

HOUSE BILL NO. HB0039

Population determinations-use of federal census.

Sponsored by: Select Committee on Local Government
Financing

A BILL

for

1 AN ACT relating to administration of government; providing
2 a uniform determination of population by use of the
3 decennial federal census; providing a definition to be used
4 for references to the federal census; conforming statutes
5 referencing population and the federal census to a uniform
6 use and definition for distributions of revenues and other
7 purposes; repealing inconsistent uses and definitions; and
8 providing for an effective date.

9

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

11

12 **Section 1.** W.S. 1-40-118(g)(i)(B), 3-6-113(a)(ii),
13 7-6-113(b)(i), 8-1-102(a) by creating new paragraphs (xv)
14 and (xvi), 9-4-601(a)(v)(A) and (B), 12-4-101(b) and (c),
15 15-1-201, 15-4-202(e), 15-5-102, 15-5-106(a), 15-5-301,
16 15-11-105(a), 18-16-102(a)(xi)(B), 21-3-111(b)(ii) and (c),

1 22-18-111(a)(iii)(D), 22-20-205, 24-2-110(c)(ii), 24-7-103,
2 31-13-111(b), 35-1-304(a) and (e), 35-11-521(c)(ii)(A),
3 39-14-801(e)(v)(A), (vi), (vii)(A) and (viii),
4 39-15-111(h)(iii), 39-17-111(d)(i)(B), (ii) and
5 (iii)(B)(II) and 39-17-211(d)(ii)(A)(II) are amended to
6 read:

7

8 **1-40-118. Distribution of monies to crime victim**
9 **service and victim assistance providers.**

10

11 (g) To the extent the legislature provides funding
12 for victim assistance providers that serve victims of all
13 crimes, the division of victim services shall:

14

15 (i) Distribute the state funding provided for
16 victim assistance providers as follows:

17

18 (B) Of the remaining state funding under
19 this subsection, amounts shall be distributed to the victim
20 assistance providers within the counties and the Wind River
21 Indian Reservation on a proportional basis according to
22 each county's and the reservation's population. ~~as~~
23 ~~established in the most recent federal decennial census.~~

24 For purposes of the distribution under this subparagraph,

1 the population residing on the Wind River Indian
2 Reservation shall be determined separate from the balance
3 of the population of Fremont county;

4

5 **3-6-113. Investment of surplus money; notice to**
6 **bureau.**

7

8 (a) It shall be the duty of such guardians to invest
9 and keep invested their ward's surplus money, but only in
10 the securities or other property, and in the manner
11 hereinafter indicated, and in which securities or other
12 property the guardian has no interest. The investments,
13 except those provided in paragraphs (i) and (ii) of this
14 subsection hereof, shall be made only upon the prior
15 approval of the court, after notice to the veterans'
16 administration as provided in W.S. 3-6-110, as amended:

17

18 (ii) The bonds of this state or of any other
19 state, or any county, school districts, city, or town in
20 the United States with a population ~~as shown by next~~
21 ~~preceding federal census~~ of not less than one thousand
22 (1,000) inhabitants; and where the laws do not permit such
23 counties, cities, school districts, or towns to become
24 indebted in excess of six percent (6%) of the assessed

1 valuation of property for taxation therein, and where the
2 total indebtedness of such county, school districts, city,
3 or municipality, does not exceed six percent (6%) of the
4 assessed valuation of property for taxation at the time of
5 such investment: provided always, there has been no default
6 for more than thirty (30) days during the preceding ten
7 (10) years upon any bonds of the issuing state, county,
8 city or town;

9

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

11

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

18

19 (i) The population of each county; ~~based on the~~
20 ~~latest federal census as periodically updated by the bureau~~
21 ~~of the census;~~

22

23 **8-1-102. Definitions.**

24

1 (a) As used in the statutes unless the legislature
2 clearly specifies a different meaning or interpretation or
3 the context clearly requires a different meaning:

4
5 (xv) "Last federal census" means the last
6 official federal decennial census as conducted and
7 officially corrected by the bureau of census, including any
8 changes for boundary modifications, to become effective on
9 July 1 next following the receipt of the official census
10 figures;

11
12 (xvi) "Population" of a city, town, county,
13 legislative district or other political subdivision shall
14 be determined by resort to the last federal census.

15
16 **9-4-601. Distribution and use; funds, accounts,**
17 **cities and towns benefited; exception for bonus payments.**

18
19 (a) All monies received by the state of Wyoming from
20 the secretary of the treasury of the United States under
21 the provisions of the act of congress of February 25, 1920
22 (41 Stat. 437, 450; 30 U.S.C. §§ 181, 191), as amended, or
23 from lessees or authorized mine operators and all monies
24 received by the state from its sale of production from

1 federal mineral leases subject to the act of congress of
2 February 25, 1920 (41 Stat. 437, 450; 30 U.S.C. §§ 181,
3 191) as amended, except as provided by subsection (b) of
4 this section, shall be deposited into an account and the
5 first two hundred million dollars (\$200,000,000.00) of
6 revenues received in any fiscal year shall be distributed
7 by the state treasurer as provided in this subsection. One
8 percent (1%) of these revenues shall be credited to the
9 general fund as an administrative fee, and the remainder
10 shall be distributed as follows:

11

12 (v) Nine and three-eighths percent (9.375%) to
13 incorporated cities and towns to be used for planning,
14 construction or maintenance of public facilities or
15 providing public services. Any city or town may expend
16 these revenues or pledge future revenues for payment of
17 revenue bonds issued to provide public facilities. However
18 no city or town shall pledge future revenues to the federal
19 government under 43 U.S.C. § 1747 unless the city or town
20 obtains a written determination from the governor, which he
21 may make in connection with his consultation with the
22 secretary of the interior under 43 U.S.C. § 1747 or
23 otherwise, that the pledge will not affect the distribution
24 of mineral royalties provided in this section. The

1 distribution provided under this paragraph to any city or
2 town shall be reduced by an amount equal to the amount of
3 federal mineral royalties withheld from the state by the
4 federal government to repay any loan to the city or town
5 under 43 U.S.C. § 1747. Pledges of this income for revenue
6 bonds shall not exceed ten (10) years. Each city and town
7 shall receive:

8

9 (A) Twelve thousand dollars (\$12,000.00) if
10 the population is three hundred twenty-five (325) persons
11 or less, or fifteen thousand dollars (\$15,000.00) if the
12 population is more than three hundred twenty-five (325)
13 persons; ~~according to the latest census estimate of the~~
14 ~~department of administration and information, division of~~
15 ~~economic analysis or the latest updated census as provided~~
16 ~~by subparagraph (B) of this paragraph;~~ plus

17

18 (B) An amount computed by the state
19 treasurer as follows: after deducting the distribution
20 provided by subparagraph (A) of this paragraph, the
21 remainder shall be allocated for distribution to cities and
22 towns within each county in an amount proportionate to the
23 percentage obtained by dividing the average daily
24 membership, as defined in W.S. 21-13-101, of all school

1 districts within each county by the total average daily
2 membership of all school districts in the state. The
3 distribution to each city and town will then be made in the
4 proportion that the population of the city or town bears to
5 the total population of all cities and towns in the county.
6 ~~based on the latest federal census as periodically updated~~
7 ~~by the bureau of the census. Any city or town may use an~~
8 ~~updated census conducted by the bureau of the census at any~~
9 ~~time not less than four (4) years following the decennial~~
10 ~~census.~~

11

12 **12-4-101. Authority of cities, towns and counties;**
13 **population figures; number of available licenses and**
14 **permits; assessment and payment of fees.**

15

16 (b) Population figures are based upon the official
17 ~~ten (10) year~~ last federal census preceding the time of
18 application. ~~Population figures based upon the official~~
19 ~~census shall be periodically revised by a state population~~
20 ~~estimate no later than five (5) years after the federal~~
21 ~~census publication date.~~

22

23 (c) ~~Population figures and estimates required by~~
24 ~~subsection (b) of this section shall be furnished to the~~

1 ~~appropriate licensing authorities within the state by the~~
2 ~~department of administration and information.~~ The maximum
3 number of licenses and permits available for issuance by a
4 licensing authority pursuant to the population formula
5 provided by W.S. 12-4-201 and 12-4-413, shall be certified
6 and distributed by the commission.

7
8 **15-1-201. Territories which may incorporate.**

9
10 (a) Any territory, including multiple territories
11 within one (1) mile of each other and which are connected
12 to a common culinary water system, not included in any
13 incorporated city or town and not ineligible for
14 incorporation under the provisions of W.S. 15-1-411, having
15 a total resident population of not less than two hundred
16 (200) persons and containing within its boundaries an area
17 with a density of at least seventy (70) persons per square
18 mile, may be incorporated as a town in the manner provided
19 in this article. When territories connected to a common
20 culinary water system are incorporated under this act, the
21 pipelines connecting the territories shall be included in
22 the town limits.

23
24 (b) For purposes of this article:

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(i) "Census" means the census conducted pursuant to W.S. 15-1-202(a);

(ii) "Population" means the population as determined by the census conducted pursuant to W.S. 15-1-202(a).

15-4-202. Employees; manager; employment, salary, vacancy; attorney; other positions; salaries, duties; municipal judges; experts; exception.

(e) Except as otherwise provided in this subsection, the manager may require any appointive officers and any employees to perform duties and services in one (1) or more departments of the city or town. No person shall receive compensation in addition to the salary of his position for the performance of any required duties. The city attorney is not required to perform any service other than legal service. In cities and towns having a population of more than ten thousand (10,000), ~~according to the last federal census,~~ policemen and firemen are not required to perform any service other than that normally considered to be within their departments. Salaries of the members of the

1 police and fire departments shall be established in
2 conformity with the civil service laws of the state and
3 ordinances of the city applicable to those departments.

4

5 **15-5-102. Establishment of civil service commission**
6 **or personnel system.**

7

8 (a) There is established a fire department civil
9 service commission in each incorporated municipality
10 maintaining a paid fire department and having a population
11 of four thousand (4,000) or more ~~., according to the latest~~
12 ~~United States census.~~

13

14 (b) The governing body in each incorporated
15 municipality maintaining a paid police department and
16 having a population of four thousand (4,000) or more
17 ~~according to the latest United States census~~ which has not
18 established a civil service commission may establish a
19 police department personnel system in a manner as the
20 governing body determines.

21

22 **15-5-106. Commissions; classification of positions;**
23 **working hours; salaries; exceptions; examinations.**

24

1 (a) The commissions shall classify the various
2 positions in the departments into classes or schedules
3 based upon the nature of the service to be rendered or
4 duties to be performed. The governing body shall then
5 establish uniform working hours and wages for all employees
6 in each class or schedule and may regulate the rate of
7 wages and the number of employees in any class or schedule
8 as necessary. Notwithstanding any other general law fixing
9 salaries or granting authority to fix salaries, the minimum
10 salary for full-time policemen and full-time firemen in any
11 city or town having a population of more than four thousand
12 (4,000) ~~as determined by the last federal census~~ is four
13 hundred twenty-five dollars (\$425.00) per month, with an
14 increase of twenty-five dollars (\$25.00) per month for each
15 year of service rendered until a monthly salary of five
16 hundred twenty-five dollars (\$525.00) is reached. Any city
17 or town may pay a salary in excess of five hundred twenty-
18 five dollars (\$525.00) per month. Persons holding positions
19 of higher grade or rank in these departments shall be
20 compensated in accordance with the responsibility of the
21 position held, but shall receive a total salary of not less
22 than six thousand six hundred dollars (\$6,600.00) per year.
23

1 **15-5-301. Pension fund; establishment; separate**
2 **accounts.**

3
4 The governing body of any city or town maintaining a paid
5 police department and having a population of more than four
6 thousand (4,000), ~~in the last federal census,~~ after ten
7 (10) days published notice and a public hearing thereon,
8 may establish a policemen pension fund. Any such fund
9 established prior to July 1, 1981 shall be divided into two
10 (2) separate accounts to be known as the existing account
11 and the new account. The existing account shall consist of
12 contributions from police officers employed prior to July
13 1, 1981 and city or town contributions made in those
14 officers' behalf. The new account shall consist of
15 contributions made from police officers employed after June
16 30, 1981 and city or town contributions made in those
17 officers' behalf.

18

19 **15-11-105. Officers in city or town with city manager**
20 **government; terms; legislative authority; method of**
21 **selection; alternative method.**

22

23 (a) The elective officers of a city or town adopting
24 the city manager form of government are councilmen elected

1 as provided by law. There shall be three (3) councilmen in
2 cities and towns having a population of less than four
3 thousand (4,000), seven (7) in those having a population of
4 four thousand (4,000) or more but less than twenty thousand
5 (20,000) and nine (9) in those having a population of
6 twenty thousand (20,000) or more. ~~according to the last~~
7 ~~preceding United States census.~~ The term of office of a
8 councilman is four (4) years and until his successor is
9 qualified. Legislative authority is vested in the council.

10

11 **18-16-102. Definitions.**

12

13 (a) As used in this act:

14

15 (xi) "Resort area" means an area that:

16

17 (B) Has a permanent population of less than
18 five hundred (500) people; ~~according to the latest federal~~
19 ~~census as periodically updated by the bureau of the census;~~

20

21 **21-3-111. Powers of boards of trustees.**

22

1 (b) Not later than January 1, 1998, the board of
2 trustees of each school district that has established
3 trustee residence areas before that date shall:

4
5 (ii) Establish by resolution a structure for
6 electing members to the board through trustee residence
7 areas with not less than two (2) members of the board
8 elected at-large from the entire district. If the board
9 establishes trustee residence areas under this paragraph,
10 one (1) or more members shall be elected from each area.
11 The boundaries of the trustee residence areas shall be
12 established so that the total deviation in the population
13 between the areas with the greatest and least population
14 shall not, to the extent practicable, exceed ten percent
15 (10%). Data from the ~~most recent~~ last federal census shall
16 be used in determining population within an area for the
17 purpose of implementing this paragraph. The resolution
18 shall include a process for implementing this change so
19 that all elected trustees may serve their full term but
20 that any vacancy shall be filled so as to implement the
21 change as soon as practicable.

22

23 (c) Not later than January 1 of any year in which a
24 general election will be held, the board of trustees of any

1 school district may elect to adopt a resolution under
2 paragraph (b)(i) of this section to have all trustees
3 elected at-large. A board of trustees for a district in
4 which all members are elected at-large may adopt a
5 resolution to establish trustee residence areas under
6 paragraph (b)(ii) of this section only as of January 1 of
7 the first year which follows a decennial federal census and
8 in which a general election will be held.

9

10 **22-18-111. Vacancies in other offices; temporary**
11 **appointments.**

12

13 (a) Any vacancy in any other elective office in the
14 state except representative in congress or the board of
15 trustees of a school or community college district, shall
16 be filled by the governing body, or as otherwise provided
17 in this section, by appointment of a temporary successor to
18 serve until a successor for the remainder of the unexpired
19 term is elected at the next general election and takes
20 office on the first Monday of the following January. If a
21 vacancy in a four (4) year term of office occurs after the
22 first day for filing an application for nomination pursuant
23 to W.S. 22-5-209, the temporary successor appointed shall

1 serve until the first Monday in January following the
2 second general election thereafter. The following apply:

3

4 (iii) If a vacancy occurs in the office of a
5 member of the state legislature:

6

7 (D) If the legislative district is in more
8 than one (1) county, the vacancy shall be filled by the
9 combined vote of the boards of county commissioners for
10 those counties. The vote of each county commissioner in
11 attendance shall be weighted so that the total vote of the
12 commissioners from each county shall be in proportion to
13 the population of the legislative district within that
14 county. ~~according to the most recent decennial census.~~ For
15 vacancies created other than by resignation, if the
16 legislative district is in more than one (1) county, the
17 determination of the vacancy shall be made in accordance
18 with this subparagraph.

19

20 **22-20-205. Determining apportionment of**
21 **representation at convention.**

22

23 In the apportionment of representation in the county and
24 state conventions, the last federal census ~~enumeration~~

1 ~~taken by the United States government~~ is the basis upon
2 which the right to representation in the conventions shall
3 be determined.

4

5 **24-2-110. Cooperation with counties in construction**
6 **and maintenance of county roads; allocation of costs;**
7 **state-county road construction account established.**

8

9 (c) The gasoline license tax revenues distributed by
10 the state treasurer under W.S. 39-17-111(d)(ii) shall be
11 sent to the county treasurers of the various counties and
12 placed in a separate fund in each county earning its own
13 interest and be expended by the board of county
14 commissioners solely for the road construction and
15 maintenance fund program and as otherwise provided in this
16 subsection. This money shall be allocated as follows:

17

18 (ii) The remainder to the counties and the share
19 allocated to each county shall be based fifty percent (50%)
20 upon the percentage ratio which the rural population
21 including the population within the cities and towns with
22 less than one thousand four hundred (1,400) of each county
23 bears to the total rural population of the state ~~according~~
24 ~~to the last federal census~~ and fifty percent (50%) based

1 upon the percentage ratio which the area of each county
2 bears to the area of the state. Any interest earned on the
3 investment of monies in the fund created by this subsection
4 shall be retained by each county and shall be used for
5 project costs as authorized by this section.

6

7 **24-7-103. Application of W.S. 24-1-127, 24-7-101**
8 **through 24-7-103.**

9

10 This enactment shall have no application to the usual and
11 necessary diversion of traffic for purposes of road repair
12 or reconstruction, nor shall it apply to any city having a
13 population of more than twenty thousand (20,000), ~~people at~~
14 ~~the last preceding federal census,~~ nor shall the provisions
15 of this act be retroactive from the effective date of this
16 act.

17

18 **31-13-111. Transmission of return of sale and sale**
19 **proceeds to county treasurer; payment of expenses and**
20 **taxes; county abandoned vehicle account; duplicate receipts**
21 **for proceeds; action for recovery of proceeds.**

22

23 (b) The sheriff shall transmit to the county
24 treasurer of the county in which the vehicle was impounded

1 by a police officer, with the return of sale, the proceeds
2 of the sale. Upon receipt of the return of sale and
3 proceeds, the county treasurer shall deposit the proceeds
4 in the general funds in the county treasury to the credit
5 of an account to be known as the county abandoned vehicle
6 account. The account is continuously appropriated only for
7 the purpose of this act. When the account totals an amount
8 necessary to carry out the purposes of this act, as set by
9 the board of county commissioners for that county, but not
10 to exceed one dollar (\$1.00) for each resident in the
11 county, according to the ~~most recent decennial~~ last federal
12 census, all revenues thereafter received under this
13 subsection and W.S. 31-3-103(f), together with all interest
14 earned on the account, shall be transferred to the general
15 funds of the county treasurer. Upon receipt of the return
16 of sale disclosing the costs incurred the costs shall be
17 paid from the county abandoned vehicle account to each
18 person or transferred to each governmental entity incurring
19 the expenses. If the expenses exceed the sale proceeds, the
20 allowable expenses prescribed in paragraph (g)(ii) of this
21 section shall be paid.

22

1 **35-1-304. Treasurer designated; fund to be created;**
2 **composition and use of fund; preparation and submission of**
3 **budget; tax levy authorized.**

4
5 (a) In the case of a county and/or city health
6 department, the county and/or city treasurer, as a part of
7 his official duties as county and/or city treasurer, shall
8 serve as treasurer of the department, and his official bond
9 as county and/or city treasurer shall extend to and cover
10 his duties as treasurer of the department. In the case of a
11 district health department, the county treasurer of the
12 county in the district having the largest population, ~~as~~
13 ~~determined by the last federal census,~~ as a part of his
14 official duties as county treasurer, shall serve as
15 treasurer of the district department and his official bond
16 as county treasurer shall extend to and cover his duties as
17 treasurer of the department.

18
19 (e) A district board of health shall, annually before
20 April 1st of each year, estimate the total cost of
21 maintaining and operating the department for the ensuing
22 fiscal year and the amount of ~~moneys~~monies that may be
23 available from unexpended surpluses or from state or
24 federal grants or other grants or donations. The estimates

1 shall be submitted in the form of a budget to a committee
2 composed of the chairmen of the boards of county
3 commissioners and/or city governing body of all counties
4 and/or cities comprising the district. The cost of
5 maintaining and operating the department, over estimated
6 ~~moneys~~ monies from surpluses, grants or donations, shall be
7 apportioned by the committee among the counties comprising
8 the district on a basis of population, ~~as determined by the~~
9 ~~last federal census,~~ of each participating county in
10 proportion to the total population of all counties
11 comprising the district. The boards of county commissioners
12 of the respective counties shall provide any ~~moneys~~ monies
13 necessary to cover the proportionate share of their county.
14 If the cities in the district have chosen to have a
15 biennial budget pursuant to W.S. 16-4-104(h), then the
16 district board of health shall submit their budget to the
17 cities on April 1 of every other year in accordance with
18 the cities' budget. If all the cities in the district are
19 not on the same budget schedule, the district shall still
20 submit a biennial budget. However, for those cities who
21 budget annually, they shall appropriate an annual amount.

22

23 **35-11-521. Grants for municipal solid waste landfill**
24 **monitoring.**

1

2 (c) Grants for eligible costs under subsection (b) of
3 this section may be awarded:

4

5 (ii) For up to seventy-five percent (75%) of
6 eligible costs for applicants meeting the following
7 criteria:

8

9 (A) Municipalities with a population of
10 less than one thousand three hundred (1,300) ~~according to~~
11 ~~the latest federal decennial census~~ or which are located
12 within a county where the three (3) year average of the
13 total local government share of state sales and use tax per
14 capita is less than seventy percent (70%) of the statewide
15 per capita average; or

16

17 **39-14-801. Severance tax distributions; distribution**
18 **account created; formula.**

19

20 (e) Deposits into the account created by subsection
21 (a) of this section shall be distributed as follows,
22 subject to subsections (b) through (d) of this section:

23

1 (v) To counties, seventy-eight hundredths
2 percent (0.78%), subject to the following formula:

3

4 (A) Fifty percent (50%) of the funds
5 distributed under this paragraph shall be distributed to
6 the counties in the same proportion that the population of
7 the county bears to the population of the state; ~~as~~
8 ~~determined by the most recent decennial census;~~ and

9

10 (vi) To counties, three and one-tenth percent
11 (3.1%), each county to receive an amount in the proportion
12 which the population of the county bears to total state
13 population; ~~;~~ ~~population to be determined by resort to the~~
14 ~~latest federal census as periodically updated by the bureau~~
15 ~~of the census;~~

16

17 (vii) To the road construction and maintenance
18 funds of the various counties as provided by W.S. 24-2-110,
19 two and nine-tenths percent (2.9%), except that each
20 county's share of funds under this subsection shall be
21 computed as follows:

22

23 (A) One-third (1/3) shall be distributed to
24 each county in the ratio that the population of the county

1 bears to total state population; ~~based on the most recent~~
2 ~~decennial federal census;~~

3
4 (viii) To cities and towns, nine and twenty-five
5 hundredths percent (9.25%), each city or town to receive an
6 amount in the proportion which the population of the city
7 or town bears to the population of all cities and towns in
8 Wyoming; ~~population to be determined by resort to the~~
9 ~~latest federal census as periodically updated by the bureau~~
10 ~~of the census;~~

11
12 **39-15-111. Distribution.**

13
14 (h) If an annexation occurs under W.S. 15-1-404, the
15 department of revenue shall determine whether the
16 proportion of sales taxes to be distributed to the general
17 fund of the county in which the annexation takes place will
18 be reduced by more than five percent (5%) solely as a
19 result of the annexation. If so, then the distribution
20 formula for sales taxes for the affected municipality and
21 county is subject to the following:

22
23 (iii) The department of revenue shall
24 proportionally adjust credits for population under

1 paragraphs (i) and (ii) of this subsection for the
2 remainder of the period based upon new population figures
3 if a federal decennial census occurs before the period
4 under paragraph (ii) of this subsection ends.

5

6 **39-17-111. Distribution.**

7

8 (d) After certifying the amounts provided by
9 subsection (c) of this section, the department shall
10 certify the balance of taxes collected under this article
11 to the state treasurer who shall distribute the remainder
12 into the accounts within the state highway fund created
13 under this subsection as follows:

14

15 (i) Thirteen and one-half percent (13.5%) shall
16 be distributed monthly to county treasurers. Each county
17 treasurer shall credit such revenues to the county road
18 fund for the improvement and maintenance of county roads.
19 The distribution to each county shall be based on:

20

21 (B) One-third (1/3) in the ratio in which
22 the rural population including the population within the
23 cities and towns with less than one thousand four hundred

1 (1,400) bears to the total rural population of the state;
2 ~~according to the last federal census;~~

3

4 (ii) Fourteen percent (14%) shall be credited by
5 the state treasurer to the counties' road construction
6 account in the highway fund for distribution by the
7 department to the county treasurers of the various counties
8 for their road construction funds, except that an amount
9 equal to the contribution required of the counties for the
10 cost of the university's technology transfer program under
11 W.S. 21-17-115(a)(ii) or thirty-one thousand two hundred
12 fifty dollars (\$31,250.00), whichever is less shall be
13 first distributed to the highway fund. Each county
14 treasurer shall credit the revenues to the road
15 construction fund in that county. The department shall
16 allocate to each county a share based fifty percent (50%)
17 upon the ratio which the rural population of each county
18 including the population within the cities and towns with
19 less than one thousand four hundred (1,400) bears to the
20 total rural population of the state ~~according to the last~~
21 ~~federal census~~ and fifty percent (50%) based on the ratio
22 which the area of the county bears to the total area of the
23 state. Any interest earned on invested funds allocated to

1 counties shall be retained by each county and shall be used
2 for project costs as provided by W.S. 24-2-110(a);

3

4 (iii) Fifteen percent (15%) shall be distributed
5 as follows:

6

7 (B) The remainder to be distributed monthly
8 to incorporated cities and towns to be used in their street
9 and alley programs as follows:

10

11 (II) Twenty-five percent (25%) in the
12 ratio which the population of each city or town bears to
13 the total population of all cities and towns ~~according to~~
14 ~~the last federal census.~~

15

16 **39-17-211. Distribution.**

17

18 (d) The state treasurer shall:

19

20 (ii) Distribute monthly the remainder as
21 follows:

22

23 (A) Twenty percent (20%) shall be
24 distributed to county treasurers. Each county treasurer

1 shall credit the revenues to the county road fund for the
2 improvement and maintenance of county roads. The
3 distribution shall be based on:

4

5 (II) One-third (1/3) in the ratio in
6 which the rural population including the population within
7 the cities and towns with less than one thousand four
8 hundred (1,400) bears to the total rural population of the
9 state; ~~according to the last federal census;~~

10

11 **Section 2.** W.S. 9-2-1014.1(g)(ii), 24-2-110(e),
12 39-15-101(a)(iii), 39-17-111(e) and 39-17-201(a)(xvii) are
13 repealed.

14

15 **Section 3.** This act is effective July 1, 2009.

16

17

(END)