for assembling 2011-2012 biennial budget
16 recommendations for operational and facility major
17 maintenance funding required under W.S. 21-18-202(c)(ii),
18 as amended by section 2 of this act, and facility
19 prioritization and funding under W.S. 21-18-225, as created
20 under section 1 of this act;

21

22 (v) Submit the draft statewide strategic plan
23 forwarded under paragraph (iii) of this subsection to each

1 president of the seven (7) community colleges. After
2 review of the draft plan, each president shall report back
3 to the commission prior to the timelines specified under
4 paragraph (vi) of this subsection and the November 1, 2009,
5 final report date required under 2008 Wyoming session laws,
6 chapter 84, section 2. Upon approval of a majority of the
7 seven (7) college presidents, the commission shall forward
8 the draft statewide strategic plan pursuant to paragraph
9 (vi) of this subsection;

10

11 (vi) Prior to completion of the final statewide
12 strategic plan by November 1, 2009 as required by and in
13 accordance with 2008 Wyoming session laws, chapter 84,
14 section 2, and following approval of the majority of
15 college presidents under paragraph (v) of this subsection,
16 convene an additional joint meeting of the commission and
17 representatives of the governor, the legislative joint
18 appropriations and joint education interim committees and
19 representatives of the community college planning task
20 force. Recommendations for components of the statewide
21 strategic plan, to be applied to the 2011-2012 biennium,
22 shall be presented to meeting participants by the
23 commission. No meeting shall occur unless a representative

1 from each of the participants designated under this
2 paragraph is in attendance. Based upon discussions
3 resulting from this meeting, a statewide strategic plan
4 reflecting meeting discussions shall be forwarded by the
5 commission to the governor, members of the joint
6 appropriations and joint education interim committees and
7 members of the community college planning task force;

8
9 (vii) Allow any participant of the joint meeting
10 conducted under paragraph (vi) of this subsection to,
11 within thirty (30) days after receipt of a plan forwarded
12 under paragraph (vi) of this subsection, file an exception
13 to or a concern with the forwarded plan. On or before
14 January 1, 2010, the commission shall provide specific
15 recommendations addressing any filed exceptions or concerns
16 to the joint appropriations and joint education interim
17 committees;

18
19 (viii) Report the final statewide strategic plan
20 developed under this section and 2008 Wyoming session laws,
21 chapter 84, section 2, and applicable to the 2011-2012
22 biennium, to the governor and members of the legislature
23 prior to the commencement date of the 2010 budget session

1 of the legislature, together with any specific
2 recommendations forwarded under paragraph (vii) of this
3 subsection.

4

5 **Section 5.** [CONSIDERATION OF COLLEGE RESERVES]

6

7 (a) In computing the distribution of state
8 appropriations in accordance with W.S. 21-18-205(c) as
9 amended by section 2 of this act, for the biennium
10 commencing July 1, 2010, and ending June 30, 2012, the
11 commission shall not consider the balance of any
12 unrestricted operating funds carried forward by any college
13 from previous biennial budget periods pursuant to W.S.
14 21-18-205(f), as amended by section 2 of this act and
15 existing on June 30, 2010. In addition, this balance of
16 funds carried forward and existing on June 30, 2010, shall
17 not be restricted in any manner by the commission.

18

19 (b) In addition to subsection (a) of this section and
20 in computing the 2011-2012 biennial budget request for the
21 community college system under W.S. 21-18-203(a), as
22 amended by section 2 of this act, the commission shall
23 adjust the total 2009-2010 state appropriations to the

1 community college system, as approved and adopted by the
2 legislature, combined with the total amount collected from
3 the college four (4) mill levy required under W.S.
4 21-18-205(a)(ii) as considered by the funding allocation
5 model during this same period, by adding to this amount the
6 sum of the reserve fund balance authorized under W.S.
7 21-18-205(f) and existing for each college as of June 30,
8 2007. The total amount computed under this subsection
9 shall constitute the baseline amount for purposes of
10 determining the 2011-2012 biennial budget request.

11

12 **Section 6.** [HOLD HARMLESS]

13

14 (a) Using computations of community college district
15 distributions under the funding allocation model pursuant
16 to W.S. 21-18-202(c)(i) and 21-18-205(c), as amended by
17 section 2 of this act, the community college commission
18 shall ensure that the total state appropriations
19 distributed to each college under the funding allocation
20 model for each fiscal year during the biennium commencing
21 July 1, 2010, and ending June 30, 2012, when combined with
22 the total amount of revenues from the four (4) mill levy
23 required under W.S. 21-18-205(a)(ii) as considered by the

1 funding allocation model for that district during that same
2 biennial period, shall not be less than one hundred percent
3 (100%) of the total amount of state appropriations
4 distributed to that college district during the biennial
5 period beginning July 1, 2008, and ending June 30, 2010,
6 adjusted by adding to this amount the sum of the total
7 amount collected by that district under the required four
8 (4) mill levy considered by the funding allocation model in
9 that biennium and any reserve fund balance existing on June
10 30, 2007, for that college district.

11

12 (b) In addition to subsection (a) of this section, the
13 commission shall, using computations of community college
14 district distributions under the funding allocation model,
15 ensure that the total state appropriations distributed to
16 each college district, when combined with the total amount
17 of revenues from the four (4) mill levy required under W.S.
18 21-18-205(a)(ii) as considered by the funding allocation
19 model for that district during that same fiscal period, is
20 as follows:

21

22 (i) For the fiscal year beginning July 1, 2012,
23 and ending June 30, 2013, not less than ninety percent

1 (90%) of the total state appropriations distributed to that
2 college district during the fiscal year beginning July 1,
3 2009, and ending June 30, 2010, plus the sum of the total
4 amount collected by that district under the required four
5 (4) mill levy considered by the funding allocation model
6 for that fiscal year and fifty percent (50%) of any reserve
7 fund balance existing on June 30, 2007, for that college
8 district; and

9
10 (ii) For the fiscal year beginning July 1, 2013,
11 and ending June 30, 2014, not less than eighty percent
12 (80%) of the total state appropriations distributed to that
13 college district during the fiscal year beginning July 1,
14 2009, and ending June 30, 2010, plus the sum of the total
15 amount collected by that district under the required four
16 (4) mill levy considered by the funding allocation model
17 for that fiscal year and fifty percent (50%) of any reserve
18 fund balance existing on June 30, 2007, for that college
19 district.

20
21 **Section 7.** [APPROPRIATIONS AND POSITION AUTHORIZATIONS]
22

1 (a) The Wyoming community college commission is
2 authorized two (2) additional full-time positions to carry
3 out duties prescribed under W.S. 21-18-203(a) and
4 21-18-205(e), as amended by section 2 of this act, and in
5 establishing state community college system budgets and
6 administering the allocation of state appropriations as
7 required by this act. For purposes of this subsection, two
8 hundred thousand dollars (\$200,000.00) is appropriated from
9 the general fund to the community college commission for
10 the period commencing on the effective date of this
11 subsection and ending June 30, 2010. This appropriation
12 shall be expended for the costs of the additional positions
13 only.

14

15 (b) One hundred fifty thousand dollars (\$150,000.00)
16 is appropriated from the general fund to the Wyoming
17 community college commission for an additional full-time
18 position within the commission to manage data requirements
19 associated with the administration of the strategic
20 planning responsibilities imposed by W.S. 21-18-202(h), as
21 amended by section 2 of this act. This appropriation is
22 for the period commencing on the effective date of this
23 subsection and ending June 30, 2010, and the expenditure of

1 this appropriation shall be restricted to funding the
2 additional position authorized by this subsection.

3

4 (c) For the period commencing July 1, 2009, and ending
5 June 30 2010, two hundred fifty thousand dollars
6 (\$250,000.00) is appropriated from the general fund to the
7 community college commission. To commence efforts to
8 process community college building needs, this
9 appropriation shall be distributed by the commission to
10 those community colleges whose capital construction
11 requests have been prioritized by the commission in
12 accordance with W.S. 21-18-225(d), as created by section 1
13 of this act, to be expended by the colleges to defer the
14 costs associated with developing and assembling planning,
15 design and other information necessary to commence review,
16 analysis and study by the general services division of the
17 department of administration and information required under
18 W.S. 21-18-225(g), as created under section 1 of this act.
19 The amount distributed to each college shall be determined
20 by the commission and shall be distributed as assistance
21 covering a portion of the total costs of planning and
22 document preparation. Prior to November 1, 2009, the
23 commission shall report the amounts distributed under this

1 subsection, together with the recipient college districts,
2 to the joint education interim committee and the community
3 college planning task force. No amount of this
4 appropriation shall be expended for planning and document
5 preparation of any portion of a project which is not
6 aligned with the statewide college system strategic plan
7 developed and maintained by the commission under W.S.
8 21-18-202(a)(v), as amended by section 2 of this act.

9

10 (d) The community college commission is authorized one
11 (1) additional full-time position to coordinate the
12 commission's community college capital construction process
13 established by W.S. 21-18-225, as created by section 1 of
14 this act, with the general services division, department of
15 administration and information. This position shall also
16 work with the colleges to ensure required and necessary
17 planning information and documentation is prepared and
18 submitted to the general services division as necessary to
19 perform necessary review, study and analysis for
20 development of recommendations to the state building
21 commission. One hundred seventy-five thousand dollars
22 (\$175,000.00) is appropriated from the general fund to the
23 commission for the period commencing with the effective

1 date of this subsection and ending June 30, 2010. This
2 appropriation shall only be expended for the costs of the
3 additional position.

4
5 (e) Three hundred thousand dollars (\$300,000.00) is
6 appropriated from the general fund to the community college
7 commission to develop and maintain the comprehensive
8 assessment of community college buildings and future space
9 requirements as required under W.S. 21-18-225(c), as
10 created by section 1 of this act, and to integrate the
11 existing college facilities data base as maintained by the
12 commission with the state facilities data base maintained
13 by the department of administration and information, as
14 necessary to administer W.S. 21-18-225, as created by
15 section 1 of this act. This appropriation shall be
16 expended only for purposes of this subsection and shall be
17 for the period commencing upon the effective date of this
18 subsection, and ending June 30, 2010.

19
20 (f) Three hundred fifteen thousand dollars
21 (\$315,000.00) is appropriated from the general fund to the
22 general services division within the department of
23 administration and information, for the addition of not

1 more than three (3) at-will employee positions within the
2 construction management office of the division, as
3 appropriated in accordance with W.S. 9-2-1022(a)(xi)(F).
4 This appropriation shall be for the period beginning with
5 the effective date of this subsection and ending June 30,
6 2010, and shall be expended only for additional at-will
7 employee positions and for other expenses necessary to:

8

9 (i) Conduct planning and review of community
10 college building needs prioritized by the community college
11 commission under W.S. 21-18-225(d), as created by section 1
12 of this act;

13

14 (ii) Develop necessary recommendations for
15 projects addressing prioritized community college building
16 needs for consideration by the state building commission
17 under W.S. 21-18-225(g), as created by section 1 of this
18 act;

19

20 (iii) Supervise construction of authorized
21 community college projects and review and approve
22 prescribed phases of authorized construction projects prior
23 to release of state funds by the commission, as required

1 under W.S. 21-18-225(j), as created by section 1 of this
2 act.

3

4 (g) One hundred fifty thousand dollars (\$150,000.00)
5 is appropriated from the general fund to the community
6 college commission to develop guidelines and criteria
7 necessary for segregating variable and fixed cost data as
8 used in establishing components and component proportions
9 for the funding allocation model in accordance with W.S.
10 21-18-205(c), as amended by section 2 of this act.
11 Established guidelines and criteria shall be used by
12 community college districts in reporting cost data to the
13 commission. Guidelines and criteria shall be adopted by
14 the commission in sufficient time to enable use in model
15 computations effective for the biennium commencing July 1,
16 2010, and ending June 30, 2012. The appropriation under
17 this subsection shall be for the period commencing upon the
18 effective date of this subsection and ending June 30, 2010,
19 shall be expended for purposes specified in this subsection
20 only and may be used for contractual services as necessary
21 to obtain required analytical expertise in carryout this
22 subsection.

23

1 **Section 8.** [EFFECTIVE DATES]

2

3 (a) Except as provided by subsection (b) of this
4 section, this act is effective July 1, 2009.

5

6 (b) Notwithstanding subsection (a) of this section,
7 sections 4 and 7(a), (b), (d), (e), (f) and (g) are
8 effective immediately upon completion of all acts necessary
9 for a bill to become law as provided by Article 4, Section
10 8 of the Wyoming Constitution.

11

12

(END)