

ENROLLED ACT NO. 105, HOUSE OF REPRESENTATIVES

SIXTIETH LEGISLATURE OF THE STATE OF WYOMING
2009 GENERAL SESSION

AN ACT relating to supplemental appropriations for the operation of state government; increasing or decreasing certain amounts; adjusting the number of authorized positions; modifying prior appropriations; making additional appropriations; making certain appropriations subject to the terms and conditions specified; and providing for an effective date.

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

Section 1. As used in this act:

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

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

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

(d) "AG" means an agency's account within the agency fund;

(e) "A4" means agency trust account;

(f) "EF" means the agency's account within the enterprise fund;

(g) "FF" means federal funds;

(h) "IS" means the agency's account within the internal service fund;

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

(k) "PR" means private funding sources;

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

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

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

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

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

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

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

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

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

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

(y) "T1" means the omnibus permanent land fund;

(z) "T2" means the miners' hospital permanent land income fund;

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

(bb) "T4" means the training school permanent land fund;

(cc) "T6" means the university permanent land income fund;

(dd) "T7" means the state employee group insurance flexible benefits account;

(ee) "TO" means other expendable trust funds administered by individual agencies for specific functions within the agencies' authority;

(ff) "TT" means the tobacco settlement trust income account.

ORIGINAL HOUSE
BILL NO. 0001

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Section 2. Sections 001, 006, 007, 010, 015, 020, 024, 027, 033, 039, 040, 045, 048, 049, 051, 057, 060, 066, 067, 072, 080, 085, 101, 125, 135, 205 and 220 of 2008 Wyoming Session Laws, Chapter 48, Section 2 are amended to read:

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 001. Governor's Office				
PROGRAM				
Administration	6,973,844 <u>7,093,844</u>			6,973,844 <u>7,093,844</u>
Tribal Liaison	385,143			385,143
Commission on Uniform Laws	69,286			69,286
Special Contingent	1,000,000			1,000,000
Emerg Mgt/Homeland Security 1.	3,310,473 <u>3,400,110</u>	28,818,501	619,310 AG	32,748,284 <u>32,837,921</u>
Health Care Commission 2.	567,147			567,147
Natural Resource Policy Account	1,500,000			1,500,000
Endangered Species Administrat	1,849,420			1,849,420
TOTALS	<u>15,655,313</u> <u>15,864,950</u>	28,818,501	619,310	<u>45,093,124</u> <u>45,302,761</u>
AUTHORIZED EMPLOYEES				
Full Time	54 <u>52</u>			
Part Time	1			
TOTAL	55 <u>53</u>			

1. Of this federal fund appropriation, nine million two hundred fifteen thousand five hundred five dollars (\$9,215,505.00) for local governmental authorities shall not be expended until the governor has determined the expenditure will cause the WYOLINK system to have statewide operability.

2. This general fund appropriation shall only be expended for the period beginning July 1, 2008 and ending June 30, 2009. These funds shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation on June 30, 2009 shall revert pursuant to law.

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Section 006. Administration & Information				
PROGRAM				
Director's Office	3,182,733			3,182,733
Professional Licensing Boards			1,421,556 SR	1,421,556
Budget Division	2,247,598			2,247,598
General Services	33,042,869 <u>33,208,845</u>		744,847 SR	
			144,084 EF	
			16,579,964 IS	<u>50,511,764</u>
				<u>50,667,740</u>
Construction Management Div	23,805,606 <u>23,908,074</u>			<u>23,805,606</u>
Human Resources Division	6,860,958 <u>7,014,958</u>		647,407 IS	<u>7,508,365</u>
				<u>7,662,365</u>
Employees Group Insurance			305,589,032 IS	
			8,000,000 T7	313,589,032
Information Technology 1.	518,492 <u>1,915,902</u>		60,267,260 IS <u>59,367,260 IS</u>	<u>60,785,752</u> <u>61,283,162</u>
Economic Analysis	1,296,284			1,296,284
State Library	5,515,467	1,147,884	4,011,837 AG	10,675,188
Chief Information Officer	2,415,529			2,415,529
TOTALS	<u>78,885,536</u> <u>80,705,390</u>	1,147,884	<u>397,405,987</u> <u>396,505,987</u>	<u>477,439,407</u> <u>478,359,261</u>
AUTHORIZED EMPLOYEES				
Full Time	366 <u>369</u>			
Part Time	3			
TOTAL	369 <u>372</u>			

1. Of this general fund appropriation, three hundred seventeen thousand eight hundred fifty-eight dollars (\$317,858.00) shall only be expended for the purpose of purchasing computer hardware and software and other support and contractual services necessary to provide geographical information system (GIS) support for the state's implementation of the federal bureau of the census 2010 decennial census and subsequent legislative redistricting plan. The department is authorized one (1) at-will employment contract if necessary to provide support for this project. These funds shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this three hundred seventeen thousand eight hundred fifty-eight dollar (\$317,858.00) appropriation on June 30, 2012 shall revert pursuant to law. Funds subject to this footnote are appropriated effective immediately.

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 007. Military Department				
PROGRAM				
Military Dept. Operations	12,991,622 <u>14,027,622</u>		<u>144,000 SR</u>	12,991,622 <u>14,171,622</u>
Air National Guard	945,111	9,350,238		10,295,349
Camp Guernsey			485,510 AG	485,510
Army National Guard		17,301,805 <u>17,443,828</u>	2,240,000 S5 <u>2,097,977 S5</u>	19,541,805
Veteran's Services	1,249,180 <u>1,325,918</u>	158,052		1,407,232 <u>1,483,970</u>
Oregon Trail Vets Cemetery	537,944 <u>612,544</u>		20,000 SR	557,944 <u>632,544</u>
Military Sup To Civilian Auth	108,000 <u>153,500</u>			108,000 <u>153,500</u>
Civil Air Patrol	173,918 <u>207,459</u>		33,541 SR	207,459
TOTALS	16,005,775 <u>17,272,154</u>	26,810,095 <u>26,952,118</u>	2,779,051 <u>2,747,487</u>	45,594,921 <u>46,971,759</u>
AUTHORIZED EMPLOYEES				
Full Time	209 <u>212</u>			
Part Time	50			
TOTAL	259 <u>262</u>			
Section 010. Agriculture Department				
PROGRAM				
Administration Division	3,562,302		5,000 AG	3,567,302
Ag Education and Information			20,000 AG	20,000
Consumer Protection Division	12,418,771 <u>12,430,771</u>	1,027,143	504,677 SR	
			582,048 AG	
			2,479 IS	14,535,118 <u>14,547,118</u>
Natural Resources Division	5,616,616	76,250	675,000 SR	6,367,866
Pesticide Registration	1,250,000			1,250,000
State Fair	2,859,921		460,000 SR <u>503,086 SR</u>	
			182,511 AG	3,502,432 <u>3,545,518</u>
Weed & Pest Control			700,000 AG	700,000
Predator Management	5,700,000			5,700,000
Wyoming Beef Council			2,164,573 AG	2,164,573
Wyo Wheat Mktg Comm			120,500 SR	120,500
Leaf Cutter Bee <u>1.</u>	<u>90,666</u>		13,334 SR	13,334 <u>104,000</u>
TOTALS	31,407,610 <u>31,510,276</u>	1,103,393	5,430,122 <u>5,473,208</u>	37,941,125 <u>38,086,877</u>
AUTHORIZED EMPLOYEES				
Full Time	84 <u>85</u>			
Part Time	9			
TOTAL	93 <u>94</u>			

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<u>1. Of this general fund appropriation, ninety thousand six hundred sixty-six dollars (\$90,666.00) shall only be expended to purchase an X-ray machine to be used by the department in the performance of its duties under W.S. 11-7-401 through 11-7-407 and shall not be expended until one-third (1/3) of the cost of the X-ray machine has been received by the department from nonstate sources to assist in the purchase of the X-ray machine.</u>				
Section 015. Attorney General				
PROGRAM				
Law Office 1.	22,960,359	868,623	470,155 SR 500,000 S1 4,109,509 S5	29,320,738
Big Horn Water Litigation			412,092 TT 501,920 S1	501,920
Criminal Investigations 2., 3.	29,945,960 <u>30,744,204</u>	1,162,195 <u>1,054,591</u>	1,035,172 SR	32,143,327 <u>32,833,967</u>
Law Enforcement Academy	5,471,564	44,644	742,501 EF	6,258,709
Peace Off Stds & Trng	395,393		38,400 SR	433,793
Medical Review Panel	1,558,568			1,558,568
Victim Services Division	8,114,052 <u>8,887,223</u>	5,676,516 <u>5,650,944</u>	2,061,848 SR	15,852,416 <u>16,600,015</u>
Planning Council On DD	721,823	1,121,077		1,842,900
TOTALS	69,167,719 <u>70,739,134</u>	8,873,055 <u>8,739,879</u>	9,871,597	87,912,371 <u>89,350,610</u>

AUTHORIZED EMPLOYEES
 Full Time 247
 Part Time 6
 TOTAL 253

1. Of this S1 other fund appropriation, five hundred thousand dollars (\$500,000.00) shall only be expended for the purpose of defending the positions taken in formal opinion number 2004-001 issued by the Wyoming attorney general's office on August 31, 2004. These funds shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this five hundred thousand dollar (\$500,000.00) appropriation on June 30, 2020 shall revert pursuant to law.

2. Of this other fund appropriation, sixty-six thousand five hundred dollars (\$66,500.00) for GPS tracking systems is effective immediately.

3. Of this general fund appropriation, one million eight hundred thousand dollars (\$1,800,000.00) for the computerized criminal history system is effective immediately.

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 020. Environmental Quality				
PROGRAM				
Administration	9,193,208			9,193,208
Air Quality 1.	4,062,154 <u>4,258,065</u>	1,400,000	11,750,591 SR	17,212,745 <u>17,408,656</u>
Water Quality	14,207,075	8,913,297	1,100,000 SR	24,220,372
Land Quality	5,077,968 <u>5,169,414</u>	4,281,765 <u>4,373,330</u>		9,359,733 <u>9,542,744</u>
Industrial Siting	534,719			534,719
Solid Waste Management	7,173,911 <u>7,267,347</u>	2,616,902	3,543,820 SR	13,334,633 <u>13,428,069</u>
TOTALS	40,249,035 <u>40,629,828</u>	17,211,964 <u>17,303,529</u>	16,394,411	73,855,410 <u>74,327,768</u>

AUTHORIZED EMPLOYEES	
Full Time	264 -271
Part Time	0
TOTAL	264 -271

1. The department shall develop a notification system that will provide actual direct notice to all customers and permit users of new rate changes. The system shall be operational prior to December 2, 2008.

Section 024. Department of State Parks and Cultural Resources

PROGRAM				
Administration & Support	4,194,665 <u>4,394,665</u>	76,261	102,801 EF	4,373,727 <u>4,573,727</u>
Cultural Resources 1., 2.	12,238,584 <u>12,278,584</u>	2,497,579	261,559 SR 2,386,064 IS	17,383,786 <u>17,423,786</u>
St Parks & Hist. Sites	18,527,163 <u>18,807,163</u>	4,002,439	5,772,769 SR	28,302,371 <u>28,582,371</u>
TOTALS	34,960,412 <u>35,480,412</u>	6,576,279	8,523,193	50,059,884 <u>50,579,884</u>

AUTHORIZED EMPLOYEES	
Full Time	182
Part Time	92
TOTAL	274

1. Of this general fund appropriation, one million five hundred thousand dollars (\$1,500,000.00) shall be deposited into the Wyoming cultural trust fund created by W.S. 9-2-2304(a). This appropriation shall be considered one-time funding and shall not be included in the department's 2011-2012 standard budget request.

2. Of this general fund appropriation twenty thousand dollars (\$20,000.00), or as much thereof as necessary, shall only be expended for cleaning, restoration, conservation and protection of the four (4) Gollings paintings displayed in the House and Senate chambers.

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Section 027. School Facilities Commission				
PROGRAM				
Operations			8,079,473 S6	8,079,473
Major Maintenance <u>2., 3.</u>			84,182,098 S6	84,182,098
			<u>84,243,184 S6</u>	<u>84,243,184</u>
Infrastructure 1.			3,000,000 S6	3,000,000
TOTALS	0	0	<u>95,261,571</u>	<u>95,261,571</u>
			<u>95,322,657</u>	<u>95,322,657</u>
AUTHORIZED EMPLOYEES				
Full Time	17			
Part Time	0			
TOTAL	17			

1. (a) Of this other fund appropriation, three million dollars (\$3,000,000.00) shall be expended only by the school facilities commission for infrastructure necessary to connect property on which school buildings are or will be situated, to existing roads, utilities and other infrastructure of municipalities and other local governmental entities. The commission shall by rule and regulation provide procedures applicable to infrastructure expenditures under this footnote. No expenditure of funds under this footnote shall be made unless the following conditions are met:

(i) Following value engineering review, a determination is made by the commission as to capacity levels necessary to connect existing infrastructure to the property on which school buildings and facilities are or will be situated;

(ii) A determination is made by the commission differentiating infrastructure capacity determined necessary under paragraph (a)(i) of this footnote from any excess infrastructure capacity; and

(iii) A determination is made by the office of the attorney general that a legal and contractual requirement exists to:

(A) Repay costs expended for the determined excess infrastructure capacity by the future users of this excess capacity; and

(B) Preserve the necessary infrastructure capacity when school buildings and facilities are actually constructed.

(b) Amounts expended under this footnote for excess infrastructure capacity shall be repaid to the commission on a basis and at times specified by law and by contract as the excess capacity becomes utilized. Amounts repaid shall be deposited by the commission into the school capital construction account.

2. Of this other fund appropriation, the commission shall distribute an amount not to exceed one hundred seventy-three thousand nineteen dollars (\$173,019.00) annually to each school district with a charter school operating in the district and qualifying under W.S. 21-3-110(a)(x)(A) for lease payments, to include the total costs of the base rent, additional rent for tenant improvements and common area maintenance costs. The payments shall be made for the fiscal period beginning July 1, 2008 and ending June 30, 2010.

3. Of this other fund appropriation, in addition to footnote 2 of this section, and notwithstanding W.S. 21-3-110(a)(x), the commission shall expend annually an amount necessary to include the total allowable gross square footage of each charter school qualifying under W.S. 21-3-110(a)(x)(A) in the computation of the major maintenance payment under W.S. 21-15-109 to each district in which a qualifying charter school is operating, provided that such payments are to be reduced to the extent they are duplicative of common area maintenance costs paid under footnote 2 of this section. The payments shall be made for the fiscal period beginning July 1, 2008 and ending June 30, 2010.

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Section 039. Wildlife/Natural Resources Trust				
PROGRAM				
Administration	684,492			684,492
Wild/Natural Res Trust Projects	5,000,000 <u>6,000,000</u>		5,152,500 TO	10,152,500 <u>11,152,500</u>
Wildlife Trust Account 1.	29,500,000			29,500,000
TOTALS	35,184,492 <u>36,184,492</u>	0	5,152,500	40,336,992 <u>41,336,992</u>

AUTHORIZED EMPLOYEES
 Full Time 2
 Part Time 0
 TOTAL 2

1. This general fund appropriation shall be deposited into the Wyoming wildlife and natural resource trust account created by W.S. 9-15-103(a).

Section 040. Game and Fish Commission

PROGRAM				
Veterinary Svcs Prgm (Brucellosis, CWD)	3,758,205			3,758,205
Sage Grouse Plan/Prot 1., 3.	2,832,131			2,832,131
Comp Wildlife Conserv Strategy	1,817,808			1,817,808
Wolf Management 2., <u>4.</u>	2,475,095 <u>1,115,095</u>			2,475,095 <u>1,115,095</u>
TOTALS	10,883,239 <u>9,523,239</u>	0	0	10,883,239 <u>9,523,239</u>

AUTHORIZED EMPLOYEES
 Full Time 23
 Part Time 0
 TOTAL 23

1. Of this general fund appropriation, five hundred thousand dollars (\$500,000.00) for demonstration projects is effective immediately.

2. This general fund appropriation is effective immediately.

~~3. The commission shall develop rules, regulations and procedures to allow private bird farms in this state to raise native sage grouse for release. The department shall report to the joint travel, recreation, wildlife and cultural resources interim committee not later than October 1, 2009 on the latest research regarding the artificial propagation of sage grouse and make a recommendation to the committee on the feasibility of captive breeding of sage grouse.~~

4. This general fund appropriation shall not be transferred or used for any other purpose other than wolf management and any unexpended, unobligated funds remaining from this appropriation on June 30, 2010 shall revert pursuant to law.

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Section 045. Department of Transportation				
PROGRAM				
Administration			24,613 SR	
			3,874,619 S7	3,899,232
Administrative Services 1.		168,150	1,836,000 SR	
			31,731,291 S7	33,735,441
Law Enforcement		4,965,825	60,000 SR	
			74,668,159 S7	79,693,984
WyoLink	12,030,000		1,211,928 IS	13,241,928
Aeronautics Administration		310,300	3,852,114 S7	4,162,414
Operational Services			2,722,648 IS	2,722,648
Airport Improvements	13,502,011	37,402,188	8,720,860 S7	59,625,059
	<u>20,502,011</u>			<u>66,625,059</u>
GF Approp to Comm 2.,3.	200,000,000			200,000,000
TOTALS	225,532,011	42,846,463	128,702,232	397,080,706
	<u>232,532,011</u>			<u>404,080,706</u>

AUTHORIZED EMPLOYEES	
Full Time	562
Part Time	1
TOTAL	563

1. Of this other fund appropriation, fifty thousand dollars (\$50,000.00) shall only be expended to prepare a report containing a preliminary planning level prioritized list of specific projects on I-80 intended to reduce accident rates. The identification of specific projects should be based on an analysis of the last ten (10) years of accident data and associated contributing factors. Projects identified should include a preliminary construction cost estimate for each project. The report shall be provided to the joint appropriations interim committee and the joint transportation, highways and military affairs interim committee not later than August 1, 2008. This appropriation is effective immediately.

2. Of this general fund appropriation, three million dollars (\$3,000,000.00) shall only be expended by the commission to provide rotomilled materials to counties for road dust mitigation, and seven million dollars (\$7,000,000.00) shall only be deposited in the industrial road program account, in addition to those funds required to be deposited in that account by W.S. 24-5-118 and shall only be expended by the commission for the industrial road program pursuant to W.S. 24-5-101 through 24-5-122.

3. Prior to the allocation of this general fund appropriation for the fiscal year 2010, each district engineer shall consult with the county commissioners in the engineer's district to prioritize projects to be funded through this appropriation for that fiscal year.

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Section 048. Department of Health				
PROGRAM				
Directors Office	15,434,087	4,302,318		19,736,405
Office Of Rural Health	2,671,453	9,312,141		11,983,594
Community & Family Health	29,620,288	21,988,960	5,528,000 SR 3,521,500 AG 6,478,169 A4	67,136,917
Hlth Care Fncg 4.,11., <u>13.,14.</u>	445,412,844	517,089,101 <u>523,700,573</u>	19,821,196 SR	982,323,141 <u>988,934,613</u>
State Health Officer	1,899,652	13,923,482	150,000 SR 66,947 AG <u>235,000 TT</u>	16,040,081 <u>16,275,081</u>
Prevent Hlth & Sfty <u>12.</u>	9,220,826	11,144,991 <u>11,104,991</u>	1,738,144 SR 80,000 AG 506,000 A4 1,261,929 TT <u>2,696,929 TT</u>	23,951,890 <u>25,346,860</u>
Mental Health 1.,2.,3.,9.,10.	188,128,286	16,906,704	2,760,832 SR 26,901,023 TT	234,696,845
Developmental Disabilities	119,870,696	9,382,451	402,000 A4 340,220 T4	129,995,367
Division on Aging 5.,6.,7.,8.	34,965,135 <u>35,065,135</u>	13,225,341	5,651,721 SR 162,500 AG 997,000 A4	55,001,697 <u>55,101,697</u>
TOTALS	847,223,267 <u>847,323,267</u>	617,275,489 <u>623,846,961</u>	76,367,181 <u>78,037,181</u>	1,540,865,937 <u>1,549,207,409</u>

AUTHORIZED EMPLOYEES	
Full Time	1,458 - <u>1,455</u>
Part Time	78
TOTAL	1,536 - <u>1,533</u>

1. The department shall conduct a study of rates paid for mental health and substance abuse residential treatment bed services and make recommendations to the governor and the joint appropriations interim committee based on the study in the department's 2011-2012 biennial budget request. Funds appropriated under this section for mental health and substance abuse residential treatment bed services shall only be expended for beds actually available for occupancy by clients needing residential treatment and contracts with residential treatment providers shall require a utilization rate of not less than eighty-five percent (85%) in order to receive full payment for contracted services. The formula for calculating the utilization rate shall be determined by the department.

2. Notwithstanding W.S. 9-4-303(a), the department is authorized to deposit all monies and income received and collected by the Wyoming state hospital at Evanston, Wyoming into a special revenue account from July 1, 2008 through June 30, 2010. The department shall expend this revenue to correct life safety code problems and address other conditions as identified by the Partnership to Resolve Mental Health Issues in Wyoming. If any single project is anticipated to or does exceed two hundred thousand dollars (\$200,000.00), it shall be approved by the state building commission. The first five hundred thousand dollars (\$500,000.00) received each fiscal year by the department and any amount in excess of three million dollars (\$3,000,000.00) received over the period beginning July 1, 2008 and ending June 30, 2010 and deposited within the special revenue account pursuant to this footnote shall be paid to the omnibus permanent land fund until such time as the total amount appropriated for the new facility at the state

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hospital in 1999 Wyoming Session Laws, Chapter 169, Section 3, Section 048 is completely repaid. The department shall report to the joint appropriations interim committee not later than November 1 of each year detailing expenditures under this footnote.

3. Of this general fund appropriation, one hundred fifty-eight thousand four hundred seven dollars (\$158,407.00) shall only be expended to establish a pilot family treatment court in Judicial District 5A. On or before October 1, 2009, the department in conjunction with the board of judicial policy and administration or a peer review committee appointed by that board shall submit a report to the joint judiciary interim committee evaluating the pilot project.

4. Funds appropriated for health care financing administration of developmental disabilities, health care financing of developmental disabilities adult waiver services, health care financing of developmentally delayed children's waiver, and health care financing of acquired brain injury waiver services shall not be transferred to any other agency, division or program. Funds appropriated but not used for these programs shall be expended for clients on waiting lists or identified, new emergency clients with the two (2) waiver programs with the highest average waiting period. The department may expand the number of clients served by each of the waivers to the extent sufficient funds are available from this appropriation and expansion is consistent with federal requirements. The department shall report quarterly to the governor and the joint appropriations interim committee on the specific amounts transferred between any waiver programs, the total number of clients served in each waiver, the average projected cost of each client, the average individual budgeted amount for each client, the number of persons on the waiting list for each waiver and the cost for each new client served. These funds shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation on June 30, 2010 shall revert pursuant to law.

5. Of this general fund appropriation, two million eight hundred thousand dollars (\$2,800,000.00) shall only be distributed through the existing funding distribution model to senior centers to provide compensation increases for direct care personnel, and one hundred thousand dollars (\$100,000.00) shall be expended by the Wyoming senior services board for compensation of senior center employees. This one hundred thousand dollars (\$100,000.00) shall not be distributed pursuant to the existing funding distribution model but shall be distributed to centers according to a reasonable and fair distribution formula to equalize wages for employees performing similar functions based upon published occupational wage information by the department of employment and other information submitted to the department of employment as determined by the Wyoming senior services board. These funds shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation on June 30, 2010 shall revert pursuant to law.

6. Notwithstanding W.S. 9-4-303(a), for the period beginning July 1, 2008 and ending June 30, 2010, the department is authorized to deposit all monies and income received or collected by the retirement center located in Basin, Wyoming for care of patients into the special revenue fund. The funds collected shall only be used to fund the operation of the retirement center.

7. Of this general fund appropriation, sixty thousand dollars (\$60,000.00) shall only be expended for the foster grandparents program.

8. Of this general fund appropriation, thirty thousand dollars (\$30,000.00) shall be expended to continue support of the alternative long term care home pilot programs authorized by W.S. 42-6-104, including the costs of travel, consultation with other interested Wyoming communities, preparation of periodic reports and attendance at conferences.

9. Of this general fund appropriation, up to three million dollars (\$3,000,000.00) may be used by the department to fund the existing crisis stabilization program and expansion of the program in the mental health and substance abuse division and to fund additional treatment beds for women. The department is authorized to pursue state plan amendments and waivers to the equality care program (Medicaid) to cover mental health and substance abuse services and

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appropriate provider contract amendments to account for the increase in the equality care claims.

10. Of this federal fund appropriation, up to four million four hundred thousand dollars (\$4,400,000.00) may be used by the department to fund crisis stabilization in additional regions.

11. Funds within this appropriation shall be used as necessary to reimburse services authorized under the Medicaid program involving the delivery of a child, including prenatal and postpartum care related to the delivery, at ninety percent (90%) of the statewide average of the physician's specialty for the services provided as of July 1, 2008, not to exceed one hundred percent (100%) of the provider's usual and customary billed charges. This reimbursement rate shall apply if the service was rendered during the period commencing July 1, 2008 and ending June 30, 2010. To be eligible for the increased reimbursement rate provided by this footnote, a provider shall offer to the patient or refer the patient to prenatal health programs developed by the department of health and identified for this purpose by the department in its rules and regulations.

12. The public health laboratory is authorized to charge fees for testing services provided other state agencies, local law enforcement entities and other individuals or organizations. Notwithstanding W.S. 9-4-204(t)(i)(A) the department is authorized to deposit all fees received pursuant to this footnote into a special revenue account and shall not charge fees until the department has promulgated rules and regulations establishing a fee schedule. No monies deposited into this account shall be expended until appropriated by the legislature.

13. If, by the most likely financial projections available on June 1, 2009, the general fund expenditure by the Medicaid program for the biennium, including the effect of this footnote, will not exceed the general funds appropriated for that program including any auditor's reserve, the department of health shall, for services provided in the second year of the biennium, increase the Medicaid reimbursement for primary care by an amount not to exceed one million dollars (\$1,000,000.00) in general funds and associated federal funds. The increase may be by current procedural terminology codes, type of provider or both. As used in this footnote, "primary care" shall include, at minimum, office visits, consultative services and medical home services by physicians, physician assistants and advanced nurse practitioners. "Primary care" shall not include surgical, radiological or invasive diagnostic procedures excluding blood tests.

14. The division of developmental disabilities and division of mental health and substance abuse shall research science-based best practices for providing services to individuals with a diagnosis of both developmental disability and mental illness who are eligible under current home and community-based waiver programs for adults administered by the division of developmental disabilities. The divisions shall report the findings of the research under this footnote, including a description of the best practices and recommendations for improving services to clients with a dual diagnosis, to the joint appropriations interim committee, the labor, health and social services interim committee and the governor not later than October 31, 2009. The divisions' report shall include an analysis of how to use existing resources more efficiently and, if deemed necessary, recommendations for additional funding which may be required for delivery of services to individuals diagnosed with both developmental disability and mental illness using the preferred assessment methodology in the department's 2011-2012 biennial budget request.

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Section 049. Department of Family Services				
PROGRAM				
Services 3.	113,884,948	23,795,437	1,334,707 SR 1,302,651 AG 5,687,901 TT	146,005,644
Assistance 1., 2.	60,503,442 <u>61,675,835</u>	75,781,898 <u>76,866,171</u>	1,891,699 SR	138,177,039 <u>140,433,705</u>
TOTALS	174,388,390 <u>175,560,783</u>	99,577,335 <u>100,661,608</u>	10,216,958	284,182,693 <u>286,439,349</u>

AUTHORIZED EMPLOYEES
Full Time 777
Part Time 32
TOTAL 809

1. (a) In accordance with W.S. 42-2-103(d), the state supplemental security income monthly payment for the period beginning July 1, 2008 and ending June 30, 2010 shall be as follows:
(i) \$25.00 for an individual living in own household;
(ii) \$27.80 for each member of a couple living in their own household;
(iii) \$28.72 for an individual living in the household of another;
(iv) \$30.57 for each member of a couple living in the household of another.

2. Of this federal fund appropriation, ~~forty eight thousand dollars (\$48,000.00)~~ one hundred fifty-seven thousand dollars (\$157,000.00) shall only be expended for the father factor program during the fiscal period beginning July 1, 2008 and ending June 30, ~~2009-2010~~.

3. Of this general fund appropriation, two million dollars (\$2,000,000.00) shall only be expended for community juvenile service boards.

Section 051. Livestock Board

PROGRAM				
Administration	1,492,105	16,430		1,508,535
Animal Health	1,588,536			1,588,536
Brucellosis 1., 2.	2,161,600 <u>2,469,600</u>	2,028		2,163,628 <u>2,471,628</u>
Brand Recording & Permits			848,580 AG <u>868,580 AG</u>	848,580 <u>868,580</u>
Brand Inspection	3,162,735 <u>3,166,235</u>		5,126,239 AG <u>5,132,739 AG</u>	8,288,974 <u>8,298,974</u>
Predator Control Fees			1,225,000 AG	1,225,000
TOTALS	8,404,976 <u>8,716,476</u>	18,458	7,199,819 <u>7,226,319</u>	15,623,253 <u>15,961,253</u>

AUTHORIZED EMPLOYEES
Full Time 19
Part Time 0
TOTAL 19

1. For the period beginning July 1, 2008 and ending June 30, 2010, the department is authorized to provide reimbursements for brucellosis testing in an amount not less than three dollars and fifty cents (\$3.50) per head and not to exceed eight dollars (\$8.00) per head as determined by the livestock board.

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<u>2. Of this general fund appropriation, one hundred thousand dollars (\$100,000.00) appropriated during the 2009 legislative session for brucellosis testing shall not be expended until the board promulgates rules and regulations establishing what items and procedures are eligible expenditures under this footnote. When promulgating such rules, the board shall limit eligible expenditures to those items or procedures that specifically benefit the state's interest in brucellosis risk management.</u>				
Section 057. Community College Commission				
PROGRAM				
Administration	5,903,052 <u>6,135,052</u>	757,545		6,660,597 <u>6,892,597</u>
State Aid	219,000,356			219,000,356
Contingency Reserve			1,600,000 SR <u>3,200,000 SR</u>	1,600,000 <u>3,200,000</u>
Leveraging Ed Ast Partnerships	225,000	112,500		337,500
Incentive Fund	500,000			500,000
Community Colleges Endowment				
Adult Basic Education	2,555,402	1,841,802		4,397,204
WY Investment in Nursing Prgm	5,525,640			5,525,640
Veterans Tuition Waiver Program	400,000 <u>800,000</u>			400,000 <u>800,000</u>
WY Teacher Shortage Loan Repay Prgm			800,000 S5	800,000
Public Television 1.	5,630,055 <u>5,705,055</u>			5,630,055 <u>5,705,055</u>
TOTALS	239,739,505 <u>240,446,505</u>	2,711,847	2,400,000 <u>4,000,000</u>	244,851,352 <u>247,158,352</u>

AUTHORIZED EMPLOYEES

Full Time	13
Part Time	0
TOTAL	13

1. (a) Of this general fund appropriation, one million five hundred thousand dollars (\$1,500,000.00) shall be deposited into the Wyoming Public Television Endowment Account, which is created and shall be administered as follows:

(i) Funds from the Wyoming Public Television Endowment Account shall be transferred by the state treasurer to a Wyoming Public Television matching funds account to equally match each cash gift received by Wyoming Public Television and deposited to the matching funds account. A match shall be paid by the state treasurer from the Wyoming Public Television Endowment Account at the time any accumulated amounts actually deposited to the matching funds account total ten thousand dollars (\$10,000.00) or more;

(ii) The state treasurer shall make transfers to the Wyoming Public Television matching funds account not later than the end of the calendar quarter following the quarter during which gifts to the matching funds account total at least ten thousand dollars (\$10,000.00). If gifts are made through a series of payments or transfers, no matching funds shall be transferred under this footnote until the total value of all payments or transfers actually received totals at least ten thousand dollars (\$10,000.00);

(iii) Funds in the matching funds account shall remain inviolate and only the interest income earned from investments of the monies in the matching funds account may be distributed. The state treasurer shall distribute income from the matching account to the community college annually. The commission shall distribute these funds together with other

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appropriated funds to the central Wyoming community college district board for the operations and programming of Wyoming public television pursuant to W.S. 21-18-105(b);

(iv) Income from earnings on the Wyoming Public Television Endowment Account shall be credited to the general fund.

Section 060. Office State Lands and Investments

PROGRAM				
Operations	<u>14,623,096</u> <u>17,371,480</u>	27,051,395	4,129,174 SR 53,777 AG 2,662,720 S5	<u>48,520,162</u> <u>51,268,546</u>
Forestry 2.	8,570,218	795,000	226,000 SR <u>1,000,000 TO</u>	<u>9,591,218</u> <u>10,591,218</u>
Cnty Emerg Fire Suppression 1. Fire	4,718,246	3,847,154	2,580,000 AG	2,580,000 8,565,400
Federal Forestry Grants		3,400,449		3,400,449
Transportation Enterprise Fund			2,000,000 SR	2,000,000
TOTALS	<u>27,911,560</u> <u>30,659,944</u>	35,093,998	<u>11,651,671</u> <u>12,651,671</u>	<u>74,657,229</u> <u>78,405,613</u>

AUTHORIZED EMPLOYEES

Full Time	108
Part Time	4
TOTAL	112

1. Notwithstanding W.S. 36-1-404(d), for the period beginning July 1, 2008 and ending June 30, 2010 any county participating in the emergency fire suppression account program shall pay an annual assessment to the emergency fire suppression account at the rate specified in W.S. 36-1-104(b)(i) and (ii) regardless of the emergency fire suppression account balance.

2. Of this general fund appropriation, one hundred thousand dollars (\$100,000.00) shall only be expended to combat the effects of bark beetle damage throughout Wyoming.

Section 066. Wyoming Tourism Board

PROGRAM				
Administration	<u>25,396,225</u> <u>26,351,225</u>		3,600 AG	<u>25,399,825</u> <u>26,354,825</u>
TOTALS	<u>25,396,225</u> <u>26,351,225</u>	0	3,600	<u>25,399,825</u> <u>26,354,825</u>

AUTHORIZED EMPLOYEES

Full Time	0
Part Time	0
TOTAL	0

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Section 067. University of Wyoming				
PROGRAM				
State Aid 1.	376,003,563			376,003,563
	<u>376,103,563</u>			<u>376,103,563</u>
NCAR MOU	1,000,000			1,000,000
TOTALS	377,003,563 <u>377,103,563</u>	0	0	377,003,563 <u>377,103,563</u>

AUTHORIZED EMPLOYEES

Full Time	0
Part Time	0
TOTAL	0

1. Of this general fund appropriation, two hundred fifty thousand dollars (\$250,000.00) shall only be expended for operation of the Haub School of Environment and Natural Resources.

Section 072. Retirement System

PROGRAM				
Administration 1.			6,343,048 PF	6,343,048
			<u>8,305,607 PF</u>	<u>8,305,607</u>
Highway Patrol			100,000 SR	100,000
Game & Fish-Wardens			160,562 SR	160,562
<u>Volunteer EMT Pension Plan</u>	<u>49,950</u>			<u>49,950</u>
Deferred Compensation			1,528,331 AG	1,528,331
TOTALS	<u>49,950</u>	0	8,131,941 <u>10,094,500</u>	8,131,941 <u>10,144,450</u>

AUTHORIZED EMPLOYEES

Full Time	28-33
Part Time	0
TOTAL	28-33

1. Of this other funds appropriation, three hundred sixty-six thousand dollars (\$366,000.00) shall only be expended by the Wyoming retirement board for recruitment and hiring of a chief investment officer to provide investment expertise and oversight of the pension portfolio for the board.

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Section 080. Department of Corrections				
PROGRAM				
Corrections Operations	71,700,916 <u>78,371,730</u>	317,137	3,156,878 SR 135,300 TO 716,594 TT <u>1,126,301 TT</u>	76,034,825 <u>83,107,346</u>
Field Services 2.	35,048,932 <u>35,386,702</u>		3,688,284 TT	38,737,216 <u>39,074,986</u>
Honor Conservation Camp	14,666,178 <u>15,141,370</u>		73,439 SR 572,178 TO	15,311,795 <u>15,786,987</u>
Women's Center	15,535,825 <u>15,614,825</u>		61,151 SR 720,000 TO	16,316,976 <u>16,395,976</u>
Honor Farm	12,278,253		771,993 IS <u>809,283 IS</u> 507,268 TO	13,557,514 <u>13,594,804</u>
State Penitentiary	67,776,367 <u>67,904,367</u>		1,739,772 TO	69,516,139 <u>69,644,139</u>
WY Med Corr Institution	13,859,199 <u>25,329,030</u>		<u>100,000 SR</u> <u>211,500 TO</u>	13,859,199 <u>25,640,530</u>
TOTALS 1.	230,873,670 <u>250,026,277</u>	317,137	12,142,857 <u>12,901,354</u>	243,333,664 <u>263,244,768</u>
AUTHORIZED EMPLOYEES				
Full Time	1,133 <u>1,291</u>			
Part Time	3			
TOTAL	1,136 <u>1,294</u>			

1. The department shall report to the joint appropriations interim committee on June 30, 2009 and June 30, 2010 on any transfers of 100 series personal services funds appropriated in this section to any other expenditure series, expense organizations, programs or agencies for the year immediately preceding the due date of the report. The report shall include amounts, where the funds were transferred and the purpose of any transfer. From the effective date of this act through June 30, 2010, the department shall not expend any 100 series personal services funds appropriated in this section for any purpose other than for personnel recruitment and retention.

2. Of this general fund appropriation, the department is authorized to expend up to four hundred thirty-four thousand two hundred dollars (\$434,200.00) for a global positioning tracking system for not more than fifteen percent (15%) of the high risk sex offender population.

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Section 085. Wyoming Business Council				
PROGRAM				
Wyoming Business Council	18,374,993	7,844,061	362,143 SR 1,140,876 EF	27,722,073
Main Street	1,553,077	75,000		1,628,077
Business Ready Communities <u>1.</u>	79,250,000			79,250,000
Community Facilities Program	15,000,000			15,000,000
TOTALS	<u>114,178,070</u>	<u>7,919,061</u>	<u>1,503,019</u>	<u>123,600,150</u>
AUTHORIZED EMPLOYEES				
Full Time	0			
Part Time	0			
TOTAL	0			

1. Notwithstanding W.S. 9-2-1005(a) and (c) and 2008 Wyoming Session Laws, Chapter 48, Section 307, of this general fund appropriation, the department is authorized to transfer an amount not to exceed ten million dollars (\$10,000,000.00) to the community facilities program. Any transfers pursuant to this footnote shall be reported through the B-11 process.

Section 101. Supreme Court

PROGRAM				
Administration	7,392,277	289,939	150,000 SR	7,832,216
Judicial Nominating Committee	15,001			15,001
Law Library	1,685,934			1,685,934
Circuit Courts 1.	24,951,226			24,951,226
Court Auto & Electronic Mgmt <u>3.</u>	1,315,410 <u>5,681,628</u>		5,842,670 SR	7,158,080 <u>11,524,298</u>
Judicial Retirement	1,573,913			1,573,913
Board Of Jud Plcy & Admin 2.	543,502			543,502
TOTALS	37,477,263 <u>41,843,481</u>	<u>289,939</u>	<u>5,992,670</u>	43,759,872 <u>48,126,090</u>

AUTHORIZED EMPLOYEES	
Full Time	197 <u>198</u>
Part Time	29
TOTAL	226 <u>227</u>

1. Of this general fund appropriation, not more than five hundred forty-three thousand seven hundred sixty dollars (\$543,760.00) shall be expended for contractual services.

2. Of this general fund appropriation, three hundred fifty-one thousand six hundred eighty-five dollars (\$351,685.00) shall only be expended for the purpose of making contributions to the retiree health insurance benefits account pursuant to Section 303(e) of this act for all judicial branch employees. This appropriation shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation shall revert as provided by law on June 30, 2010.

3. The district courts case management system developed with the use of this general fund appropriation shall include provision for case management and data collection related to all juvenile court matters.

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Section 125. Judicial District 3-A				
PROGRAM				
Administration	<u>900,985</u>			<u>900,985</u>
	<u>920,985</u>			<u>920,985</u>
TOTALS	<u>900,985</u>	0	0	<u>900,985</u>
	<u>920,985</u>			<u>920,985</u>

AUTHORIZED EMPLOYEES
Full Time 4
Part Time 0
TOTAL 4

Section 135. Judicial District 6-B

PROGRAM				
Administration	<u>937,787</u>			<u>937,787</u>
	<u>945,787</u>			<u>945,787</u>
TOTALS	<u>937,787</u>	0	0	<u>937,787</u>
	<u>945,787</u>			<u>945,787</u>

AUTHORIZED EMPLOYEES
Full Time 4
Part Time 0
TOTAL 4

Section 205. Education - School Finance

PROGRAM				
School Foundation Pgm 1., 2.			1,306,413,023 S5	<u>1,306,413,023</u>
			1,254,305,748 S5	<u>1,254,305,748</u>
Court Ordered Placements			23,057,126 S5	23,057,126
Mill Levy Debt Pledge			5,750,000 S6	5,750,000
Foundation Specials 3.			32,940,000 S5	<u>32,940,000</u>
			33,744,000 S5	<u>33,744,000</u>
Education Reform 4.			38,246,768 S5	38,246,768
Student Performance Data Systems			2,501,588 S5	2,501,588
TOTALS	0	0	<u>1,408,908,505</u>	<u>1,408,908,505</u>
			<u>1,357,605,230</u>	<u>1,357,605,230</u>

AUTHORIZED EMPLOYEES
Full Time 5
Part Time 0
TOTAL 5

1. In accordance with W.S. 21-13-309(o) this other fund appropriation includes funding for an external cost adjustment of four and three-tenths percent (4.3%) for school year 2008-2009 and three and seven-tenths percent (3.7%) for school year 2009-2010.

2. In addition to formula provided funding, this other fund appropriation includes funding for the summer school and vocational education grant programs as authorized by law.

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3. This other fund appropriation includes funding for the instructional facilitators and national board certification programs as authorized by law.

4. The department of education shall study the feasibility of implementing a growth model system of student assessment to meet the requirements of the federal No Child Left Behind Act of 2001. On or before October 1, 2008, the department shall report study results to the joint education interim committee.

Section 220. Environmental Quality Council

PROGRAM				
Administration	742,748			742,748
	<u>746,748</u>			<u>746,748</u>
 TOTALS	 <u>742,748</u>	 0	 0	 <u>742,748</u>
	<u>746,748</u>			<u>746,748</u>

AUTHORIZED EMPLOYEES
 Full Time 3
 Part Time 0
 TOTAL 3

Section 033. Board of Cosmetology

PROGRAM				
Administration			542,294 CR	542,294
			<u>631,239 SR</u>	<u>631,239</u>
 TOTALS	 0	 0	 <u>542,294</u>	 <u>542,294</u>
			<u>631,239</u>	<u>631,239</u>

AUTHORIZED EMPLOYEES
 Full Time ~~1~~-3
 Part Time ~~2~~-1
 TOTAL ~~3~~-4

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
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[CAPITAL CONSTRUCTION]

Section 3. Sections 006, 027, 057 and 067 of 2008 Wyoming Session Laws, Chapter 48, Section 3 are amended to read:

Section 006. Administration & Information

PROGRAM	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
A&I - Const Mngmt Contingency	3,210,764			3,210,764
<u>A&I - Flex Contingency Fund</u>	<u>1,700,000</u>			<u>1,700,000</u>
A&I-Cap Complex Constr Acct 2.	10,000,000			10,000,000
A&I-Lab Lvl III Desgn/Study 1.	5,600,000			5,600,000
A&I-Lab Construction Acct	10,000,000 <u>78,600,000</u>			10,000,000 <u>78,600,000</u>
<u>A&I - New State Office</u>				
<u>Bldg. 4., 6.</u>	<u>4,400,000</u>			<u>4,400,000</u>
<u>A&I - Herschler Bldg.</u>				
<u>Addition - Planning 5.</u>	<u>200,000</u>			<u>200,000</u>
Mil Dept - Airfield Upgrade	9,000,000			9,000,000
Mil Dept - Maint Factly Design		381,000		381,000
Ag - State Fair Cap Con	250,000		425,000 AG	675,000
Aty Gen-WLEA Small Arms Storage	128,132			128,132
DEQ - Training School Addition	669,910			669,910
State Parks - Health & Safety			3,000,000 EF	3,000,000
State Parks - Water Facilities			1,880,000 SR	1,880,000
State Parks - Fac Deficiencies	2,400,000			2,400,000
<u>State Parks - Major Maintenance</u>				
<u>Supplemental</u>	<u>1,800,000</u>			<u>1,800,000</u>
State Parks-Rd Deficiencies 3.	3,700,000			3,700,000
State Parks - Terr Prison			110,000 SR	110,000
G & F Cheyenne Headquarters	14,521,322			14,521,322
<u>Game & Fish-Ten Sleep Hatchery</u>	<u>4,517,000</u>			<u>4,517,000</u>
<u>Dept. of Health-Pioneer Home</u>	<u>5,767,900</u>			<u>5,767,900</u>
<u>Dept. of Health-State Hosp. HVAC</u>			<u>4,005,562 TO</u>	<u>4,005,562</u>
<u>Dept. of Family Services-WY</u>				
<u>Girls School</u>	<u>1,514,474</u>		<u>7,514,474 T1</u>	<u>9,028,948</u>
Tourism-Welcome Center Site	652,468 <u>2,112,772</u>			652,468 <u>2,112,772</u>
DOC Relocate Modular 3	250,000			250,000
DOC Wayne Martinez Trng Center	289,000			289,000
<u>DOC-North Indust Bldg Renov</u>	<u>150,000</u>			<u>150,000</u>
TOTALS	<u>60,671,596</u> <u>150,781,274</u>	381,000	<u>5,415,000</u> <u>16,935,036</u>	<u>66,467,596</u> <u>168,097,310</u>

1. The University of Wyoming may submit a request to the state building commission to participate in the level III planning of a lab facility to be jointly operated by state agencies and the university.

2. If 2008 Senate File 87 is enacted into law, then this ten million dollar (\$10,000,000.00) general fund appropriation to the capitol complex construction account shall be transferred on July 1, 2008 to the capitol building rehabilitation and restoration account created by 2008 Senate File 87.

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
3. This general fund appropriation is effective immediately.				
4. (a) <u>The building shall be designed, engineered and built in order to meet the following criteria:</u>				
<u>(i) To maximize the buildable space provided within the site boundaries;</u>				
<u>(ii) To achieve approximately one hundred ninety thousand (190,000) square feet of useable office space;</u>				
<u>(iii) To provide adequate off street parking for occupants and visitors within site boundaries;</u>				
<u>(iv) To provide a safe, efficient and flexible working environment for a variety of state agencies;</u>				
<u>(v) To be consistent with the state building commission "energy efficiency policy";</u>				
<u>(vi) To provide an exterior that will be visually pleasing, prudent and complementary to the capitol complex and the capitol building;</u>				
<u>(vii) The interior design shall consider cost effectiveness including initial cost and lifecycle cost, space efficiency and flexibility to accommodate any state agency function;</u>				
<u>(viii) The building shall not provide special enhancements or amenities not typically found in other state office buildings for the purpose of employee recreation and fitness;</u>				
<u>(ix) The state construction management division shall negotiate the design contract and select the construction delivery method most beneficial to the state;</u>				
<u>(x) To bring the maximum number of state agencies into state owned space.</u>				
5. <u>This general fund appropriation shall only be expended to develop a Level I and II design to expand the Herschler building north utilizing existing footings. Such expansion shall include space for large meeting rooms capable of temporarily housing a legislative session.</u>				
6. (a) <u>There is created the state office building exterior legislative oversight committee. The state office building exterior legislative oversight committee shall review the exterior plan of the state office building. The state office building exterior legislative oversight committee shall consist of:</u>				
<u>(i) Three (3) members of the senate selected by the president of the senate, with one (1) member to be from the senate appropriations committee;</u>				
<u>(ii) Three (3) members of the house of representatives selected by the speaker of the house of representatives, with one (1) member to be from the house appropriations committee.</u>				
(b) <u>The department of administration and information and the state building commission shall report regularly to the state office building exterior legislative oversight committee on the plans for the exterior of the state office building and shall consult with the committee prior to making a final decision on the exterior of the building.</u>				

Section 027. School Facilities Commission

PROGRAM			
School Capital Construction			
1., 2., 3.		271,043,909 S5	
		273,065,116 S5	
		86,356,900 S6	357,400,809
		84,335,693 S6	
TOTALS		357,400,809	357,400,809

1. Of this S5 other fund appropriation, twenty million dollars (\$20,000,000.00) is effective immediately.

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
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2. (a) For the period beginning July 1, 2008 and ending June 30, 2010, the state treasurer shall transfer from the school capital construction account those federal coal lease bonus revenues deposited into the school capital construction account pursuant to W.S. 9-4-601(b) occurring from federal coal lease bonus sales made after March 1, 2007 as follows:

(i) Fifty million dollars (\$50,000,000.00) to the Hathaway student scholarship fund created by W.S. 9-4-204(u) (vii);

(ii) After amounts are deposited to the appropriate fund under paragraph (i) of this footnote, any remaining funds shall be deposited into the school foundation program account. Transfers under this footnote into the school foundation program account shall not exceed two hundred twenty-one million forty-three thousand nine hundred nine dollars (\$221,043,909.00).

3. The school facilities commission shall report annually to the joint appropriations interim committee on the effectiveness and savings achieved from the value engineering process on all school construction projects.

Section 057. Community College Commission 1.

PROGRAM	GENERAL FUND	FEDERAL FUND	OTHER FUNDS	TOTAL
CWC-72 Bed Housing Facility			8,118,000 PR	8,118,000
LCCC-Res Hall/Dining Fac/Kitchen			23,490,000 PR	23,490,000
NWCC-Simpson Hall Addition			5,546,000 PR	5,546,000
NWCCD Gillette College-Residence Hall			10,455,699 PR	10,455,699
WWCC-Residence Hall			8,869,000 PR	8,869,000
WWCC-Residence Hall			13,250,000 PR	13,250,000
NWCCD Sheridan College-Residence Hall			10,057,000 PR	10,057,000
<u>CC-Gateway Bldg/Center</u>				
<u>for Training</u>	<u>10,000,000</u>			<u>10,000,000</u>
<u>CC-Residence Hall</u>			<u>29,000,000 PR</u>	<u>29,000,000</u>
TOTALS	<u>10,000,000</u>		<u>79,785,699</u> <u>108,785,699</u>	<u>79,785,699</u> <u>118,785,699</u>

1. No funds appropriated for major maintenance for community colleges and distributed to the colleges by the commission through the state aid block grant shall be expended for major maintenance on the projects authorized in this section.

Section 067. University of Wyoming

PROGRAM	GENERAL FUND	FEDERAL FUND	OTHER FUNDS	TOTAL
Cap Con - College of Business	54,227,976			54,227,976
Classroom & Lab Renovations 1.	3,000,000			3,000,000
Fine & Performing Arts	650,000 <u>3,350,000</u>			650,000 <u>3,350,000</u>
Central Energy Plant - Utility Systems	450,000			450,000
TOTALS	<u>58,327,976</u> <u>61,027,976</u>	0	0	<u>58,327,976</u> <u>61,027,976</u>

1. This appropriation shall only be expended to match private donations for academic facilities as provided in Section 319 of this act.

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Section 4. Sections 300, 302(a) and by creating new subsections (e) through (g), 303, 311, 320 and by creating new sections 337 through 350 are amended to read:

[BUDGET BALANCERS - TRANSFERS]

Section 300.

(a) There is appropriated an amount not to exceed ~~one billion three hundred seventy million four hundred forty five thousand nine hundred sixty dollars (\$1,370,445,960.00)~~ one billion seven hundred fourteen million six hundred seventy-eight thousand two hundred forty-eight dollars (\$1,714,678,248.00) from the budget reserve account to the general fund. The state auditor shall transfer funds under this subsection as necessary to maintain a positive unappropriated general fund balance.

(b) There is appropriated from the budget reserve account the following:

(i) Ten million dollars (\$10,000,000.00) to water development account II;

(ii) Twenty-four million five hundred thousand (\$24,500,000.00) to water development account III;

(iii) Twenty-seven million six hundred seventy-three thousand eight hundred forty-one dollars (\$27,673,841.00) to the legislative stabilization reserve account.

(c) The appropriations contained in paragraphs (b)(i) and (ii) of this section shall only be transferred as funds become available in the budget reserve account as determined by the state auditor but not later than June 30, 2010. The appropriation to the legislative stabilization reserve account in paragraph (b)(iii) of this subsection shall not be transferred until after the state auditor has determined that there will be sufficient funds within the budget reserve account to fulfill all appropriations and transfers from the general fund and the budget reserve account under this act and any other legislation enacted into law in the 2008 budget session and 2009 general session. If necessary the state auditor shall reduce the amount of the appropriation to the legislative stabilization reserve account under paragraph (b)(iii) of this section by an amount necessary to maintain a positive unappropriated budget reserve account balance. Any amount of unappropriated funds remaining in the budget reserve account on June 30, 2010 in excess of ~~one hundred four million eight hundred eighty thousand dollars (\$104,880,000.00)~~ ninety-six million three hundred fifty-five thousand dollars (\$96,355,000.00) shall be transferred to the legislative stabilization reserve account.

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[MEDICAID CONTINGENCY APPROPRIATIONS]

Section 302.

(a) There is appropriated from the budget reserve account to the state auditor twenty million dollars (\$20,000,000.00) for the purpose of providing a reserve for the state's share of all Medicaid programs. This appropriation shall only be expended ~~after further action reappropriating these funds by the legislature, and only if the governor determines no other sources of funds are available. These funds shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation on June 30, 2010 shall revert according to law pursuant to subsection (g) of this section.~~

(e) Notwithstanding 2008 Wyoming Session Laws, Chapter 48, Section 331, the department is authorized to expend funds appropriated for the fiscal period beginning July 1, 2008 and ending June 30, 2010 for 100 series personal services in the following amounts for the following purposes:

(i) Of the first four million dollars (\$4,000,000.00) the department shall expend:

(A) One million four hundred thirty-seven thousand seven hundred twenty-seven dollars (\$1,437,727.00) for transitioning children receiving services under the developmentally disabled children's waiver program to the developmentally disabled adult services program;

(B) The remainder to reduce developmentally disabled children and developmentally disabled adult waiver waiting lists.

(ii) After allocating funds as specified in subparagraphs (e)(i)(A) and (B) of this section, to the extent they are available, the department shall expend funds in the following amounts in the following order:

(A) One million three hundred thirty-eight thousand eight hundred four dollars (\$1,338,804.00) for a pre-school developmentally disabled children external cost adjustment;

(B) Three million four hundred seven thousand six hundred forty-five dollars (\$3,407,645.00) to provide services to additional pre-school developmentally disabled children;

(C) The remainder may be expended for any of the following in an amount to be determined by the governor:

(I) Substance abuse regional treatment beds;

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(II) Health care professional recruitment;
(III) To reduce the adult brain injury waiver
waiting list;
(IV) The total health record project;
(V) Department information technology projects;
(VI) Vital statistics computer system rewrite;
(VII) Other health care financing issues as
contained in the department of health 2009-2010 supplemental budget request
as approved by the governor in his revised supplemental budget
recommendations.

(iii) The department shall report to the joint appropriations
interim committee providing details of any expenditures under this
subsection on December 1, 2009 and with the exception of statutorily
required and developmental disabilities waiver programs no funds expended
pursuant to this section shall be included in the department's 2011-2012
biennial standard budget request.

(f) Notwithstanding W.S. 9-2-1008, 9-2-1012(e) and 9-4-207(a) an
amount not to exceed six hundred ninety thousand sixty-five dollars
(\$690,065.00) in unexpended, unobligated monies appropriated from the
general fund to the department of health in 2006 Wyoming Session Laws,
Chapter 35, Section 2, Section 048, as amended by 2007 Wyoming Session Laws,
Chapter 136, Section 2, Section 048, and an amount not to exceed four
million four hundred six thousand fifteen dollars (\$4,406,015.00) in
unexpended unobligated monies appropriated from the general fund to the
department of family services in 2006 Wyoming Session Laws, Chapter 35,
Section 2, Section 049, as amended by 2007 Wyoming Session Laws, Chapter
136, Section 2, Section 049, shall not revert on June 30, 2008 and are
hereby appropriated to the state auditor for the period beginning with the
effective date of this act and ending June 30, 2010 for the purposes
specified in and subject to the provisions of subsection (g) of this
section.

(g) The funds appropriated in subsections (a) and (f) of this section
shall only be expended by the department of health after March 1, 2010, and
only after the department of health has provided a detailed budget request
to the budget division of the department of administration and information.
Expenditures under this subsection shall only be for any health care
financing program and those items presented in subdivisions (e)(ii)(C)(I)
through (VII) of this section. Upon receipt of written notice from the
budget division through the B-11 process, the state auditor shall release
funds appropriated in subsections (a) and (f) of this section to the
department of health.

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(h) Up to one million dollars (\$1,000,000.00) of any additional general or federal funding that becomes lawfully available as a result of increases to the federal medical assistance percentages, or other Medicaid federal funding increases under the American Recovery and Reinvestment Act of 2009 or other federal legislation, shall be used to reduce to the extent possible the developmentally disabled children's waiver program waiting list.

[EMPLOYEE BENEFITS]

Section 303.

(a) The state's contribution to the state health, dental and life insurance plans under W.S. 9-3-210 for each qualifying executive, judicial and legislative branch employee including employees of the University of Wyoming and the community colleges shall be paid from amounts appropriated in agency budgets in the following amounts for the specified time periods:

(i) For the period beginning December 1, 2008 and ending November 30, 2009 an amount to be determined by the employees' group insurance section of the department of administration and information but not to exceed:

(A) Five hundred sixty-one dollars and eighty cents (\$561.80) per month for an employee electing single coverage;

(B) One thousand one hundred twelve dollars and seventy-nine cents (\$1,112.79) per month for an employee electing employee plus one (1) dependent coverage; ~~and~~

(C) One thousand two hundred seventy-one dollars and seventy-six cents (\$1,271.76) per month for an employee electing family coverage; ~~and~~ and

(D) Six hundred thirty-five dollars and eighty-eight cents (\$635.88) per month for employees who elect family coverage when both husband and wife are employees of the covered entities creating a split family coverage.

(ii) For the period beginning December 1, 2009 and ending November 30, 2010 an amount to be determined by the employees' group health insurance section of the department of administration and information but not to exceed:

(A) Six hundred fifty-two dollars and twenty-nine cents (\$652.29) per month for an employee electing single coverage;

(B) One thousand two hundred ninety-four dollars and

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sixteen cents (\$1,294.16) per month for an employee electing employee plus ~~one (1)~~ dependent spouse coverage; ~~and~~

(C) One thousand two hundred ninety-four dollars and sixteen cents (\$1,294.16) per month for an employee electing employee plus dependent child coverage;

~~(C)~~ (D) One thousand four hundred seventy-nine dollars and fifty-four cents (\$1,479.54) per month for an employee electing family coverage; ~~and~~

(E) Seven hundred thirty-nine dollars and seventy-seven cents (\$739.77) per month for employees who elect family coverage when both husband and wife are employees of the covered entities creating a split family coverage.

(b) Notwithstanding W.S. 9-2-1022(c)(v), and for the period commencing July 1, 2008 and ending June 30, 2010, longevity pay increases shall be paid at a rate of forty dollars (\$40.00) per month for each five (5) years of service to all qualified state employees.

(c) Notwithstanding W.S. 9-2-1008, 9-2-1012(e) and 9-4-207(a) unobligated unexpended monies appropriated from the general fund to the state auditor in 2007 Wyoming Session Laws, Chapter 136, Section 303 for purposes of employee salaries and benefits, shall not revert on June 30, 2008 and are hereby appropriated for the period beginning July 1, 2008 and ending June 30, 2010 to the state auditor to be distributed to executive branch agencies, excluding the University of Wyoming and the community colleges as follows:

(i) For salary adjustments for market inequities as determined by the human resources division of the department of administration and information;

(ii) To provide a compensation pool to be distributed to agencies after approval of the human resources division and the budget division of the department of administration and information for positions that are determined to be in such demand the agency does not have adequate funds to attract and retain qualified employees;

(iii) To address existing market inequities as determined by the human resources division of the department of administration and information for "X" band employees including at-will attorney positions;

(iv) This subsection is effective immediately.

(d) For eligible retirees who retired prior to July 1, 2008 there is appropriated six million seven hundred thousand dollars (\$6,700,000.00) from the general fund to the state auditor for the period beginning July 1, 2008

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and ending June 30, 2010 to be expended only for health insurance benefits for executive, legislative and judicial branch agency retirees, including retirees of the University of Wyoming and the community colleges, who participate in the state employees' and officials' group health insurance plan. Payments to the plan on behalf of eligible retirees shall be made monthly at the rate of eleven dollars and fifty cents (\$11.50) per year of service up to a maximum of thirty (30) years of service for those retirees who are not Medicare eligible, and at the rate of five dollars and seventy-five cents (\$5.75) per year of service up to a maximum of thirty (30) years of service for those retirees who are Medicare eligible.

(e) The retiree health insurance benefits account is created for eligible employees who retired after July 1, 2008. All state agencies, including the University of Wyoming, the community colleges and the judicial branch shall pay into the account each pay period an amount ~~equal to be determined by the department of administration and information but not to exceed~~ one percent (1%) of each benefit eligible employee's salary. Payment to the plan on behalf of eligible retirees shall be made monthly at the rate of eleven dollars and fifty cents (\$11.50) per year of service up to a maximum of thirty (30) years of service for those retirees who are not Medicare eligible, and at the rate of five dollars and seventy-five cents (\$5.75) per year of service up to a maximum of thirty (30) years of service for those retirees who are Medicare eligible. The unused funds shall remain in the account. ~~until appropriated by the legislature for retiree health insurance benefits in an amount and in a manner to be determined by the legislature.~~ All investment income earned on the account shall remain in the account.

(f) No general fund appropriation in this section shall be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from any such appropriation on June 30, 2010 shall revert pursuant to law.

(g) Provided adequate funds are available, employees whose benefits are paid from nongeneral fund sources shall receive the same benefits as provided in this section and the necessary amounts are hereby appropriated from those accounts and funds.

(h) Not later than October 1, 2009, the governor shall report to the joint appropriations interim committee on an analysis of the state's employee health care benefits in comparison to representative private sector programs available in Wyoming.

[BUDGET REDUCTION AUTHORITY - REVENUE SHORTFALL]

Section 311.

The governor shall review all agency budgets and expenditures every six (6) months. If the governor determines during the review that the probable

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receipts for the next six (6) month period from taxes or other sources of revenue for any fund or account will be less than were anticipated, and if the governor determines that these receipts plus existing revenues in the fund or account, which are available for the next six (6) month period will be less than the amount appropriated, the governor, within sixty (60) days after reviewing the budget, shall give notice to the state agencies concerned and reduce the amount appropriated to prevent a deficit. This section shall apply to all appropriations in this act and to those in 2008 Wyoming Session Laws, Chapter 48, regardless of whether the appropriation is for a specified project or purpose, including but not limited to capital construction projects. This section shall apply whether the appropriation is to be expended directly by an agency or is made to an agency for distribution to another entity. As used in this section "agency" includes an authority, board, commission, council, department, institution, instrumentality, office and other separate operating agency or unit of the executive and judicial department of state government and includes the University of Wyoming and each community college.

[ENDOWMENTS - II]

Section 337.

(a) There is appropriated four million dollars (\$4,000,000.00) from the general fund to the state treasurer for deposit into the community college endowment challenge fund established under W.S. 21-16-1103. This appropriation shall be deposited in equal amounts to the challenge fund account of Casper College, Laramie County Community College, Northern Wyoming Community College and Northwest College. These funds shall be expended as prescribed under W.S. 21-16-1101 through 21-16-1104. Notwithstanding W.S. 9-2-1008, 9-2-1012(e) and 9-4-207(a), unexpended, unobligated funds shall not lapse on June 30, 2010, but shall revert pursuant to law on December 31, 2014. However, if 2009 House Bill 155 is enacted into law, any unexpended, unobligated funds from this appropriation shall revert only as provided in that act.

(b) There is appropriated four million dollars (\$4,000,000.00) from the general fund to the state treasurer for deposit into the university endowment challenge fund established under W.S. 21-16-903. These funds shall be expended as prescribed under W.S. 21-16-901 through 21-16-904. Notwithstanding W.S. 9-2-1008, 9-2-1012(e) and 9-4-207(a), unexpended, unobligated funds shall not lapse on June 30, 2010, but shall revert pursuant to law on December 31, 2014. However, if 2009 House Bill 155 is enacted into law, any unexpended, unobligated funds from this appropriation shall revert only as provided in that act.

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[LOCAL GOVERNMENT APPROPRIATIONS]

Section 338.

(a) There is appropriated three million five hundred thousand dollars (\$3,500,000.00) from the general fund to the office of state lands and investments that shall only be expended by the state loan and investment board for the purpose of providing matching grant funds for infrastructure needs for the town of Wamsutter.

(b) There is appropriated four million seven hundred thousand dollars (\$4,700,000.00) from the general fund to the office of state lands and investments that shall only be expended by the state loan and investment board for emergency capital project grants to local governments as determined by the state loan and investment board.

[AML FUNDING]

Section 339.

(a) No application to the federal office of surface mining for grants from the state of Wyoming's share of abandoned mine land funds from the Surface Mining Control and Reclamation Act Amendments of 2006, Section 411(h)(i), pursuant to 2007 H.R. 6111, shall be made except as expressly authorized by the legislature. Notwithstanding W.S. 35-11-1210, grant funds received for the projects authorized in this section may, but are not required to be, deposited into the state abandoned mine land funds reserve account pursuant to W.S. 35-11-1210. All funds received from the authorized grants are appropriated to the department of environmental quality in the amounts specified in this section to be expended for the purposes set forth in this section.

(b) The legislature authorizes the department of environmental quality to submit grant applications to the federal office of surface mining for distribution of a portion of funds specified in subsection (a) of this section for the period ending June 30, 2010 for the following projects:

(i) Twenty-nine million nine hundred ten thousand one hundred thirty-one dollars (\$29,910,131.00) for abandoned coal mine reclamation;

(ii) Eighty-nine thousand eight hundred sixty-nine dollars (\$89,869.00) for the operation of the mine subsidence insurance program;

(iii) Two million dollars (\$2,000,000.00) for the solid waste orphaned site fund;

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(iv) One million thirty-three thousand six hundred thirteen dollars (\$1,033,613.00) to the department of environmental quality air quality division for expenditure on one-time projects;

(v) Four million one hundred forty-eight thousand seven hundred twenty-four dollars (\$4,148,724.00) to the department of environmental quality air quality division for addressing environmental impacts of energy development;

(vi) Thirty-five thousand dollars (\$35,000.00) to the department of environmental quality land quality division for expenditure on one-time projects;

(vii) One hundred thirty-five thousand dollars (\$135,000.00) to the department of environmental quality solid waste division for recycling studies and one-time projects;

(viii) Ten million dollars (\$10,000,000.00) to the department of administration and information for the joint labs capital construction project;

(ix) Seven hundred thirty-four thousand six hundred sixteen dollars (\$734,616.00) to the Wyoming state geological survey for identification of potential CO2 storage sites and EPA sequestration regulations.

(c) The legislature authorizes the department of environmental quality to submit grant applications to the federal office of surface mining for distribution of a portion of funds specified in subsection (a) of this section to the University of Wyoming for the period ending June 30, 2010 for the following projects:

(i) Thirty million dollars (\$30,000,000.00) to the school of energy resources for the joint UW/GE clean coal partnership project;

(ii) Ten million six hundred thirteen thousand forty-seven dollars (\$10,613,047.00) to the school of energy resources for clean coal technology research as recommended by the clean coal research task force;

(iii) One million six hundred thousand dollars (\$1,600,000.00) to the school of energy resources for the uranium research center. The school of energy resources under the direction of the University of Wyoming energy resources council and in consultation with the Wyoming mining industry may develop:

(A) A research program for uranium under the school of energy resources at the University of Wyoming. This program shall focus on optimizing the economic recovery of the resource through groundwater restoration, research on waste water management and the development of a

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seminar to educate the public and the industry about uranium and uranium extraction;

(B) A program at the school focusing on technology transfer which would help industry with access to and application of existing in situ recovery processes. The program shall be designed to promote research and technology transfer efforts;

(C) A database which would include information concerning uranium exploration, development and production;

(D) A research program which would focus on future production of uranium resources in Wyoming; and

(E) Other programs as identified by the energy resources council.

(iv) Eight million dollars (\$8,000,000.00) to the school of energy resources for CO2 sequestration research and demonstration;

(v) Five hundred thousand dollars (\$500,000.00) to the college of agriculture for the reclamation ecology project;

(vi) One million five hundred thousand dollars (\$1,500,000.00) to the college of agriculture to provide initial funding for a proposed twenty million dollar (\$20,000,000.00) endowment to fund the reclamation ecology project. These funds shall be deposited into a separate endowment account from which only the income from account funds shall be expended.

(d) The department of environmental quality, in consultation with the University of Wyoming and with the approval of the governor, may substitute other University of Wyoming purposes in its grant applications under subsection (c) of this section but only as necessary to replace university block grant funds expended as necessary to satisfy requirements prohibiting the use of abandoned mine land funds to match federal funds or where the use of federal abandoned mine land funds would be impractical for projects pursuant to paragraphs (c)(ii), (iii), (iv), (v) and (vi) of this section.

(e) Except for funds subject to subsection (c) of this section, funds appropriated under this section shall be for the period beginning with the effective date of this section and ending June 30, 2010. Notwithstanding W.S. 9-2-1008, 9-2-1012(e) and 9-4-207(a), any unexpended, unobligated funds subject to:

(i) Paragraph (c)(i) for the clean coal partnership project shall not revert until June 30, 2012;

(ii) Paragraph (c)(ii) for clean coal technology research shall not revert until June 30, 2012;

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(iii) Paragraph (c)(iii) for the school of energy resources uranium research center shall not revert until June 30, 2011;

(iv) Paragraph (c)(iv) for CO2 sequestration research and demonstration shall not revert until June 30, 2012;

(v) Paragraph (c)(v) for the reclamation ecology project shall not revert until June 30, 2012;

(vi) Paragraph (c)(vi) for initial funding of the endowment shall not revert until further action of the legislature.

[RETIREMENT SYSTEM APPROPRIATIONS]

Section 340.

(a) There is appropriated one hundred fifty million six hundred thousand dollars (\$150,600,000.00) from the school foundation program account to the state auditor for the period beginning with the effective date of this act and ending June 30, 2010. The state auditor shall hold the funds appropriated under this section until a full replication audit of the Wyoming retirement system is conducted. Based on the findings of the audit, the governor shall certify to the state auditor the amount of any unfunded liability in the retirement system attributable to compensation increases to public school employees. The state auditor shall transfer sufficient funds up to the amount appropriated under this section to the Wyoming retirement system to fund the unfunded liability.

(b) There is appropriated one hundred seventy-five thousand dollars (\$175,000.00) from the school foundation program account to the retirement system that shall only be expended for the purpose of performing the full replication audit required under subsection (a) of this section.

[BUS SERVICE - BIG HORN BASIN]

Section 341.

There is appropriated two hundred fifty thousand dollars (\$250,000.00) from the general fund to the department of transportation that shall only be expended for purposes of providing state matching funds necessary to provide bus services for the Big Horn Basin. No funds shall be expended from this appropriation until the state funds have been matched in the amount of twenty-five percent (25%) from local governments.

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[FEDERAL MINERAL ROYALTY DIVERSION FOR ENDOWMENTS]

Section 342.

For the period beginning with the effective date of this section and ending June 30, 2010, three million eight hundred fifty-two thousand four hundred eighty dollars (\$3,852,480.00) from revenues received under W.S. 9-4-601(a) in excess of two hundred million dollars (\$200,000,000.00) which would otherwise be deposited to the school foundation program account under W.S. 9-4-601(d)(iii), shall be distributed to the higher education endowment reserve account for distribution in accordance with W.S. 9-4-719(m) and 21-16-1201(c). This distribution shall be made prior to distributing funds under W.S. 9-4-601(d)(iii), (v)(C) and (vi).

[NCAR SUPERCOMPUTER - II]

Section 343.

2007 Wyoming Session Laws, Chapter 136, Section 336(c)(i) and (d)(intro) is amended to read:

Section 336.

(c) Subject to subsection (d) of this section, there is appropriated to the Wyoming business council to implement this section the amounts specified in this subsection beginning with the effective date of this act and ending June 30, 2008. Notwithstanding W.S. 9-4-207(a), any funds from this appropriation that are unobligated and unencumbered on June 30, 2008, shall not lapse and shall remain available until June 30, 2010. The following amounts are appropriated:

(i) Twenty million dollars (\$20,000,000.00) from the general fund. Of this appropriation, not to exceed three million five hundred thousand dollars (\$3,500,000.00) is appropriated to the University of Wyoming but only to the extent that the university expends funds under its existing contract with NCAR for architectural and engineering services for the construction of the supercomputer center. Subsection (d) of this section does not apply to this appropriation.

(d) Except as otherwise provided in paragraph (c)(i) of this section, the appropriations under subsection (c) of this section shall not be expended until:

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[UNIVERSITY OF WYOMING - CAPITAL CONSTRUCTION AMENDMENTS]

Section 344.

(a) 2006 Wyoming Session Laws, Chapter 35, Section 3, Section 067 as amended by 2007 Wyoming Session Laws, Chapter 136, Section 3, Section 067 as amended by 2008 Wyoming Session Laws, Chapter 48, Section 319, Footnote 3.(a) is amended to read:

Section 319.

3. (a) This general fund appropriation shall only be expended to provide the state match for the following projects in an amount not to exceed the amounts listed for each project:

Kendall House - IENR	\$750,000	<u>1,100,000</u>
Engineering Labs		\$2,000,000
Law School Moot Court	\$2,000,000	<u>2,250,000</u>
School of Energy Resources Facility	<u>1.</u>	\$20,000,000
International Center	\$1,000,000	<u>1,750,000</u>
[Animal Science — Molecular		
Biology Addition		\$2,500,000
Interdisciplinary Learning Center		\$500,000
Other Engineering, Agriculture and		
College of Education Lab and		
Facilities <u>2.</u>	\$1,600,000	<u>6,250,000</u>
Natural History Center		\$10,000,000

1. (a) Of the unexpended, unobligated portion of this appropriation:

(i) Not more than three million dollars (\$3,000,000.00) may be used for the university athletic challenge account under W.S. 21-16-1001 through 21-16-1003;

(ii) To address restrictions on the use of abandoned mine land (AML) funds that are appropriated in this act, not to exceed one million four hundred twenty-two thousand five hundred twenty-two dollars (\$1,422,522.00) shall be credited to the university's block grant under Section 2, Section 067 of this act to replace funds the university expended to fund clean coal technology research approved by the clean coal task force in the fall of 2008;

(iii) The balance may be used for the university's endowment challenge matching program under W.S. 21-16-901 through 21-16-903.

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(b) The unexpended, unobligated portion of this appropriation shall not revert to the budget reserve account until December 31, 2014.

2. Of this appropriation, not to exceed one million four hundred thousand dollars (\$1,400,000.00) may be expended by the university to purchase the south parking lot identified in the university's parking and transportation plan. Expenditures pursuant to this footnote shall not exceed the appraised value of the property. This footnote should not be construed to restrict the university from utilizing other available funds to augment amounts expended pursuant to this footnote.

[HATHAWAY SCHOLARSHIP - BORROWING AUTHORITY]

Section 345.

The state treasurer is authorized to borrow from pooled fund investments an amount necessary to meet cash flow requirements of the Hathaway scholarship program. The treasurer shall borrow funds under this section only to assist the month-to-month cash flow of the program and shall not borrow funds under this section when total expenditures together with outstanding encumbrances and obligations for a fiscal year exceed projected revenues and fund balances available for that fiscal year for the program. The amounts borrowed shall be repaid when sufficient revenue is available in the Hathaway reserve account or the Hathaway expenditure account. Interest paid on the amounts borrowed shall be the average interest rate earned on pooled fund investments in the previous fiscal year.

[AML FUNDING]

Section 346.

(a) 2008 Wyoming Session Laws, Chapter 48, Section 320(e) is amended read:

Section 320.

(e) Except for funds subject to ~~subsection paragraphs~~ (a)(v), (vi) and (vii) and subsection (c) of this section, funds appropriated under this section shall be for the period beginning with the effective date of this section and ending June 30, 2009. Notwithstanding W.S. 9-2-1008, 9-2-1012(e) and 9-4-207(a), any unexpended unobligated funds subject to:

(i) Paragraph (a)(v) for the school of energy resources shall not revert until June 30, 2010;

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(ii) Paragraph (a)(vi) for the high plains gasification facility and technology center shall not revert until June 30, 2012;

(iii) Paragraph (a)(vii) for clean coal technology research shall not revert until June 30, 2012;

(iv) Subsection (c) of this section shall not revert until June 30, 2012.

[AMERICAN RECOVERY AND REINVESTMENT ACT]

Section 347.

(a) Funds provided to the state pursuant to the American Recovery and Reinvestment Act of 2009 shall be subject to the following:

(i) Funds provided directly or indirectly to a state agency shall only be expended in accordance with the requirements of the B-11 process as authorized by W.S. 9-2-1005(b)(ii). These funds shall not be included in any agency's 2011-2012 standard biennial budget request;

(ii) All other funds provided to the state, or to be provided to political subdivisions or other entities through the state or a state agency, may be distributed for expenditure as provided in the act only upon approval of the governor;

(iii) All funds received by the state from the federal government under the act which are not expended pursuant to paragraph (i) or (ii) of this subsection shall be deposited into a legislative economic stimulus account.

(b) The governor shall promptly report to the joint appropriations interim committee and the management council all funds made available to the state under the act, specifying:

(i) All funds subject to expenditure or distribution pursuant to paragraph (a)(i) of this section;

(ii) All funds subject to expenditure or distribution pursuant to paragraph (a)(ii) of this section;

(iii) For any funds not subject to expenditure or distribution under paragraph (a)(i) or (ii) of this section, the purposes for which funds are made available, requirements for expenditure, the date by which the funds must be expended and any condition the governor recommends be imposed upon any expenditure.

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(c) Each city, town or county in this state receiving funds under the act directly from the federal government shall report on or before December 1, 2009 to the governor and the joint appropriations interim committee all funds received under the act which were not reported pursuant to subsection (b) of this section.

(d) As used in this section:

(i) "Act" means the federal American Recovery and Reinvestment Act of 2009;

(ii) "State agency" means the state of Wyoming or any of its branches, agencies, authorities, departments, boards, commissions, councils, instrumentalities, office, separate operating agencies or units, or institutions, including the university and community colleges.

[TASK FORCE ON WIND ENERGY]

Section 348.

(a) Provided the management council does not assign the issue of wind energy to a standing committee as a 2009 interim topic, there is created a task force on wind energy consisting of the following members:

(i) Three (3) members of the Wyoming senate, appointed by the president of the senate;

(ii) Four (4) members of the Wyoming house of representatives, appointed by the speaker of the house;

(iii) Two (2) members from the public-at-large appointed by the governor;

(iv) Not more than two (2) senators and three (3) representatives shall be from the same political party.

(b) The task force members shall select a chairman and vice-chairman from among their membership. The task force shall be staffed by the legislative service office. State agencies shall provide information and assistance to the task force as requested.

(c) The task force shall study the following, as they relate to regulation and taxation of the wind energy conversion industry:

(i) Statutes relating to the authority of the industrial siting division of the department of environmental quality;

(ii) Statutes relating to the authority of the public service commission;

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(iii) Statutes related to county zoning authority;

(iv) Any relevant federal statutes that may preempt or limit state or county authority; and

(v) Other issues relating to the wind energy conversion industry the task force may determine to be relevant, including the appropriate agency, or agencies as may be necessary, to regulate the industry, how such regulation of the industry should be funded, the process for decommissioning of facilities, and wind generation tax policies, avoiding duplication of conflicting requirements and effects on state trust lands.

(d) The task force shall submit its recommendations, including proposed legislative changes, to the legislature and the governor no later than November 1, 2009 for consideration by the legislature in the 2010 budget session with respect to the issues specified in subsection (c) of this section.

(e) The task force shall exist until December 31, 2009. Members of the task force who are not state employees or legislators shall not receive a salary but shall receive reimbursement for mileage and per diem expenses at the rate provided for legislators under W.S. 28-5-101. Members of the task force who are legislators shall be paid salary, per diem and mileage as provided in W.S. 28-5-101 for their official duties as members of the task force.

(f) There is appropriated from the general fund:

(i) Ten thousand five hundred dollars (\$10,500.00) to the legislative service office for payment of salary, per diem and mileage for legislative task force members;

(ii) Two thousand dollars (\$2,000.00) to the governor's office for payment of authorized per diem and mileage for nonlegislative task force members.

[WATER DEVELOPMENT ACCOUNT - APPROPRIATION]

Section 349.

There is appropriated from the general fund three million dollars (\$3,000,000.00) to water development account I.

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[MINERAL SEVERANCE TAX DIVERSION]

Section 350. W.S. 39-14-801(b) is amended to read:

39-14-801. Severance tax distributions; distribution account created; formula.

(b) Before making distributions from the severance tax distribution account under subsections (c) through (e) of this section, an amount equal to two-thirds (2/3) of the amount of tax collected under W.S. 39-14-104(a)(i) and (b)(i) and 39-14-204(a)(i) for the same period shall be deposited into the permanent Wyoming mineral trust fund, except that for the fiscal year 2010 these funds shall be deposited as follows:

(i) Fifty percent (50%) to the permanent Wyoming mineral trust fund; and

(ii) Fifty percent (50%) to the permanent Wyoming mineral trust fund reserve account created by W.S. 9-4-719(b).

[EFFECTIVE DATE]

Section 400.

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

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk

ORIGINAL HOUSE
BILL NO. 0001

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