

ENROLLED ACT NO. 46, HOUSE OF REPRESENTATIVES

SIXTIETH LEGISLATURE OF THE STATE OF WYOMING
2010 BUDGET SESSION

AN ACT to make appropriations for the biennium commencing July 1, 2010, and ending June 30, 2012; providing definitions; providing for appropriations and transfers of funds during that biennium and for the remainder of the current biennium as specified; providing for funding for carryover of certain funds beyond the biennium as specified; conforming specified statutory provisions during the term of the budget period as related to these appropriations; providing for employee positions as specified; providing for fees, conditions and other requirements relating to appropriations; providing for position and other budgetary limitations; providing for task forces and committees; 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;

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- (e) "AR" means American Recovery and Reinvestment Act funds;
- (f) "A4" means agency trust account;
- (g) "EF" means the agency's account within the enterprise fund;
- (h) "FF" means federal funds;
- (j) "IS" means the agency's account within the internal service fund;
- (k) "PF" means the retirement account created by W.S. 9-3-407(a);
- (m) "PR" means private funding sources;
- (n) "RB" means revenue received from the issuance of revenue bonds;
- (o) "SR" means an agency's account within the special revenue fund;
- (p) "S1" means earmarked water development account I created by W.S. 41-2-124(a)(i);
- (q) "S2" means earmarked water development account II created by W.S. 41-2-124(a)(ii);
- (r) "S3" means the budget reserve account;

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- (s) "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);
- (t) "S5" means the school foundation program account within the special revenue fund;
- (u) "S6" means the school capital construction account within the special revenue fund;
- (w) "S7" means the highway account within the special revenue fund;
- (y) "S8" means the game and fish account within the special revenue fund;
- (z) "S0" means other funds identified by footnote;
- (aa) "T1" means the omnibus permanent land fund;
- (bb) "T2" means the miners' hospital permanent land income fund;
- (cc) "T3" means the state hospital permanent land fund;
- (dd) "T4" means the training school permanent land fund;
- (ee) "T6" means the university permanent land income fund;

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

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

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

Section 2. The following sums of money, or so much thereof as necessary, are appropriated to be expended during the two (2) years beginning July 1, 2010 and ending June 30, 2012, or as otherwise specified, for the purposes, programs and number of employees specified by this act and the approved budget of each agency.

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Section 001. OFFICE OF THE GOVERNOR				
PROGRAM				
Administration ^{1,2}	7,302,690			7,302,690
Tribal Liaison	400,000			400,000
Commission on Uniform Laws	67,286			67,286
Special Contingent ³	315,000			315,000
Clean Coal Technology ⁴	100,000			100,000
Homeland Security	3,116,102	29,112,580	619,310 SR	32,847,992
Natural Resource Policy Account	500,000			500,000
Endangered Species Administration	<u>1,846,210</u>			<u>1,846,210</u>
TOTALS	13,647,288	29,112,580	619,310	43,379,178
AUTHORIZED EMPLOYEES				
Full Time	48			
Part Time	<u>1</u>			
TOTAL	49			

1. Of this general fund appropriation, forty thousand dollars (\$40,000.00) shall only be expended for purposes of defraying moving expenses for gubernatorial appointees who are required to move to Cheyenne. These funds shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation on June 30, 2012 shall revert to the budget reserve account. Not more than five thousand dollars (\$5,000.00) shall be expended for any one (1) appointee. Any funds expended for this purpose shall be reimbursed to the state by the appointee if the appointee is employed by the state for less than twelve (12) months.

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2. Of this general fund appropriation, sixty thousand dollars (\$60,000.00) shall only be expended if there is a change of governor as a result of the 2010 general election and then only for transition staff salaries, travel and other related office expenses. Not more than ten thousand dollars (\$10,000.00) of this sixty thousand dollars (\$60,000.00) may be expended for expenses incurred in relocating from the governor's mansion. These funds shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation on June 30, 2012 shall revert to the budget reserve account.

3. This appropriation shall only be used for addressing costs incurred to render essential state services in cases of natural disaster.

4. Of this general fund appropriation, and any funds reappropriated under section 321 of this act, one hundred thousand dollars (\$100,000.00) shall only be expended for the purposes of continuing the work of the clean coal research task force created by W.S. 21-17-121.

Section 002. SECRETARY OF STATE

PROGRAM

Administration ^{1,2}	6,159,008		73,866 SR	6,232,874
Securities Enforcement			555,639 SR	555,639
Bucking Horse & Rider			200,200 AG	200,200
TOTALS	6,159,008	0	829,705	6,988,713

AUTHORIZED EMPLOYEES

Full Time	30
Part Time	<u>0</u>
TOTAL	30

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1. Of this general fund appropriation, twenty-five thousand dollars (\$25,000.00) shall only be expended if there is a change of secretary of state as a result of the 2010 general election and then only for transition staff salaries, travel and other related office expenses. These funds shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation on June 30, 2012 shall revert to the budget reserve account.

2. Of this general fund appropriation, not to exceed ten thousand dollars (\$10,000.00) shall be used for printing copies of the Wyoming constitution for free distribution to the citizens of this state.

Section 003. STATE AUDITOR

PROGRAM

Administration ¹ .	17,733,735			17,733,735
GF License Revenue Recoupment	<u>1,700,000</u>	<u> </u>	<u> </u>	<u>1,700,000</u>
TOTALS	19,433,735	0	0	19,433,735

AUTHORIZED EMPLOYEES

Full Time	26
Part Time	<u>0</u>
TOTAL	26

1. Of this general fund appropriation, twenty-five thousand dollars (\$25,000.00) shall only be expended if there is a change of state auditor as a result of the 2010 general election and then only for transition staff salaries, travel and other related office expenses. These funds shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation on June 30, 2012 shall revert to the budget reserve account.

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Section 004. STATE TREASURER				
PROGRAM				
Treasurer's Operations ¹ .	4,138,743			4,138,743
Veterans' Tax Exemption ² .	10,535,000			10,535,000
Manager Payments			44,260,996 AG	
			264,864 SR	44,525,860
Unclaimed Property			1,470,875 AG	1,470,875
Indian Motor Vehicle Exemption ³ .	<u>615,700</u>	<u>0</u>	<u>45,996,735</u>	<u>615,700</u>
TOTALS	15,289,443	0	45,996,735	61,286,178
AUTHORIZED EMPLOYEES				
Full Time	26			
Part Time	<u>0</u>			
TOTAL	26			

1. Of this general fund appropriation, twenty-five thousand dollars (\$25,000.00) shall only be expended if there is a change of state treasurer as a result of the 2010 general election and then only for transition staff salaries, travel and other related office expenses. These funds shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation on June 30, 2012 shall revert to the budget reserve account.

2. Of this general fund appropriation, one million three hundred thousand dollars (\$1,300,000.00) is effective immediately.

3. Of this general fund appropriation, seventy-five thousand dollars (\$75,000.00) is effective immediately.

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Section 005. DEPARTMENT OF EDUCATION				
PROGRAM				
Education Trust Fund			600,000 AG	600,000
Douvas Scholarship			1,000 TO	1,000
Workshops & Conferences Fund			80,500 EF	80,500
Montgomery Trust For The Blind			419,157 TO	419,157
WDE - General Fund Programs ^{1,2}	18,585,942		7,466,259 S5	26,052,201
WDE - Federal Fund Programs		<u>251,515,646</u>	<u>2,436,043</u> EF	<u>253,951,689</u>
TOTALS	18,585,942	251,515,646	11,002,959	281,104,547
AUTHORIZED EMPLOYEES				
Full Time	125			
Part Time	<u>6</u>			
TOTAL	131			

1. Of this general fund appropriation, twenty-five thousand dollars (\$25,000.00) shall only be expended if there is a change of state superintendent as a result of the 2010 general election and then only for transition staff salaries, travel and other related office expenses. These funds shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation on June 30, 2012 shall revert to the budget reserve account.

2. Of the school foundation program account appropriation, two hundred seventy thousand dollars (\$270,000.00) shall only be expended during the period commencing July 1, 2010, and ending June 30, 2012, to continue the study on the long term effects of the Hathaway student scholarship program on students in Wyoming high schools, as initiated under 2008 Wyoming Session Laws, Chapter 95, Section 901. Not more than one-half (1/2) of these funds shall be expended in each year of the biennium.

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Section 006. ADMINISTRATION AND INFORMATION				
PROGRAM				
Director's Office ¹	2,486,526			2,486,526
Professional Licensing Boards			1,537,807 SR	1,537,807
Budget Division	2,094,650			2,094,650
General Services ²	33,697,763		15,969,698 IS	
			889,860 SR	50,557,321
Construction Management Division	25,620,897			25,620,897
Human Resources Division	6,650,667		465,437 IS	7,116,104
Employees Group Insurance			390,162,458 IS	
			8,000,000 T7	398,162,458
Information Technology	203,402		56,845,377 IS	57,048,779
Economic Analysis	1,279,007			1,279,007
State Library	5,126,815	1,141,116	4,053,364 AG	10,321,295
CIO ³	<u>7,304,041</u>			<u>7,304,041</u>
TOTALS	<u>84,463,768</u>	<u>1,141,116</u>	<u>477,924,001</u>	<u>563,528,885</u>

AUTHORIZED EMPLOYEES	
Full Time	368
Part Time	<u>3</u>
TOTAL	371

1. Of this general fund appropriation, fifty thousand dollars (\$50,000.00) shall only be expended for purposes of defraying moving expenses for agency directors, division administrators and program managers who are required to move to Cheyenne. These funds shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation on June 30, 2012 shall revert to the budget reserve account. Not more than five thousand dollars (\$5,000.00) shall be expended for any one (1) employee. Any funds expended for this purpose shall be reimbursed to the state by the employee

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if the employee is employed by the state for less than twelve (12) months. No funds shall be expended pursuant to this footnote unless approved by the governor.

2. The department shall undertake a study of the feasibility of converting state agency and school district motor vehicles to natural gas fueled vehicles. The department shall report study results to the governor and the joint appropriations interim committee by November 1, 2010. The study shall review:

- a. The options of retrofitting existing vehicles and of purchasing natural gas fueled vehicles as existing vehicles are replaced;
- b. The differential in initial purchase costs and ongoing maintenance and fuel costs;
- c. The feasibility of using natural gas vehicles at existing fuel sites and costs for modifications required to make such use feasible.

3. The chief information officer shall continue work toward completion and implementation of the Wyoming public finance website authorized under W.S. 9-2-1035 through 9-2-1037.

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Section 007. WYOMING MILITARY DEPARTMENT				
PROGRAM				
Military Dept. Operations	13,867,648			13,867,648
Air National Guard	1,087,600	9,321,035		10,408,635
Camp Guernsey			548,383 AG	548,383
Army National Guard		21,544,877	1,050,306 S5	22,595,183
Veterans' Services	1,701,418	160,623		1,862,041
Oregon Trail Vets Cemetery	481,536		20,000 SR	501,536
Military Support to Civilian Auth.	178,500			178,500
Civil Air Patrol	213,459			213,459
TOTALS	17,530,161	31,026,535	1,618,689	50,175,385
AUTHORIZED EMPLOYEES				
Full Time	217			
Part Time	50			
TOTAL	267			

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Section 008. OFFICE OF THE PUBLIC DEFENDER				
PROGRAM				
Public Defenders Statewide	17,009,919		3,079,201 SR	20,089,120
Guardian Ad Litem	<u>3,695,605</u>	<u> </u>	<u>933,217</u> SR	<u>4,628,822</u>
TOTALS	20,705,524	0	4,012,418	24,717,942
AUTHORIZED EMPLOYEES				
Full Time	70			
Part Time	<u>19</u>			
TOTAL	89			

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Section 010. DEPARTMENT OF AGRICULTURE				
PROGRAM				
Administration Division	3,152,338		5,000 SR	3,157,338
Ag Education and Information			20,000 IS	20,000
Consumer Protection Division	11,983,399	1,048,369	351,396 AG	
			742,987 SR	14,126,151
Natural Resources Division ¹	5,016,960	76,250	675,000 S1	5,768,210
Pesticide Registration	1,187,500			1,187,500
State Fair	2,823,825		182,075 AG	
			503,086 SR	3,508,986
Weed & Pest Control			700,000 SR	700,000
Predator Management	5,122,730			5,122,730
Wyoming Beef Council			2,181,159 AG	
			7,000 SR	2,188,159
Wyo Wheat Mktg Comm			120,500 SR	120,500
Leaf Cutter Bee			12,904 SR	12,904
TOTALS	29,286,752	1,124,619	5,501,107	35,912,478
AUTHORIZED EMPLOYEES				
Full Time	86			
Part Time	9			
TOTAL	95			

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1. The division shall evaluate utilization of the funding designated for the emergency insect management program for grasshopper abatement efforts.				
Section 011. DEPARTMENT OF REVENUE				
PROGRAM				
Administration	4,964,441			4,964,441
Revenue Division	8,024,535		750,425 SR	8,774,960
Valuation Division	6,779,810			6,779,810
Liquor Division			6,666,022 EF	6,666,022
Liquor Sales & Purchases			175,000,000 EF	175,000,000
General Fund Transfers			25,000,000 EF	25,000,000
TOTALS	19,768,786	0	207,416,447	227,185,233
AUTHORIZED EMPLOYEES				
Full Time	132			
Part Time	0			
TOTAL	132			

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Section 014. MINERS' HOSPITAL BOARD				
PROGRAM				
Miners' Hospital Board	<hr/>	<hr/>	<u>5,932,123</u> SR	<u>5,932,123</u>
TOTALS	0	0	<u>5,932,123</u>	<u>5,932,123</u>
AUTHORIZED EMPLOYEES				
Full Time	0			
Part Time	<u>0</u>			
TOTAL	0			

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Section 015. ATTORNEY GENERAL				
PROGRAM				
Law Office ¹ .	19,421,370	869,514	2,245,490 S5 137,411 SR	
Criminal Investigations ² .	27,871,282	4,109,080	1,219,083 TT 763,605 SR	23,892,868 32,743,967
Big Horn Water Litigation			501,970 S1	501,970
Law Enforcement Academy	5,681,667		744,119 EF 39,130 SR	6,464,916
Peace Off Stds & Trng	428,634		38,400 SR	467,034
Medical Review Panel	1,077,444			1,077,444
Victim Services Division ³ .	9,066,397	6,380,315	3,780,000 SR	19,226,712
Planning Council on Dev Disabilities	653,088	1,046,687		1,699,775
TOTALS	<u>64,199,882</u>	<u>12,405,596</u>	<u>9,469,208</u>	<u>86,074,686</u>

AUTHORIZED EMPLOYEES	
Full Time	247
Part Time	<u>6</u>
TOTAL	253

1. Of this other funds appropriation, eighty-nine thousand nine hundred seventy-one dollars (\$89,971.00) TT is effective immediately.

2. Of this other funds appropriation, one hundred fifty thousand dollars (\$150,000.00) SR is effective immediately.

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3. As necessary to conform with federal requirements, victim assistance providers shall not be required to submit annual unduplicated counts of the number of victims served in order to qualify for funding under W.S. 1-40-118 for the 2011-2012 fiscal biennium. Providers receiving funding under W.S. 1-40-118 shall be required to report the number of victims served on an unduplicated program level. In providing the report of an annual unduplicated count of the number of victims served by community based services and providers for the 2011-2012 fiscal biennium as required by W.S. 9-1-638(a)(v), the division shall report unduplicated counts of victims or services as data may be made available in accordance with this footnote.

Section 020. DEPT. OF ENVIRONMENTAL QUALITY

PROGRAM

Administration	5,339,790			5,339,790
Air Quality	4,437,703	1,441,179	11,631,780 SR	17,510,662
Water Quality ¹	13,412,670	9,666,610	1,100,000 SR	24,179,280
Land Quality	5,164,238	4,482,222		9,646,460
Industrial Siting	539,431			539,431
Solid Waste Management	<u>6,220,152</u>	<u>2,269,828</u>	<u>3,550,057</u> SR	<u>12,040,037</u>
TOTALS	35,113,984	17,859,839	16,281,837	69,255,660

AUTHORIZED EMPLOYEES

Full Time	267
Part Time	<u>0</u>
TOTAL	267

1. The department of environmental quality shall reallocate resources within the water quality division sufficient to begin promulgation of a pesticide general permit under its national pollutant discharge

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elimination system (NPDES) authority, to begin promulgation of a 'permit by rule' to accomplish the same ends or to create a means whereby pesticide applications may continue without a permit in Wyoming.

Section 021. DEPARTMENT OF AUDIT

PROGRAM				
Administration	1,485,392	502,478		1,987,870
Banking			238,350 AG	
			4,350,897 SR	4,589,247
Public Fund	5,880,343			5,880,343
Mineral	3,363,759	4,553,721	220,000 SR	8,137,480
Excise	<u>4,065,932</u>			<u>4,065,932</u>
TOTALS	<u>14,795,426</u>	<u>5,056,199</u>	<u>4,809,247</u>	<u>24,660,872</u>

AUTHORIZED EMPLOYEES	
Full Time	118
Part Time	<u>0</u>
TOTAL	118

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Section 023. PUBLIC SERVICE COMMISSION				
PROGRAM				
Administration		334,000	6,526,064 SR	6,860,064
Consumer Advocate Division			1,823,965 SR	1,823,965
Universal Service Fund			50,000 AG	
			<u>7,019,814 SR</u>	<u>7,069,814</u>
TOTALS	<u>0</u>	<u>334,000</u>	<u>15,419,843</u>	<u>15,753,843</u>
AUTHORIZED EMPLOYEES				
Full Time	36			
Part Time	<u>0</u>			
TOTAL	36			

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Section 024. STATE PARKS & CULTURAL RESOURCES				
PROGRAM				
Administration & Support	3,906,163			3,906,163
Cultural Resources ¹	12,001,437	2,476,096	70,000 EF	
			2,386,386 IS	
			261,559 SR	17,195,478
St Parks & Hist. Sites	17,517,378	3,882,947	30,000 EF	
			<u>6,075,355</u> SR	<u>27,505,680</u>
TOTALS	<u>33,424,978</u>	<u>6,359,043</u>	<u>8,823,300</u>	<u>48,607,321</u>
AUTHORIZED EMPLOYEES				
Full Time	177			
Part Time	<u>91</u>			
TOTAL	268			

1. Of this general fund appropriation, one million nine hundred thousand dollars (\$1,900,000.00) 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 2013-2014 standard budget request.

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Section 025. DEPARTMENT OF EMPLOYMENT				
PROGRAM				
Administration and Support	1,777,724			1,777,724
Division of Labor Standards	2,018,108	140,500		2,158,608
Workers' Safety & Compensation ¹ .		2,909,542	49,906,117 EF	52,815,659
Unemp. Tax & Insurance & Statistics		17,486,819	1,227,442 EF	
			6,806,130 SR	25,520,391
Mining Exams			50,000 SR	50,000
State Inspector of Mines			2,103,733 EF	2,103,733
Unemp. Insurance Revenue			545,048 AG	
			<u>112,000 SR</u>	<u>657,048</u>
TOTALS	<u>3,795,832</u>	<u>20,536,861</u>	<u>60,750,470</u>	<u>85,083,163</u>

AUTHORIZED EMPLOYEES	
Full Time	320
Part Time	<u>0</u>
TOTAL	320

1. From this other fund appropriation, the department is authorized to conduct a trial, within the workers' compensation program, on alternate managerial approaches including administrative changes and provider incentives for treating back and spine injuries. The objectives of the trial shall be, in order of importance, to improve outcomes for injured workers and to reduce costs. The department shall determine the results of the trial based on those objectives and any other objectives deemed important by the department. The department shall obtain the services of one (1) or more organizations to conduct the alternate approaches in the trial through a competitive request for proposals. The department may, if appropriate, contract with one (1) or more academic or other independent organizations to assist in

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developing the request for proposals, analyzing results and, if necessary, to collect data from the conventional management control group. Participation by injured workers in any portion of the trial shall be voluntary, but data on the treatment and outcomes of those workers declining to participate in the trial may be included in a conventional management control group. Prior to the 2012 legislative session, the department shall report to the joint labor, health and social services interim committee on the outcome to date of the trial and any recommendations for further legislative action.				
Section 026. DEPARTMENT OF WORKFORCE SERVICES				
PROGRAM				
Administration ¹	17,309,939	22,030,706	2,299,479 AG	
			3,172,172 SR	44,812,296
Vocational Rehabilitation	4,748,723	27,084,199	135,391 AG	
			264,935 EF	
			<u>1,523,095</u> SR	<u>33,756,343</u>
TOTALS	<u>22,058,662</u>	<u>49,114,905</u>	7,395,072	78,568,639

AUTHORIZED EMPLOYEES	
Full Time	269
Part Time	<u>0</u>
TOTAL	269

1. Notwithstanding W.S. 9-1-223, the department of workforce services shall administer and carry out the duties of the Serve Wyoming program for the period beginning July 1, 2010 and ending June 30, 2012. Of this general fund appropriation, one hundred forty-two thousand five hundred dollars (\$142,500.00) shall only be used by the department to administer and carry out the duties of the Serve Wyoming program.

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Section 027. SCHOOL FACILITIES COMMISSION				
PROGRAM				
Operations			6,271,601 S6	6,271,601
Major Maintenance ^{1.}			82,000,000 S6	82,000,000
TOTALS	0	0	88,271,601	88,271,601

AUTHORIZED EMPLOYEES

Full Time	16
Part Time	0
TOTAL	16

1. (a) If 2010 Senate File 0046 is not enacted into law, the school facilities commission shall:

(i) From the school capital construction account appropriation, distribute up to one hundred seventy-three thousand nineteen dollars (\$173,019.00) each fiscal year of the 2011-2012 biennium to each school district with a charter school operating in the district which qualifies for lease payments under W.S. 21-3-110(a)(x)(A). Lease payments under this footnote shall include the total costs of the base rent, additional rent for tenant improvements and common area maintenance costs;

(ii) In addition to paragraph (i) of this footnote and notwithstanding W.S. 21-3-110(a)(x), the commission shall for each fiscal year of the 2011-2012 biennium, expend an amount necessary to include the total allowable 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. The amounts expended under this paragraph shall be reduced to the extent the amounts are duplicative of common area maintenance costs included in the lease payments under paragraph (i) of this footnote;

(iii) For each school district with a charter school operating in the district which qualifies for lease payments under W.S. 21-3-110(a)(x)(A), and for which that lease is subject to renewal within the next five (5) years, assist that district as necessary to plan and provide the most cost effective method for meeting the facility needs of that charter school.

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Section 029. WYO WATER DEVELOPMENT OFFICE				
PROGRAM				
Administration	<hr/>	<hr/>	<u>8,104,561</u> S1	<u>8,104,561</u>
TOTALS	0	0	8,104,561	8,104,561
AUTHORIZED EMPLOYEES				
Full Time	26			
Part Time	<u>0</u>			
TOTAL	26			

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Section 037. STATE ENGINEER				
PROGRAM				
Administration	1,533,399			1,533,399
Ground Water Division	4,316,918			4,316,918
Surface Water & Engineering Div.	3,215,344			3,215,344
Board Of Control Division	13,128,271			13,128,271
Support Services Division	3,302,530			3,302,530
Board Of Registration			814,301 SR	814,301
Interstate Streams Division	2,203,229		88,690 S1	2,291,919
Special Projects			12,730 SR	12,730
North Platte Settlement	1,410,088			1,410,088
Well Drillers' Certification Board			<u>126,676</u> SR	<u>126,676</u>
TOTALS	<u>29,109,779</u>	<u>0</u>	<u>1,042,397</u>	<u>30,152,176</u>
AUTHORIZED EMPLOYEES				
Full Time	135			
Part Time	<u>11</u>			
TOTAL	146			

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Section 039. WILDLIFE/NATURAL RES TRUST				
PROGRAM				
Administration	548,854			548,854
Wildlife/Natural Resource Trust Proj ¹ .	6,000,000		5,152,500	11,152,500
Wildlife Trust Account ² .	<u>2,500,000</u>	<u> </u>	<u> </u>	<u>2,500,000</u>
TOTALS	9,048,854	0	5,152,500	14,201,354
AUTHORIZED EMPLOYEES				
Full Time	1			
Part Time	<u>0</u>			
TOTAL	1			

1. The agency's 2013-2014 standard budget request shall contain no general funds.

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

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Section 040. GAME AND FISH COMMISSION				
PROGRAM				
Vet Svcs Program (Brucellosis, CWD)	3,411,327			3,411,327
Sage Grouse Planning & Protection	1,807,646			1,807,646
Wolf Management	777,769			777,769
Comprehensive Wildlife Mgmt. Strategies	<u>1,323,251</u>			<u>1,323,251</u>
TOTALS	7,319,993	<u>0</u>	<u>0</u>	<u>7,319,993</u>
AUTHORIZED EMPLOYEES				
Full Time	23			
Part Time	<u>0</u>			
TOTAL	23			

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Section 041. FIRE PREVENTION & ELECTRICAL SAFETY				
PROGRAM				
Administration	1,067,359			1,067,359
Fire Prevention Administration	1,794,051			1,794,051
Electrical Safety Administration	1,909,755		620,423 SR	2,530,178
Training	1,350,705			1,350,705
Fire Academy	<u>673,043</u>			<u>673,043</u>
TOTALS	<u>6,794,913</u>	<u>0</u>	<u>620,423</u>	<u>7,415,336</u>
AUTHORIZED EMPLOYEES				
Full Time	36			
Part Time	<u>0</u>			
TOTAL	36			
Section 042. GEOLOGICAL SURVEY				
PROGRAM				
Geologic Program	<u>5,167,380</u>			<u>5,167,380</u>
TOTALS	<u>5,167,380</u>	<u>0</u>	<u>0</u>	<u>5,167,380</u>
AUTHORIZED EMPLOYEES				
Full Time	27			
Part Time	<u>0</u>			
TOTAL	27			

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Section 044. INSURANCE DEPARTMENT				
PROGRAM				
Administration			5,502,852 SR	5,502,852
Agent Licensing Board			15,918 SR	15,918
Health Insurance Pool	6,000,000		367,541 AG	
			22,994,736 EF	29,362,277
WY Small Employer Health Reinsurance			427,837 AG	
			<u>23,855,738</u> EF	<u>24,283,575</u>
TOTALS	<u>6,000,000</u>	<u>0</u>	<u>53,164,622</u>	<u>59,164,622</u>
AUTHORIZED EMPLOYEES				
Full Time	27			
Part Time	<u>0</u>			
TOTAL	27			

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Section 045. DEPARTMENT OF TRANSPORTATION ².				
PROGRAM				
Administration ³ .			3,806,193 S7	
			24,613 SR	3,830,806
Administrative Services		168,150	33,240,985 S7	
			1,836,000 SR	35,245,135
Law Enforcement		2,652,321	75,682,368 S7	
			60,000 SR	78,394,689
Wyolink	2,545,000		1,301,624 IS	3,846,624
Aeronautics Administration		310,300	3,907,617 S7	4,217,917
Operational Services			2,405,010 IS	2,405,010
Airport Improvements	13,503,711	37,402,188	8,720,860 S7	59,626,759
GF Appropriation to Commission ¹ .	<u>50,000,000</u>			<u>50,000,000</u>
TOTALS	66,048,711	<u>40,532,959</u>	<u>130,985,270</u>	<u>237,566,940</u>
AUTHORIZED EMPLOYEES				
Full Time	567			
Part Time	<u>0</u>			
TOTAL	567			

1. Of this general fund appropriation, one hundred thousand dollars (\$100,000.00) shall supplement and not supplant any other sources of funds utilized by the department for the living snow fence program.

2. Of the full-time permanent positions within the transportation commission shown to be vacant for over twenty-four (24) months in the document dated January 20, 2010, entitled "Agency Vacancy Report" and compiled by the department of administration and information and on file with the legislative service

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office, twenty-two (22) of the positions, as determined by the commission, shall not be filled by the commission and are hereby eliminated. This footnote is effective immediately.

3. On or before October 1, 2010 the department of transportation shall provide a report to the transportation, highways and military affairs interim committee describing in detail the department's 2011 fiscal year budgeted income and expenditures from the highway fund, as approved by the transportation commission under W.S. 24-1-119, and all other income and expenditures authorized pursuant to appropriations under this act.

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Section 048. DEPARTMENT OF HEALTH				
PROGRAM				
Director's Office	19,763,852	4,528,423		24,292,275
Rural & Frontier Health ^{1.}	3,903,736	9,550,219	10,000 SR	
			1,235,000 TT	14,698,955
Community & Family Health ^{14.}	26,907,533	24,006,021	5,513,664 A4	
			12,357,193 SR	
			27,500 TT	68,811,911
Health Care Financing ^{2.,3.,4.,5.,13.}	438,171,384	517,277,545	29,328,793 AR	
			10,370,991 SR	
			500,000 TT	995,648,713
State Health Officer	1,599,113	13,925,805	152,400 SR	
			250,000 TT	15,927,318
Preventive Health & Safety ^{6.}	6,508,334	10,977,622	2,500 AG	
			2,216,029 SR	
			3,150,540 TT	22,855,025
Mental Health/Substance Abuse ^{7.,8.,9.,12.}	182,863,573	16,392,160	2,800,832 SR	
			1,376,946 T3	
			24,691,092 TT	228,124,603
Developmental Disabilities	122,850,281	5,324,672	105,000 AG	
			4,477,517 SR	
			324,600 T3	
			938,000 T4	134,020,070

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Division on Aging ^{10.,11.}	33,574,352	13,344,716	248,500 AG	
			<u>6,974,955</u> SR	<u>54,142,523</u>
TOTALS	<u>836,142,158</u>	<u>615,327,183</u>	107,052,052	1,558,521,393

AUTHORIZED EMPLOYEES

Full Time	1,443
Part Time	<u>77</u>
TOTAL	1,520

1. All contractual services agreements entered into by the division of rural and frontier health concerning the implementation of the telehealth program shall require prior approval by the governor.
2. Five hundred thousand dollars (\$500,000.00) of this general fund appropriation and the associated federal funds shall only be expended to reduce developmentally disabled children and developmentally disabled adult waiver waiting lists.
3. 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.
4. Of these funds, five million six hundred thousand dollars (\$5,600,000.00) in general funds and the associated federal funds shall only be expended in the 600 series to increase service rates of home and community based waiver providers administered by the development disabilities division.
5. For reimbursement rates for nursing facility services, no cost of living adjustment nor other increase in rates not authorized by statute shall be provided in the 2011-2012 fiscal biennium without specific legislative action approving the increase.

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6. 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.

7. Of this appropriation of tobacco trust funds, five hundred thousand dollars (\$500,000.00) shall only be expended on crisis stabilization and acute care services at the Cheyenne Regional Medical Center in the fiscal year commencing July 1, 2011, and only if reporting deficiencies at the facility are addressed in a manner satisfactory to the department of health.

8. Of this general fund appropriation, eight hundred fifty thousand dollars (\$850,000.00) shall only be expended on crisis stabilization and acute care services for four (4) beds at the Washakie Medical Center in Worland.

9. 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, 2010 through June 30, 2012. 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, 2010 and ending June 30, 2012 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 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.

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10. Of this general fund appropriation, four hundred thousand dollars (\$400,000.00) shall only be distributed through the funding distribution model developed in the agency's 2009 supplemental budget to senior centers to provide compensation increases for direct care personnel. These funds shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation on June 30, 2012 shall revert pursuant to law.

11. Notwithstanding W.S. 9-4-303(a), for the period beginning July 1, 2010 and ending June 30, 2012, 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.

12. Of this general fund appropriation, six hundred eighty-five thousand dollars (\$685,000.00) shall only be expended for a pilot project for the delivery of telehealth, using contract services. A preference shall be given for instate providers of software and hardware and final approval of this pilot project shall be with the state chief information officer. This footnote is effective immediately.

13. Of this general fund appropriation, the governor may expend funds as necessary to reimburse services authorized under the Medicaid program involving pediatric care and transport costs including, without limitation, emergency and critical care services not otherwise available from in-state providers. This footnote is effective immediately.

14. (a) Of this TT other funds appropriation, twenty-seven thousand five hundred dollars (\$27,500.00) shall only be used by the department to contract for or provide support network services for persons with epilepsy. The support network services for persons with epilepsy shall:

- (i) Provide professional education on epilepsy for nurses, physicians, public schools, public school nurses and the general public;
- (ii) Provide for support groups focused on epilepsy;
- (iii) Increase awareness of epilepsy in Wyoming;

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(iv) Provide educational programs for persons with epilepsy; and				
(v) Provide better access to care for persons with epilepsy within Wyoming.				
 Section 049. DEPARTMENT OF FAMILY SERVICES				
PROGRAM				
Services ^{2.}	116,065,161	24,052,250	302,651	AG
			697,362	AR
			2,447,838	SR
			5,668,252	TT
Assistance ^{1.,3.}	50,475,119	76,065,808	1,533,718	AR
			1,891,699	SR
TOTALS	166,540,280	100,118,058	12,541,520	279,199,858
AUTHORIZED EMPLOYEES				
Full Time	776			
Part Time	32			
TOTAL	808			

1. (a) In accordance with W.S. 42-2-103(d), the state supplemental security income monthly payment for the period beginning July 1, 2010 and ending June 30, 2012 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.

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2. (a) Through June 30, 2012, the department shall limit the number of residential treatment facilities certified as child caring facilities under W.S. 14-4-101 and the overall capacity of those residential treatment facilities to the level of such facilities and beds that were certified as of January 1, 2010.

(b) The department shall conduct a study of child caring facilities, as defined by W.S. 14-4-101(a)(vi) and the department's administrative rules for substitute care facilities, in partnership with the department of health, the department of education and youth care providers. The resulting report shall be submitted to the joint judiciary interim committee and the joint appropriations committee by July 1, 2011. The study shall include:

(i) The historical utilization rates, regional trends and existing capacity for children served in all types of residential facilities including, but not limited to, crisis beds, group homes and residential treatment facilities;

(ii) An analysis of the historical usage and costs of utilizing out-of-state providers for the provision of residential services;

(iii) Documented reasons for using out-of-state providers as opposed to in-state providers and the decision-making process and factors leading to a determination of where a child is placed, including a sampling of the reasons listed in judicial reports provided the information does not reveal any confidential information;

(iv) Recommendations, if any, of statutory or procedural changes that would encourage more Wyoming children to remain in the state to receive the services and interventions they need;

(v) The levels of care necessary to serve children, the projected need for the services and the availability of the level of care; and

(vi) Community based alternatives to residential care such as prevention, early intervention and independent living as alternatives or supports to residential care.

(c) This footnote is effective immediately.

3. Of this federal fund appropriation, two hundred seventy-four thousand dollars (\$274,000.00) shall only be expended for the father factor program during the fiscal period beginning July 1, 2010 and ending June 30, 2012.

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Section 051. LIVESTOCK BOARD				
PROGRAM				
Administration	1,816,693	16,449		1,833,142
Animal Health	1,902,225			1,902,225
Brucellosis ¹	1,271,013	7,200		1,278,213
Estrays ²	50,000			50,000
Brand Inspection	2,870,824		69,178 AG	
			5,683,428 SR	8,623,430
Predator Control Fees			<u>1,900,000</u> SR	<u>1,900,000</u>
TOTALS	<u>7,910,755</u>	<u>23,649</u>	<u>7,652,606</u>	<u>15,587,010</u>
AUTHORIZED EMPLOYEES				
Full Time	20			
Part Time	<u>0</u>			
TOTAL	20			

1. For the period beginning July 1, 2010 and ending June 30, 2012, 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.

2. Of this general fund appropriation, fifty thousand dollars (\$50,000.00) shall be used to pay for the increased costs associated with the management of stray and abandoned animals and animals impounded by the board pursuant to W.S. 11-29-114. Prior approval of the livestock board shall be required before expenditure of funding for the purposes specified in this footnote. These funds shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation on June 30, 2012 shall revert pursuant to law.

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 055. OIL AND GAS COMMISSION				
PROGRAM				
Administration		390,680	8,297,629 AG	
			20,000 SR	8,708,309
Orphan Wells			<u>1,000,000</u> AG	<u>1,000,000</u>
TOTALS	<u>0</u>	<u>390,680</u>	<u>9,317,629</u>	<u>9,708,309</u>
AUTHORIZED EMPLOYEES				
Full Time	41			
Part Time	<u>0</u>			
TOTAL	41			

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Section 057. COMMUNITY COLLEGE COMMISSION				
PROGRAM				
Administration	6,312,081	758,141		7,070,222
State Aid	213,516,854			213,516,854
Contingency Reserve			3,200,000 SR	3,200,000
Leveraging Ed Assist Partnerships	225,000	112,500		337,500
Incentive Fund	46,000			46,000
Adult Basic Education	2,715,810	1,856,349		4,572,159
WYIN Loan & Grant Program ¹	5,275,640			5,275,640
Veterans Tuition Waiver Program	1,000,000			1,000,000
WY Teacher Shortage Loan Program ²			600,000 S5	600,000
Public Television	<u>3,567,987</u>			<u>3,567,987</u>
TOTALS	232,659,372	2,726,990	3,800,000	239,186,362

AUTHORIZED EMPLOYEES	
Full Time	16
Part Time	<u>0</u>
TOTAL	16

1. This general fund appropriation shall be reduced by two million six hundred thirty-seven thousand eight hundred twenty dollars (\$2,637,820.00) if the Wyoming investment in nursing program is not continued beyond June 30, 2011. In addition, to the extent any other legislation providing funding for this program for the 2011-2012 fiscal biennium is enacted into law in the 2010 budget session, this general fund appropriation shall be reduced dollar for dollar by amounts contained in such legislation.

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2. This other funds appropriation shall be reduced by three hundred thousand dollars (\$300,000.00) if the Wyoming teacher shortage loan repayment program is not continued beyond June 30, 2011. In addition, to the extent any other legislation providing funding for this program for the 2011-2012 fiscal biennium is enacted into law in the 2010 budget session, this other fund appropriation shall be reduced dollar for dollar by amounts contained in such legislation.				
Section 060. STATE LANDS AND INVESTMENTS				
PROGRAM				
Operations ¹	17,269,515	47,672,580	1,640,000 S1 1,172,229 S5 2,550,811 SR	70,305,135
Forestry	8,251,196	856,923	2,226,000 SR	11,334,119
County Emergency Suppression			350,000 AG 2,230,000 SR	2,580,000
Fire	4,033,149	4,176,380		8,209,529
Mineral Royalty Grants			33,400,000 S4	33,400,000
Federal Forestry Grants		6,150,000		6,150,000
Transportation Enterprise Fund			2,000,000 AG	2,000,000
TOTALS	29,553,860	58,855,883	45,569,040	133,978,783
AUTHORIZED EMPLOYEES				
Full Time	108			
Part Time	<u>4</u>			
TOTAL	112			

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1. Any unexpended, unobligated funds remaining in the state lands trust preservation account at the end of the 2009-2010 biennium shall not revert and are hereby reappropriated and shall be expended for the purpose of funding projects that will preserve the value or revenue generating capacity of state trust lands or mineral assets approved by the board of land commissioners pursuant to its rules. This footnote is effective immediately.

Section 063. GOVERNOR'S RESIDENCE

PROGRAM				
Residence Operation	768,875			768,875
Governor's Residence	<u>5,000</u>	<u> </u>	<u> </u>	<u>5,000</u>
TOTALS	773,875	0	0	773,875

AUTHORIZED EMPLOYEES

Full Time	3
Part Time	<u>2</u>
TOTAL	5

Section 066. WYOMING TOURISM BOARD

PROGRAM				
Wyoming Tourism Board	<u>24,893,642</u>	<u> </u>	<u>3,600</u> SR	<u>24,897,242</u>
TOTALS	24,893,642	0	3,600	24,897,242

AUTHORIZED EMPLOYEES

Full Time	0
Part Time	<u>0</u>
TOTAL	0

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Section 067. UNIVERSITY OF WYOMING				
PROGRAM				
State Aid ¹ .	354,416,350			354,416,350
NCAR MOU ² .	<u>1,000,000</u>			<u>1,000,000</u>
TOTALS	355,416,350	<u>0</u>	<u>0</u>	355,416,350
AUTHORIZED EMPLOYEES				
Full Time	0			
Part Time	<u>0</u>			
TOTAL	0			

1. The university, through the college of health sciences, shall determine the feasibility and associated costs of establishing an accredited physician's assistant education program, and shall report the findings of the study to the joint appropriations interim committee and joint labor, health and social services interim committee by November 1, 2010.

2. If National Science Foundation (NSF) approval for the NCAR-Wyoming Supercomputer Center (NWSC) is not received by June 30, 2010, the unexpended, unobligated portion of the appropriation made by 2008 Wyoming Session Laws, Chapter 48, Section 2, Section 067 for the NCAR MOU shall not revert until June 30, 2012, and this appropriation shall be used to fund construction of the fiber optic connection located in Albany County, Wyoming for the NWSC optical fiber loop. If NSF approval for the NWSC is received by June 30, 2010, the university shall expend not to exceed one million dollars (\$1,000,000.00) from its appropriation for state aid for such construction and shall include in its supplemental budget request for the 2011 general session the amount expended on construction for that fiber optic connection. Prior to the expenditure of any funds under this footnote, the university shall first engage in a competitive bid process for comparable, dedicated, fiber optic lines leased from the private sector, including a full evaluation of the costs over the life of the project. Only if construction of a connection to the state's

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dark fiber is less costly than all responsible bids received shall the university expend any funds in constructing such a connection. Otherwise, the university shall secure an agreement with the winning responsible bidder through the competitive bid process under this footnote.

Section 069. WICHE

PROGRAM

Administration & Grants	5,180,730	_____	_____	5,180,730
TOTALS	5,180,730	0	0	5,180,730

AUTHORIZED EMPLOYEES

Full Time	0
Part Time	0
TOTAL	0

Section 070. ENHANCED OIL RECOVERY COMM

PROGRAM

Commission & Support	449,540	_____	_____	449,540
Technical Outreach & Research	5,405,283	_____	_____	5,405,283
TOTALS ¹	5,854,823	0	0	5,854,823

AUTHORIZED EMPLOYEES

Full Time	0
Part Time	0
TOTAL	0

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
1. (a) The Wyoming enhanced and improved oil recovery commission shall oversee and direct development of the programs developed pursuant to this appropriation including:				
	(i) Review and approval of all research assignments;			
	(ii) Review and approval of all program related contracts and agreements to assure that contracts and agreements are performance based with measurable outcomes and performance timelines;			
	(iii) Review and approval of all enhanced oil recovery institute expenditures.			
(b) No funds appropriated under this section shall be expended without the prior approval of the Wyoming enhanced and improved oil recovery commission.				

Section 072. RETIREMENT SYSTEM

PROGRAM

Administration ^{1,2}			16,379,176	PF	16,379,176
Highway Patrol			100,000	SR	100,000
Game & Fish-Wardens			160,562	SR	160,562
Volunteer EMT Pension Plan ³	44,955				44,955
Deferred Compensation			925,242	AG	
			<u>697,087</u>	SR	<u>1,622,329</u>
TOTALS	<u>44,955</u>	<u>0</u>	<u>18,262,067</u>		<u>18,307,022</u>

AUTHORIZED EMPLOYEES

Full Time	38
Part Time	<u>0</u>
TOTAL	38

1. Of this other funds appropriation, three hundred fifty thousand dollars (\$350,000.00) is effective immediately.

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2. For the period commencing with the effective date of this footnote through June 30, 2012, no retirement benefit, survivor benefit or disability benefit adjustment shall be provided pursuant to W.S. 9-3-419(b). The joint appropriations interim committee shall review the issue of cost-of-living increases provided by the Wyoming retirement system created by Title 9, Chapter 3, Article 4 of the Wyoming Statutes and shall sponsor legislation for introduction in the 2011 general and budget session as it determines necessary to appropriately address the issue of cost-of-living adjustments under that system. This footnote is effective immediately.

3. Unexpended, unobligated funds appropriated in 2008 Wyoming Session Laws, Chapter 122, Section 3 (a) shall not revert, and are hereby reappropriated for the purposes of continuing the volunteer emergency medical technician pension plan established in that legislation. This footnote is effective immediately.

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Section 080. DEPARTMENT OF CORRECTIONS				
PROGRAM				
Corrections Operations ^{1,2,3}	23,720,119	216,307	3,715,517 SR 135,300 T0 206,189 TT	27,993,432
Field Services	35,914,467		3,749,633 TT	39,664,100
Honor Conservation Camp	23,123,627		573,439 SR 72,178 T0 164,251 TT	23,933,495
Women's Center	21,518,172	100,000	561,151 SR 210,134 T0 2,535,657 TT	24,925,114
Honor Farm	18,982,661		796,780 IS 410,952 SR 95,469 T0 153,300 TT	20,439,162
State Penitentiary	84,395,220		5,212 AG 1,536,560 SR 198,000 T0 635,105 TT	86,770,097
WY Medium Correctional Institution	66,807,424		1,414,000 SR 225,000 T0 3,941,331 TT	72,387,755
TOTALS	<u>274,461,690</u>	<u>316,307</u>	<u>21,335,158</u>	<u>296,113,155</u>

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
AUTHORIZED EMPLOYEES				
Full Time	1,291			
Part Time	<u>3</u>			
TOTAL	1,294			

1. The department shall cooperatively work with the community college commission to assess the feasibility and costs of providing coursework at all state correctional facilities. The department of corrections and the community college commission shall jointly report to the joint appropriations interim committee and joint education interim committee the findings of this assessment not later than December 1, 2010.

2. Of this general fund appropriation, fifty thousand dollars (\$50,000.00) shall only be expended by the department to assess medical care costs at correctional institutions, and to determine if more cost effective alternatives are available. The department shall report to the joint appropriations interim committee the findings of this assessment not later than December 1, 2010.

3. Of this general fund appropriation, two hundred thousand dollars (\$200,000.00) shall only be expended during fiscal year 2011 to reestablish the sex offender treatment program. The department of corrections shall report to the joint judiciary interim committee and the joint appropriations interim committee on the reestablishment of the sex offender treatment program and the department's plan for the continuation of the program not later than December 1, 2010. Any request for an appropriation for this program shall be included in the department's exception budget request for fiscal year 2012.

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Section 081. BOARD OF PAROLE				
PROGRAM				
Administration	1,718,022	<u> </u>	<u> </u>	<u>1,718,022</u>
TOTALS	1,718,022	0	0	1,718,022
AUTHORIZED EMPLOYEES				
Full Time	7			
Part Time	<u>0</u>			
TOTAL	7			
Section 085. WYOMING BUSINESS COUNCIL				
PROGRAM				
Wyoming Business Council	17,669,078	7,844,413	1,503,019 SR	27,016,510
Main Street	1,501,706		75,000 SR	1,576,706
Investment Ready Communities	58,500,000			58,500,000
TOTALS	<u>77,670,784</u>	<u>7,844,413</u>	<u>1,578,019</u>	<u>87,093,216</u>
AUTHORIZED EMPLOYEES				
Full Time	0			
Part Time	<u>0</u>			
TOTAL	0			

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 101. SUPREME COURT				
PROGRAM				
Administration	7,821,728	286,602	150,000 SR	8,258,330
Judicial Nominating Committee	15,001			15,001
Law Library	1,498,091			1,498,091
Circuit Courts	26,103,984			26,103,984
Court Automation	2,835,991		7,916,337 SR	10,752,328
Judicial Retirement	1,526,185			1,526,185
Board of Judicial Policy & Admin ^{1.}	<u>561,817</u>	<u> </u>	<u> </u>	<u>561,817</u>
TOTALS	40,362,797	286,602	8,066,337	48,715,736
AUTHORIZED EMPLOYEES				
Full Time	199			
Part Time	<u>26</u>			
TOTAL	225			

1. Of this general fund appropriation, one hundred fifty thousand dollars (\$150,000.00) shall only be expended to pay for unused sick and annual leave of employees who retire or otherwise separate service during the period July 1, 2010 through June 30, 2012. These funds shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation on June 30, 2012 shall revert pursuant to law.

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Section 102. BOARD OF LAW EXAMINERS				
PROGRAM				
Administration	<u> </u>	<u> </u>	155,000 SR	<u> 155,000</u>
TOTALS	0	0	155,000	155,000
AUTHORIZED EMPLOYEES				
Full Time	0			
Part Time	<u>0</u>			
TOTAL	0			
Section 103. COMM. ON JUD. CONDUCT & ETHICS				
PROGRAM				
Administration	<u> 324,776</u>	<u> </u>	<u> </u>	<u> 324,776</u>
TOTALS	324,776	0	0	324,776
AUTHORIZED EMPLOYEES				
Full Time	1			
Part Time	<u>0</u>			
TOTAL	1			

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 120. JUDICIAL DISTRICT 1A				
PROGRAM				
Administration	<u>863,869</u>	<u>0</u>	<u>0</u>	<u>863,869</u>
TOTALS	863,869	0	0	863,869
AUTHORIZED EMPLOYEES				
Full Time	3			
Part Time	<u>1</u>			
TOTAL	4			
Section 121. JUDICIAL DISTRICT 1B				
PROGRAM				
Administration	<u>853,875</u>	<u>0</u>	<u>0</u>	<u>853,875</u>
TOTALS	853,875	0	0	853,875
AUTHORIZED EMPLOYEES				
Full Time	3			
Part Time	<u>1</u>			
TOTAL	4			

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 122. JUDICIAL DISTRICT 2A				
PROGRAM				
Administration	<u>912,605</u>	<u>0</u>	<u>0</u>	<u>912,605</u>
TOTALS	912,605	0	0	912,605
AUTHORIZED EMPLOYEES				
Full Time	4			
Part Time	<u>0</u>			
TOTAL	4			
Section 123. JUDICIAL DISTRICT 2B				
PROGRAM				
Administration	<u>975,834</u>	<u>0</u>	<u>0</u>	<u>975,834</u>
TOTALS	975,834	0	0	975,834
AUTHORIZED EMPLOYEES				
Full Time	4			
Part Time	<u>0</u>			
TOTAL	4			

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 124. JUDICIAL DISTRICT 3B				
PROGRAM				
Administration	<u>874,867</u>	<u> </u>	<u> </u>	<u>874,867</u>
TOTALS	874,867	0	0	874,867
AUTHORIZED EMPLOYEES				
Full Time	4			
Part Time	<u>0</u>			
TOTAL	4			
Section 125. JUDICIAL DISTRICT 3A				
PROGRAM				
Administration	<u>934,822</u>	<u> </u>	<u> </u>	<u>934,822</u>
TOTALS	934,822	0	0	934,822
AUTHORIZED EMPLOYEES				
Full Time	4			
Part Time	<u>0</u>			
TOTAL	4			

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Section 126. JUDICIAL DISTRICT 4				
PROGRAM				
Administration	950,552	<u> </u>	<u> </u>	<u>950,552</u>
TOTALS	950,552	0	0	950,552
AUTHORIZED EMPLOYEES				
Full Time	4			
Part Time	<u>0</u>			
TOTAL	4			
Section 127. JUDICIAL DISTRICT 5A				
PROGRAM				
Administration	956,298			956,298
Water Litigation	437,246	<u> </u>	<u> </u>	<u>437,246</u>
TOTALS	1,393,544	0	0	1,393,544
AUTHORIZED EMPLOYEES				
Full Time	6			
Part Time	<u>0</u>			
TOTAL	6			

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Section 128. JUDICIAL DISTRICT 5B				
PROGRAM				
Administration	<u>914,064</u>	<u>0</u>	<u>0</u>	<u>914,064</u>
TOTALS	914,064	0	0	914,064
AUTHORIZED EMPLOYEES				
Full Time	4			
Part Time	<u>0</u>			
TOTAL	4			
Section 129. JUDICIAL DISTRICT 6A				
PROGRAM				
Administration	<u>952,985</u>	<u>0</u>	<u>0</u>	<u>952,985</u>
TOTALS	952,985	0	0	952,985
AUTHORIZED EMPLOYEES				
Full Time	4			
Part Time	<u>0</u>			
TOTAL	4			

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 130. JUDICIAL DISTRICT 7A				
PROGRAM				
Administration	<u>980,090</u>	<u>0</u>	<u>0</u>	<u>980,090</u>
TOTALS	980,090	0	0	980,090
AUTHORIZED EMPLOYEES				
Full Time	4			
Part Time	<u>1</u>			
TOTAL	5			
Section 131. JUDICIAL DISTRICT 7B				
PROGRAM				
Administration	<u>902,588</u>	<u>0</u>	<u>0</u>	<u>902,588</u>
TOTALS	902,588	0	0	902,588
AUTHORIZED EMPLOYEES				
Full Time	4			
Part Time	<u>1</u>			
TOTAL	5			

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 132. JUDICIAL DISTRICT 9A				
PROGRAM				
Administration	<u>1,005,998</u>	<u>0</u>	<u>0</u>	<u>1,005,998</u>
TOTALS	1,005,998	0	0	1,005,998
AUTHORIZED EMPLOYEES				
Full Time	4			
Part Time	<u>0</u>			
TOTAL	4			
Section 133. JUDICIAL DISTRICT 8A				
PROGRAM				
Administration	<u>914,270</u>	<u>0</u>	<u>0</u>	<u>914,270</u>
TOTALS	914,270	0	0	914,270
AUTHORIZED EMPLOYEES				
Full Time	4			
Part Time	<u>0</u>			
TOTAL	4			

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 134. JUDICIAL DISTRICT 9B				
PROGRAM				
Administration	<u>1,103,817</u>	<u> </u>	<u> </u>	<u>1,103,817</u>
TOTALS	1,103,817	0	0	1,103,817
AUTHORIZED EMPLOYEES				
Full Time	4			
Part Time	<u>0</u>			
TOTAL	4			
Section 135. JUDICIAL DISTRICT 6B				
PROGRAM				
Administration	<u>998,588</u>	<u> </u>	<u> </u>	<u>998,588</u>
TOTALS	998,588	0	0	998,588
AUTHORIZED EMPLOYEES				
Full Time	4			
Part Time	<u>0</u>			
TOTAL	4			

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Section 136. JUDICIAL DISTRICT 8B				
PROGRAM				
Administration	<u>792,000</u>	<u>0</u>	<u>0</u>	<u>792,000</u>
TOTALS	792,000	0	0	792,000
AUTHORIZED EMPLOYEES				
Full Time	3			
Part Time	<u>0</u>			
TOTAL	3			
Section 137. LARAMIE CO. DISTRICT 1C				
PROGRAM				
Administration	<u>995,304</u>	<u>0</u>	<u>0</u>	<u>995,304</u>
TOTALS	995,304	0	0	995,304
AUTHORIZED EMPLOYEES				
Full Time	5			
Part Time	<u>0</u>			
TOTAL	5			

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Section 138. SWEETWATER CO. DISTRICT 3C				
PROGRAM				
Administration	941,392			941,392
TOTALS	941,392	0	0	941,392
AUTHORIZED EMPLOYEES				
Full Time	4			
Part Time	0			
TOTAL	4			
Section 139. NATRONA CO. DISTRICT 7C				
PROGRAM				
Administration	908,086			908,086
TOTALS	908,086	0	0	908,086
AUTHORIZED EMPLOYEES				
Full Time	4			
Part Time	0			
TOTAL	4			

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Section 140. JUDICIAL DISTRICT 6C				
PROGRAM				
Administration	<u>909,571</u>	<u> </u>	<u> </u>	<u>909,571</u>
TOTALS	909,571	0	0	909,571
AUTHORIZED EMPLOYEES				
Full Time	4			
Part Time	<u>0</u>			
TOTAL	4			
Section 141. JUDICIAL DISTRICT 9C				
PROGRAM				
Administration	<u>916,522</u>	<u> </u>	<u> </u>	<u>916,522</u>
TOTALS	916,522	0	0	916,522
AUTHORIZED EMPLOYEES				
Full Time	4			
Part Time	<u>0</u>			
TOTAL	4			

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 151. DISTRICT ATTORNEY/JUD. DIST. #1				
PROGRAM				
Administration	3,965,428			3,965,428
TOTALS	3,965,428	0	0	3,965,428
AUTHORIZED EMPLOYEES				
Full Time	18			
Part Time	<u>1</u>			
TOTAL	19			
Section 157. DISTRICT ATTORNEY/JUD. DIST. #7				
PROGRAM				
Administration	3,823,256			3,823,256
TOTALS	3,823,256	0	0	3,823,256
AUTHORIZED EMPLOYEES				
Full Time	20			
Part Time	<u>0</u>			
TOTAL	20			

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 160. COUNTY & PROSECUTING ATTORNEYS				
PROGRAM				
Administration	5,521,500			5,521,500
TOTALS	5,521,500	0	0	5,521,500
AUTHORIZED EMPLOYEES				
Full Time	0			
Part Time	0			
TOTAL	0			
Section 167. UW - MEDICAL EDUCATION				
PROGRAM				
Family Practice Residency Centers	18,664,537		5,305,440 SR	23,969,977
WWAMI Medical Education ¹ .	8,797,405			8,797,405
Advanced Practice - RN Psychiatry	507,500			507,500
Dental Contracts	4,648,097			4,648,097
Nursing Program	225,000			225,000
TOTALS	32,842,539	0	5,305,440	38,147,979
AUTHORIZED EMPLOYEES				
Full Time	108			
Part Time	23			
TOTAL	131			

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1. The University of Wyoming shall, in consultation with the Wyoming Medical Society, enter into negotiations with the University of Washington School of Medicine to increase the number of available student seats annually from the fiscal year 2010 level of sixteen (16) to eighteen (18) and ultimately twenty (20) students for each class year of medical students under W.S. 21-17-109. By July 1, 2010, the university shall provide a progress report to the joint labor, health and social services interim committee and the joint appropriations interim committee regarding this footnote and, if agreed to by the University of Washington School of Medicine, shall include, in its 2011-2012 supplemental budget request sufficient funding to sustain the size of each class at not less than eighteen (18) students.				
Section 205. EDUCATION-SCHOOL FINANCE				
PROGRAM				
School Foundation Pgm ^{1,3}			1,477,291,893 S5	1,477,291,893
Court Ordered Placements ²			22,387,806 S5	22,387,806
Mill Levy Debt Pledge			3,750,000 S6	3,750,000
Foundation-Specials			34,688,000 S5	34,688,000
Education Reform			31,705,007 S5	31,705,007
Student Performance Data Systems			<u>2,137,135 S5</u>	<u>2,137,135</u>
TOTALS	<u>0</u>	<u>0</u>	<u>1,571,959,841</u>	<u>1,571,959,841</u>

AUTHORIZED EMPLOYEES	
Full Time	5
Part Time	<u>0</u>
TOTAL	5

1. (a) The department shall review the national certification incentive program under W.S. 21-7-501. The review shall include by district:

- (i) The number of teachers who have qualified for reimbursement under the program;

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(ii) The total amounts reimbursed to teachers for certification under W.S. 21-7-501(b);

(iii) The total amounts of lump sum payments made pursuant to W.S. 21-7-501(f)(i);

(iv) The number of teachers providing mentoring services and the number of teachers receiving mentoring pursuant to W.S. 21-7-501(d);

(v) The total amount reimbursed to each district by the state under W.S. 21-7-501 since inception of the program;

(vi) The projected amounts to be reimbursed to each district by the state in each of the next four (4) fiscal years under W.S. 21-7-501, based upon the number of teachers who have received national certification and who are currently seeking national certification;

(vii) The anticipated average length of remaining employment by teachers qualifying for the lump sum payment pursuant to W.S. 21-7-501(f)(i), based upon retirement under W.S. 9-3-415(a)(ii).

(b) The department shall evaluate the effectiveness of the program in terms of teacher recruitment and quality. The department shall also review evaluations of national certification programs generally, including appropriate length of time for additional payments for teachers receiving national certification. The department shall report its findings and recommendations for any modifications to the program to the joint appropriations and joint education interim committees by October 1, 2010.

2. Of this other funds appropriation, up to one million one hundred thousand dollars (\$1,100,000.00) may be utilized by the department of education to pay for the educational costs of children placed into day treatment programs under W.S. 21-13-315 for the 2011-2012 fiscal biennium.

3. Of this other funds appropriation, the department shall distribute equally to qualifying school districts a total of not more than fifteen thousand dollars (\$15,000.00) as financial assistance for educational programs offered during summer months between school years for school age children who are blind. To receive financial assistance under this footnote, a school district shall apply to the department in a manner and form prescribed by the department.

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Section 211. BOARD OF EQUALIZATION				
PROGRAM				
Equalization & Tax Appeals	<u>1,759,335</u>	<u>0</u>	<u>0</u>	<u>1,759,335</u>
TOTALS	1,759,335	0	0	1,759,335
AUTHORIZED EMPLOYEES				
Full Time	7			
Part Time	<u>0</u>			
TOTAL	7			
Section 220. ENVIRONMENTAL QUALITY COUNCIL				
PROGRAM				
Administration	<u>868,793</u>	<u>0</u>	<u>0</u>	<u>868,793</u>
TOTALS	868,793	0	0	868,793
AUTHORIZED EMPLOYEES				
Full Time	3			
Part Time	<u>0</u>			
TOTAL	3			

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Section 270. OFFICE OF ADMINISTRATIVE HEARINGS				
PROGRAM				
Administration			3,462,196	SR 3,462,196
TOTALS	0	0	3,462,196	3,462,196
AUTHORIZED EMPLOYEES				
Full Time	11			
Part Time	0			
TOTAL	11			
Section 012. BOARD OF ARCHITECTS/LANDSCAPER				
PROGRAM				
Administration			195,926	SR 195,926
TOTALS	0	0	195,926	195,926
AUTHORIZED EMPLOYEES				
Full Time	0			
Part Time	0			
TOTAL	0			

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Section 013. WY EUTHANASIA CERTIFICATION BOARD				
PROGRAM				
Administration			37,812	SR 37,812
TOTALS	0	0	37,812	37,812
AUTHORIZED EMPLOYEES				
Full Time	0			
Part Time	0			
TOTAL	0			
Section 016. BOARD OF BARBER EXAMINERS				
PROGRAM				
Administration			43,139	SR 43,139
TOTALS	0	0	43,139	43,139
AUTHORIZED EMPLOYEES				
Full Time	0			
Part Time	0			
TOTAL	0			

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Section 017. BOARD OF RADIOLOGIC TECH.				
PROGRAM				
Administration			105,142	105,142
TOTALS	0	0	105,142	105,142
AUTHORIZED EMPLOYEES				
Full Time	0			
Part Time	0			
TOTAL	0			

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Section 018. REAL ESTATE COMMISSION				
PROGRAM				
Administration			67,500 AG	
			919,510 SR	987,010
Real Estate Recovery			4,000 AG	
			6,000 SR	10,000
Real Estate Education			6,000 AG	
			57,400 SR	63,400
Real Estate Appraiser			7,000 AG	
			135,423 SR	142,423
Appraiser Education			29,000 SR	29,000
TOTALS	0	0	1,231,833	1,231,833

AUTHORIZED EMPLOYEES	
Full Time	4
Part Time	<u>0</u>
TOTAL	4

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Section 019. PROF TEACHING STDS BOARD				
PROGRAM				
Prof Teaching Stds Board	_____	_____	1,349,644	SR 1,349,644
TOTALS	0	0	1,349,644	1,349,644
AUTHORIZED EMPLOYEES				
Full Time	6			
Part Time	0			
TOTAL	6			
Section 022. RESPIRATORY CARE PRACTITIONERS BOARD				
PROGRAM				
Administration	_____	_____	77,508	SR 77,508
TOTALS	0	0	77,508	77,508
AUTHORIZED EMPLOYEES				
Full Time	0			
Part Time	0			
TOTAL	0			

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Section 028. BOARD OF REGISTRATION IN PODIATRY				
PROGRAM				
Administration	_____	_____	25,866	SR 25,866
TOTALS	0	0	25,866	25,866
AUTHORIZED EMPLOYEES				
Full Time	0			
Part Time	0			
TOTAL	0			
Section 030. BOARD OF CHIROPRACTIC EXAMINERS				
PROGRAM				
Administration	_____	_____	66,945	SR 66,945
TOTALS	0	0	66,945	66,945
AUTHORIZED EMPLOYEES				
Full Time	0			
Part Time	0			
TOTAL	0			

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Section 031. COLLECTION AGENCY BOARD				
PROGRAM				
Administration			1,148 AG	
	0	0	90,584 SR	91,732
TOTALS	0	0	91,732	91,732
AUTHORIZED EMPLOYEES				
Full Time	0			
Part Time	0			
TOTAL	0			
Section 033. BOARD OF COSMETOLOGY				
PROGRAM				
Administration			729,770 SR	729,770
TOTALS	0	0	729,770	729,770
AUTHORIZED EMPLOYEES				
Full Time	3			
Part Time	1			
TOTAL	4			

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 034. BOARD OF DENTAL EXAMINERS				
PROGRAM				
Administration	_____	_____	276,523	SR 276,523
TOTALS	0	0	276,523	276,523
AUTHORIZED EMPLOYEES				
Full Time	0			
Part Time	0			
TOTAL	0			
Section 035. BOARD OF EMBALMERS				
PROGRAM				
Administration	_____	_____	47,971	SR 47,971
TOTALS	0	0	47,971	47,971
AUTHORIZED EMPLOYEES				
Full Time	0			
Part Time	0			
TOTAL	0			

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Section 038. PARI-MUTUEL COMMISSION				
PROGRAM				
Administration			740,611 SR	740,611
Wyoming Breeders Award Fund			<u>170,000 SR</u>	<u>170,000</u>
TOTALS	<u>0</u>	<u>0</u>	<u>910,611</u>	<u>910,611</u>
AUTHORIZED EMPLOYEES				
Full Time	1			
Part Time	<u>2</u>			
TOTAL	3			
Section 052. MEDICAL LICENSING BOARD				
PROGRAM				
Administration			<u>1,584,883 SR</u>	<u>1,584,883</u>
TOTALS	<u>0</u>	<u>0</u>	<u>1,584,883</u>	<u>1,584,883</u>
AUTHORIZED EMPLOYEES				
Full Time	3			
Part Time	<u>0</u>			
TOTAL	3			

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Section 054. BOARD OF NURSING				
PROGRAM				
Administration & School Accred			2,579,859	SR 2,579,859
TOTALS	0	0	2,579,859	2,579,859
AUTHORIZED EMPLOYEES				
Full Time	8			
Part Time	0			
TOTAL	8			
Section 056. BOARD OF OPTOMETRY				
PROGRAM				
Administration			86,311	SR 86,311
TOTALS	0	0	86,311	86,311
AUTHORIZED EMPLOYEES				
Full Time	0			
Part Time	0			
TOTAL	0			

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Section 058. BOARD OF SPEECH PATHOLOGISTS/AUDIOLOGISTS				
PROGRAM				
Administration			44,851	44,851
TOTALS	0	0	44,851	44,851
AUTHORIZED EMPLOYEES				
Full Time	0			
Part Time	0			
TOTAL	0			
Section 059. BOARD OF PHARMACY				
PROGRAM				
Licensing Board			1,285,294	1,285,294
TOTALS	0	0	1,285,294	1,285,294
AUTHORIZED EMPLOYEES				
Full Time	6			
Part Time	0			
TOTAL	6			

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Section 061. WYOMING BOARD OF CPAS				
PROGRAM				
Administration			673,979	SR 673,979
TOTALS	0	0	673,979	673,979
AUTHORIZED EMPLOYEES				
Full Time	2			
Part Time	0			
TOTAL	2			
Section 062. BOARD OF PHYSICAL THERAPY				
PROGRAM				
Administration			123,192	SR 123,192
TOTALS	0	0	123,192	123,192
AUTHORIZED EMPLOYEES				
Full Time	0			
Part Time	0			
TOTAL	0			

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Section 064. BOARD OF HEARING AID SPECIALISTS				
PROGRAM				
Administration	_____	_____	30,899	SR _____ 30,899
TOTALS	0	0	30,899	30,899
AUTHORIZED EMPLOYEES				
Full Time	0			
Part Time	_____ 0			
TOTAL	0			
Section 065. BOARD OF ATHLETIC TRAINERS				
PROGRAM				
Administration	_____	_____	35,231	SR _____ 35,231
TOTALS	0	0	35,231	35,231
AUTHORIZED EMPLOYEES				
Full Time	0			
Part Time	_____ 0			
TOTAL	0			

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Section 068. BOARD OF PSYCHOLOGIST EXAMINERS				
PROGRAM				
Administration			127,854	SR 127,854
TOTALS	0	0	127,854	127,854
AUTHORIZED EMPLOYEES				
Full Time	0			
Part Time	0			
TOTAL	0			
Section 075. BOARD OF OUTFITTERS				
PROGRAM				
Administration			874,215	SR 874,215
TOTALS	0	0	874,215	874,215
AUTHORIZED EMPLOYEES				
Full Time	4			
Part Time	0			
TOTAL	4			

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Section 078. MENTAL HEALTH PROFESSIONS LICENSING BOARD				
PROGRAM				
Administration	_____	_____	251,760	SR 251,760
TOTALS	0	0	251,760	251,760
AUTHORIZED EMPLOYEES				
Full Time	0			
Part Time	0			
TOTAL	0			
Section 079. BOARD OF NURSING HOME ADMIN				
PROGRAM				
Administration	_____	_____	44,464	SR 44,464
TOTALS	0	0	44,464	44,464
AUTHORIZED EMPLOYEES				
Full Time	0			
Part Time	1			
TOTAL	1			

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Section 083. BOARD OF OCCUPATIONAL THERAPY				
PROGRAM				
Administration	_____	_____	93,554	SR _____ 93,554
TOTALS	0	0	93,554	93,554
AUTHORIZED EMPLOYEES				
Full Time	0			
Part Time	1			
TOTAL	1			
Section 084. BOARD OF PROFESSIONAL GEOLOGISTS				
PROGRAM				
Administration	_____	_____	416,564	SR _____ 416,564
TOTALS	0	0	416,564	416,564
AUTHORIZED EMPLOYEES				
Full Time	1			
Part Time	1			
TOTAL	2			

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Section 251. BOARD OF VETERINARY MEDICINE				
PROGRAM				
Administration			122,950 SR	122,950
TOTALS	0	0	122,950	122,950
AUTHORIZED EMPLOYEES				
Full Time	0			
Part Time	0			
TOTAL	0			

[CAPITAL CONSTRUCTION]

Section 3. The following sums of money are appropriated for the capital construction projects specified. Appropriations for these projects remain in effect until the project is completed. Appropriated funds under this section shall be expended only on the projects specified and any unused funds remaining at project completion shall revert to the accounts from which they were appropriated. The amounts appropriated in this section are intended to provide a maximum amount for each project and shall not be construed to be an entitlement or guaranteed amount.

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Section 006. ADMINISTRATION AND INFORMATION ^{1.}				
PROGRAM				
A&I State Bldg. Comm. Contingency	3,097,266			3,097,266
A&I Flex Contingency	3,193,707			3,193,707
Military Dept. Breaching Facility		677,000		677,000
Military Dept. Urban Assault Course		3,000,000		3,000,000
Military Dept. Shoot House Range		3,000,000		3,000,000
Military Dept. Land Acquisition ^{2.}	8,200,000			8,200,000
Military Dept. Facility Upgrades	500,000			500,000
Military Dept. Laramie Maint. Facility	400,000	15,000,000		15,400,000
Military Dept. Cheyenne NG Air Ramp	1,560,000			1,560,000
Military Dept. Medical Readiness Center	210,000	630,000		840,000
Dept. of Revenue Liquor Warehouse			12,928,348 S3	12,928,348
State Parks - Health & Safety			4,000,000 EF	4,000,000
State Parks - Water Related Facilities			1,850,000 SR	1,850,000
State Parks - Territorial Prison			210,000 SR	210,000
G&F ADA Compliant Outhouses	350,000			350,000
G&F Cody Regional Office	200,000			200,000
G&F Lander Regional Office	250,000			250,000
G&F Dry Storage Units	90,000			90,000
Dept. of Family Services - WBS Classroom Bldg			55,000 T1	55,000
WY Tourism Board Welcome Center ^{3.}	14,598,000			14,598,000
TOTALS	<u>32,648,973</u>	<u>22,307,000</u>	<u>19,043,348</u>	<u>73,999,321</u>

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
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1. Any unexpended, unobligated funds remaining in a capitol construction project budget upon completion of the project shall be deposited into the capitol building rehabilitation and restoration account created by W.S. 9-5-109(j), and shall not be transferred or expended for any other purpose.

2. The construction management division of the department of administration and information shall negotiate the purchase of lands for the expansion of Camp Guernsey. The military department is authorized to purchase such lands at the negotiated price which shall be not more than fair market value and not in excess of the total amount of this appropriation.

3. In replacing the tourism center located at I-25 and College Drive in Cheyenne, the tourism board shall work cooperatively with the Wyoming department of transportation to achieve release of encumbrances on the tourism center in place as a result of use of federal funding, and to the extent necessary may transfer those encumbrances to the new facility to achieve that goal.

Section 027. SCHOOL FACILITIES COMMISSION

PROGRAM

Ancillary Buildings ¹ .			480,000 S6	480,000
Athletic Track Facilities ² .			500,000 S6	500,000
TOTALS	0	0	980,000	980,000

1. Of this other fund appropriation, up to four hundred eighty thousand dollars (\$480,000.00) shall be distributed by the school facilities commission for leasing and planning administration facilities at Teton county school district no. 1, Big Horn county school district no. 3 and Uinta county school district no. 6. Distributions under this footnote shall be for the 2011-2012 fiscal biennium.

2. Of this other fund appropriation, five hundred thousand dollars (\$500,000.00) shall only be expended by the school facilities commission during the 2011-2012 fiscal biennium for construction of track facilities in Big Horn county school district no. 1 and in Lincoln county school district no. 2.

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 057. COMMUNITY COLLEGE COMMISSION 1.,2.,3.				
PROGRAM				
CC Student Union/UWCC Building			32,000,000 PR	32,000,000
CC Music Building			16,000,000 PR	16,000,000
EWC Workforce Dev./Manuf. Center			6,000,000 PR	6,000,000
EWC Center for Education Excellence			8,200,000 PR	8,200,000
LCCC/UW Joint Facility			26,071,600 PR	26,071,600
NWCCD Big West Academic Center			15,167,487 PR	15,167,487
NWCCD Sheridan Armory Acquisition			8,642,337 PR	8,642,337
WWCC Wingate Hotel			5,900,000 PR	5,900,000
TOTALS	0	0	117,981,424	117,981,424

1. Authorization for individual capital construction projects contained in this section shall expire on June 30, 2012 if the construction process has not begun prior to that date.

2. 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.

3. The community college commission shall annually prioritize all community college projects with costs in excess of one million dollars (\$1,000,000.00), regardless of the source of funds utilized for the construction.

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APPROPRIATION FOR	GENERAL FUND \$	FEDERAL FUND \$	OTHER FUNDS \$	TOTAL APPROPRIATION \$
Section 067. UNIVERSITY OF WYOMING				
PROGRAM				
UW Fine and Performing Arts			33,000,000 RB	33,000,000
UW Downey Hall			<u>6,000,000 RB</u>	<u>6,000,000</u>
TOTALS ¹ .	0	0	39,000,000	39,000,000

1. This section is effective immediately.

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[BUDGET BALANCERS - TRANSFERS]

Section 300.

(a) There is appropriated an amount not to exceed one billion sixteen million six hundred thirteen thousand four hundred forty-one dollars (\$1,016,613,441.00) 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) Any amount of unappropriated funds remaining in the budget reserve account on June 30, 2012 in excess of ninety-three million twenty-five thousand dollars (\$93,025,000.00) shall be transferred to the legislative stabilization reserve account.

[SPENDING POLICY RESERVE ACCOUNTS]

Section 301.

(a) Notwithstanding W.S. 9-4-719(b) no funds within the permanent Wyoming mineral trust fund reserve account shall be credited to the permanent mineral trust fund until June 30, 2012.

(b) Notwithstanding W.S. 9-4-719(f) no funds within the common school permanent fund reserve account shall be credited to the common school account within the permanent land fund until June 30, 2012.

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(c) Notwithstanding W.S. 9-4-719(k) no funds within the higher education endowment reserve account shall be credited to the excellence in higher education endowment fund created by W.S. 9-4-204(u)(vi) until June 30, 2012.

(d) Notwithstanding W.S. 21-16-1302(b) no funds within the Hathaway student scholarship reserve account shall be credited to the Hathaway student scholarship endowment fund created by W.S. 9-4-204(u)(vii) until June 30, 2012.

(e) This section is effective immediately.

[BORROWING AUTHORITY - CASH FLOW]

Section 302.

(a) The state auditor is authorized to borrow from pooled fund investments in the treasurer's office amounts necessary to assist the state's general fund cash flow. The amounts borrowed shall be repaid when sufficient general fund revenue is available. The auditor shall borrow funds under this section only to assist the month-to-month cash flow of the general fund and shall not borrow funds under this section when total appropriations together with outstanding encumbrances and obligations for the biennium exceed projected revenues, including transfers from the budget reserve account as authorized by the legislature, for the biennium.

(b) The state auditor is authorized to borrow from pooled fund investments in the treasurer's office an amount not to exceed one hundred million dollars (\$100,000,000.00), if necessary, for the purpose of assisting the department of transportation's cash flow.

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The amounts borrowed shall be repaid when sufficient revenue is available. Interest on the unpaid balance shall be the average interest rate earned on pooled fund investments in the previous fiscal year.

[HATHAWAY SCHOLARSHIP - BORROWING AUTHORITY]

Section 303.

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.

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[CARRYOVER APPROPRIATIONS]

Section 304.

[DISASTER CONTINGENCY]

(a) Notwithstanding W.S. 9-2-1008, 9-2-1012(e) and 9-4-207(a) of any unexpended, unobligated monies appropriated from the general fund to the office of the governor in 2008 Wyoming Session Laws, Chapter 48, Section 2, Section 001 as amended by 2009 Wyoming Session Laws, Chapter 159, Section 2, Section 001 for the disaster contingency program seven hundred fifty thousand dollars (\$750,000.00) shall not revert on June 30, 2010, and are hereby reappropriated to the office of the governor for the disaster contingency program for the period beginning July 1, 2010 and ending June 30, 2012.

[CARRYOVER OF NATURAL RESOURCE POLICY ACCOUNT]

(b) Notwithstanding W.S. 9-2-1008, 9-2-1012(e) and 9-4-207(a) of any unexpended, unobligated monies appropriated from the general fund to the office of the governor by 2008 Wyoming Session Laws, Chapter 48, Section 2, Section 001, as amended by 2009 Wyoming Session Laws, Chapter 159, Section 2, Section 001 for the natural resource policy account program, one million dollars (\$1,000,000.00) shall not revert on June 30, 2010, and are hereby appropriated and shall be expended for the purpose of funding the natural resource policy account program under Section 2, Section 001 of this act for the period beginning July 1, 2010 and ending June 30, 2012.

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(c) This section is effective immediately.

[FUND BALANCE - DEFINITION]

Section 305.

(a) For the period beginning July 1, 2010 and ending June 30, 2012 and for purposes of this act and any other provision of Wyoming law referencing a "fund balance" and notwithstanding cash or fund balances reflected in the state of Wyoming's Comprehensive Annual Financial Report (CAFR), "unappropriated fund balance" or "unobligated, unencumbered fund balance" means:

(i) The fund cash and petty cash balance from the comparative balance sheet by fund report which is run within five (5) business days following the thirteenth month close;

(ii) Less the fund balance reserved encumbrances from the comparative balance sheet by fund report which is run within five (5) days following the thirteenth month close;

(iii) Less the remaining unspent appropriations from that fund for previous biennia, including those unspent appropriations from the most recent legislative session that were effective immediately, as computed by the state auditor's office;

(iv) Less fund reversions as computed by the state auditor's office;

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(v) Plus the net accounts receivable due from the federal government or other entities as of June 30 from the most recently completed fiscal year, as computed by the state auditor's office;

(vi) Plus mineral severance taxes, if any, to be distributed to the fund that have been earned in the most recently completed fiscal year but have not yet been distributed, as determined by the department of revenue;

(vii) Plus sales and use taxes, if any, to be distributed to the fund that have been earned in the most recently completed fiscal year but have not yet been distributed, as determined by the department of revenue;

(viii) Plus federal mineral royalties, if any, to be distributed to the fund that have been earned in the most recently completed fiscal year but have not yet been distributed, as determined by the state treasurer's office.

[MEDICAID CONTINGENCY APPROPRIATIONS]

Section 306.

There is appropriated from the general fund to the state auditor twenty-five million dollars (\$25,000,000.00) for the purpose of providing a reserve for the state's share of all Medicaid programs. Of this appropriation, sixteen million dollars (\$16,000,000.00) 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. The remaining nine million dollars (\$9,000,000.00) of this appropriation shall only be expended as necessary for an increase in caseload beyond the current projections

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for the 2011-2012 fiscal biennium 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, 2012 shall revert according to law.

[EMPLOYEE BENEFITS]

Section 307.

(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, 2010 and ending November 30, 2011 an amount to be determined by the employees' group insurance section of the department of administration and information but not to exceed:

(A) Six hundred sixty-seven dollars and ninety-one cents (\$667.91) per month for an employee electing single coverage;

(B) One thousand fifteen dollars and seventy-eight cents (\$1,015.78) per month for an employee electing employee plus dependent children coverage;

(C) One thousand three hundred twenty-seven dollars and seventy-two cents (\$1,327.72) per month for an employee electing employee plus dependent spouse coverage;

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(D) One thousand five hundred seventeen dollars and eighty-two cents (\$1,517.82) per month for an employee electing family coverage; and

(E) Seven hundred fifty-eight dollars and ninety-one cents (\$758.91) per month for employees who elect family coverage when both husband and wife are employees of covered entities creating a split family coverage.

(ii) For the period beginning December 1, 2011 and ending November 30, 2012 an amount to be determined by the employees' group health insurance section of the department of administration and information but not to exceed:

(A) Seven hundred thirty-five dollars and eleven cents (\$735.11) per month for an employee electing single coverage;

(B) One thousand one hundred eighteen dollars and seventy-eight cents (\$1,118.78) per month for an employee electing employee plus dependent children coverage;

(C) One thousand four hundred sixty-three dollars and twenty-nine cents (\$1,463.29) per month for an employee electing employee plus dependent spouse coverage;

(D) One thousand six hundred seventy-three dollars and twenty-four cents (\$1,673.24) per month for an employee electing family coverage; and

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(E) Eight hundred thirty-six dollars and sixty-two cents (\$836.62) per month for employees who elect family coverage when both husband and wife are employees of covered entities creating a split family coverage.

(b) Notwithstanding W.S. 9-2-1008, 9-2-1012(e) and 9-4-207(a) unexpended, unobligated monies appropriated from the general fund to the state auditor in 2007 Wyoming Session Laws, Chapter 136, Section 303, and reappropriated in 2008 Wyoming Session Laws, Chapter 48, Section 303, for purposes of employee salaries and benefits, shall not revert on June 30, 2010 and are hereby appropriated for the period beginning July 1, 2010 and ending June 30, 2012 to the state auditor to be distributed to executive branch agencies, excluding the University of Wyoming and the community colleges, for salary adjustments for market inequities as determined by the human resources division of the department of administration and information. This subsection is effective immediately.

(c) There is appropriated six million five hundred thousand dollars (\$6,500,000.00) from the general fund to the state auditor for the period beginning July 1, 2010 and ending June 30, 2012 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, and whose date of retirement was prior to July 1, 2008. 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.

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(d) All state agencies, including the University of Wyoming, the community colleges and the legislative and judicial branches shall pay into the health insurance benefits account created by 2008 Wyoming Session Laws, Chapter 48, Section 303 each pay period an amount up to one percent (1.0%), as established by the department of administration and information, of each benefit eligible employee's salary. Funds in the retiree health insurance benefits account shall be used for the purposes of funding the benefits in the same manner and amounts as provided in subsection (c) of this section for retirees whose effective date of retirement is July 1, 2008 or later. All investment income earned on the account shall remain in the account.

(e) 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, 2012 shall revert pursuant to law.

(f) 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.

[FIRE PREVENTION - COLLECTION OF FEES]

Section 308.

Notwithstanding W.S. 35-9-108(e), for the period beginning July 1, 2010 and ending June 30, 2012, the state department of fire prevention and electrical safety is hereby

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authorized to charge fees not in excess of fees authorized under W.S. 35-9-108(d) to any entity for which it performs any plan inspection or review.

[FLEX - EXECUTIVE]

Section 309.

(a) Notwithstanding W.S. 9-2-1005(a) and (c), the governor is authorized to transfer:

(i) Between programs within any executive branch agency, excluding the University of Wyoming, ten percent (10%) of the total appropriation for the agency;

(ii) Between executive branch agencies, excluding the University of Wyoming, five percent (5%) of the total appropriation for the agency from which the funds are transferred.

(b) All transfers authorized under this section shall be approved by the governor and reported to the joint appropriations interim committee through the B-11 process as authorized by W.S. 9-2-1005(b)(ii).

(c) The authority granted under this section is effective for the period beginning July 1, 2010 and ending June 30, 2012.

(d) Any provision of this act or any other legislation enacted which specifies that an appropriation shall not be transferred or expended for any other purpose, or

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containing language of like effect, shall prevail over this section and no such funds so appropriated shall be subject to subsection (a) of this section.

[FLEX - JUDICIARY]

Section 310.

(a) Except as otherwise provided in this section, the supreme court may transfer up to five percent (5%) of the total general fund appropriation between programs within the supreme court. With the approval of the district court budget committee up to five percent (5%) of the general fund appropriation to each district court may be transferred to one (1) or more other district courts. Authority pursuant to this section shall be effective for the period commencing July 1, 2010 and ending June 30, 2012. Any transfers pursuant to this section shall be reported annually to the joint appropriations interim committee. The report shall specify the appropriations and authorized positions transferred including transfers between expenditure series, programs and courts.

(b) Any provision of this act or any other legislation enacted which specifies that an appropriation shall not be transferred or expended for any other purpose, or containing language of like effect, shall prevail over this section and no such funds so appropriated shall be subject to subsection (a) of this section.

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[PERSONAL SERVICES TRANSFERS]

Section 311.

(a) Notwithstanding any other provision of this act, nonfederal fund appropriations for 100 series personal services contained in this act shall not be transferred to any other series or expended for any purpose other than personal services. The department of health is exempted from this section for the following purposes only:

(i) For high cost emergency detentions at the state hospital, funding transfers from the 100 series personal services within the state hospital budget are hereby authorized and shall be limited to a maximum of six million dollars (\$6,000,000.00) in the period from July 1, 2010 through June 30, 2012;

(ii) For increased costs in the 200 series supportive services at the retirement center located at Basin, Wyoming, funding transfers from the 100 series personal services within the retirement center budget are hereby authorized and shall be limited to a maximum of six hundred thousand dollars (\$600,000.00) in the period from July 1, 2010 through June 30, 2012;

(iii) For the purposes of implementing and operating the department's information technology program within the director's office, funding transfers from the 100 series personal services within the department's information technology budget are hereby authorized and shall be limited to a maximum of nine hundred thousand dollars (\$900,000.00) in the period from July 1, 2010 through June 30, 2012.

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[POSITION FREEZE]

Section 312.

No legislative appropriation of general fund monies shall be used to hire new employees from July 1, 2010, through June 30, 2012, except to fill a vacancy within the authorized number of positions as indicated by the agency's appropriation act or otherwise specified by legislation enacted in the 2010 budget session or the 2011 general session. The governor may authorize additional positions in any agency, even if in excess of the positions authorized by the legislature, provided that at least an identical number of vacant positions existing in other agencies are terminated. The additional positions shall be funded using money authorized for the vacant positions.

[AT-WILL CONTRACT EMPLOYEE POSITION FREEZE]

Section 313.

Effective July 1, 2010 through June 30, 2012, no at-will contract employee position shall be renewed or created unless specifically authorized by legislation enacted during or after the 2010 budget session or approved by the governor. Any such position so authorized by the legislature or approved by the governor shall be reported to the joint appropriations interim committee through the B-11 process as authorized by W.S. 9-2-1005(b)(ii). As used in this section "at-will contract employee position" means any position existing pursuant to the provisions of W.S. 9-2-1022(a)(xi)(F).

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[VACANT POSITIONS]

Section 314.

Of the two hundred fifty-one (251) full and part-time permanent positions shown to be vacant and currently not-recruiting in the document dated February 15, 2010, entitled "vacant position report" and compiled by the department of administration and information and on file in the legislative service office, not more than twenty-five (25) of those positions shall be filled from the effective date of this section through June 30, 2012. This section is effective immediately.

[BUDGET REDUCTION AUTHORITY - REVENUE SHORTFALL]

Section 315.

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

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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. Any reductions made pursuant to this section shall be reported through the B-11 process as authorized by W.S. 9-2-1005(b)(ii).

[SUPREME COURT/DISTRICT COURT BUDGETS]

Section 316.

The supreme court and all district courts shall submit 2011-2012 supplemental budget requests to the legislature no later than November 1, 2010, and 2013-2014 biennial budget requests to the legislature no later than November 1, 2011. The supreme court and district courts shall prepare all 100 series personal services budget requests using the same methods and practices as the executive branch.

[INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS - REVIEW BY CIO]

Section 317.

(a) No appropriation contained in this act for information technology or telecommunications personnel, hardware or software or contractual services for information technology, shall be expended until the chief information officer has approved the expenditure. Upon request for expenditure, the chief information officer shall review the request and determine if a less expensive alternative to effectively

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accomplish the need is available and, if so, shall only approve the request for the lesser amount. Of the difference in general funds in the amount requested and amount approved, one-half (1/2) shall be deposited to an information technology account, from which the chief information officer may expend funds as approved by the governor for information technology and telecommunications initiatives. The remaining one-half (1/2) of general funds saved shall immediately revert to the budget reserve account. All unexpended, unobligated funds within the information technology account shall revert to the budget reserve account on June 30, 2012. All transfers pursuant to this section shall be reported to the joint appropriations interim committee through the B-11 process as authorized by W.S. 9-2-1005(b)(ii). The University of Wyoming, community colleges and the judicial and legislative branches shall not be subject to this section.

(b) The governor shall convene a committee to initiate planning for the transformation and consolidation of state information technology programs. The committee shall include representatives from state agency information technology staff, and shall examine consolidation measures which may improve services, eliminate redundant activities, and leverage state resources in the delivery of improved technology solutions for state operations. The committee shall be directed by the office of the governor and staffed by the chief information officer and others, as appointed by the governor. The committee shall offer initial recommendations to the governor prior to July 1, 2010, and shall submit final recommendations to the governor and the joint appropriations interim committee no later than October 1, 2010. The report shall include recommendations to provide more effective and efficient information technology services including, but not limited to, use of shared services, facilities and personnel, and recommendations to provide better accountability and management. Agencies shall participate in the

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consolidation program and provide assistance and support to the committee as required by the committee. This subsection is effective immediately.

[COMPUTER LEASING - REVIEW BY CIO]

Section 318.

No appropriation for computer hardware or software leasing contained in this act shall be expended for leases beginning on or after July 1, 2010 until the chief information officer has completed an analysis of the benefits/costs of leasing versus purchase and made a recommendation to the governor and the joint appropriations interim committee. No appropriations for computer leases contained in this act shall be contained in any agency's 2013-2014 standard budget request.

[MAJOR MAINTENANCE FUNDING FOR STATE FACILITIES, UNIVERSITY AND COMMUNITY COLLEGES]

Section 319.

(a) For the biennium beginning July 1, 2010, and ending June 30, 2012, there is appropriated from the general fund for major building and facility repair and replacement, and to address compliance projects required by the Americans with Disabilities Act, to the entities and in the amounts specified as provided in this subsection. The formula amount is based on a formula similar to that used for determining major maintenance payments to the public schools, but in amounts to maintain the facilities in a fair condition:

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(i) Formula amount Funding level Appropriation \$26,422,932.00 times 100% = \$26,422,932.00;

(ii) The appropriation in paragraph (i) of this subsection shall be distributed as follows:

(A) 100% - To the department of administration and information for state facilities managed by the state building commission, state institutions and to fund projects contained within the five (5) year plan submitted by the department of state parks and cultural resources as approved by the state building commission.

(b) Funding received through the American Reinvestment and Recovery Act in the following amounts shall be expended as follows, shall be expended or obligated by September 30, 2011 and shall be effective immediately:

(i) Twenty-seven million eight thousand four hundred five dollars (\$27,008,405.00) - To the University of Wyoming for modernization, renovation or repair of higher education facilities that are primarily used for instruction or research. Expenditures for student housing are specifically excluded;

(ii) Seventeen million fifty-nine thousand six hundred sixty-six dollars (\$17,059,666.00) - To the community colleges for modernization, renovation or repair of community college facilities that are primarily used for instruction or research. Expenditures for student housing are specifically excluded. Any funds received for maintaining, operating or equipping any capital construction project from the American

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Recovery and Reinvestment Act of 2009 shall not be subject to the provisions of W.S. 21-18-205(g).

(c) Notwithstanding W.S. 9-2-1008, 9-2-1012(e) and 9-4-207(a), appropriations made under subsections (a) and (b) of this section shall be separately accounted for by the recipient and shall not revert. Appropriations under subsection (b) of this section shall be expended or obligated by September 30, 2011. Expenditures from these appropriations shall be restricted to expenses incurred for major building and facility repair and replacement as defined in paragraph (e)(i) of this section and as prescribed by rule and regulation of the state building commission.

(d) Not later than October 31, 2011, the general services division of the department of administration and information, the University of Wyoming and the community college commission shall report to the state building commission and the joint appropriations interim committee on the expenditures and commitments made from the appropriations under subsections (a) and (b) of this section.

(e) As used in this section:

(i) "Major building and facility repair and replacement" means the repair or replacement of complete or major portions of building and facility systems at irregular intervals which is required to continue the use of the building or facility at its original capacity for its original intended use, including for compliance with the Americans with Disabilities Act, and including installing fire suppression systems in residential facilities and is typically accomplished by contractors due to the personnel

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demand to accomplish the work in a timely manner, the level of sophistication of the work or the need for warranted work;

(ii) "Routine maintenance and repair" means activities necessary to keep a building or facility in safe and good working order so that it may be used at its original or designed capacity for its originally intended purposes, including janitorial, groundskeeping and maintenance tasks done on a routine basis and typically accomplished by state, university or community college personnel with exceptions for any routine tasks accomplished by contractors such as elevator or other specialized equipment or building system maintenance.

(f) Not later than September 1, 2011, the general services division of the department of administration and information shall submit to the state building commission a recommendation for funding for the biennium beginning July 1, 2012, for major building and facility repair and replacement for state institutions, for University of Wyoming facilities and for community college facilities. This recommendation shall be based on a formula adopted by the state building commission, which shall be based on the following:

(i) The gross square footage of buildings and facilities for each category of buildings for state facilities, university facilities and community college facilities, not to exceed seven (7) building categories for each entity, excluding student housing, the student union and auxiliary services areas funded exclusively through university or community college generated revenues;

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(ii) A multiplier to maintain facilities in fair condition based on criteria from organizations with expertise in this area, such as the National Association of College and University Business Officials;

(iii) The gross square footage of buildings and the other components of the formula shall otherwise be computed in the same manner as for major maintenance for school facilities under W.S. 21-15-109, including using the most current edition of the R.S. Means construction cost index, as modified to reflect current Wyoming construction costs determined by the department of administration and information, division of economic analysis to calculate replacement cost.

[AML FUNDING]

Section 320.

(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.

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(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, 2011 for the following projects:

(i) Thirty-three million four hundred thousand dollars (\$33,400,000.00) for the abandoned mine reclamation program and operation of the mine subsidence insurance program;

(ii) Two million two hundred one thousand one hundred seventeen dollars (\$2,201,117.00) for the solid waste orphaned site program;

(iii) Three hundred ninety-eight thousand eight hundred eighty-three dollars (\$398,883.00) to the department of environmental quality air quality division for addressing statewide energy impacts;

(iv) One million four hundred thousand dollars (\$1,400,000.00) to the department of environmental quality air quality division for expenditure on operations and maintenance of ambient air monitors;

(v) Six hundred thirty-eight thousand one hundred one dollars (\$638,101.00) 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

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of funds specified in subsection (a) of this section to the University of Wyoming for the period ending June 30, 2012 for the following projects:

(i) Seventeen million four hundred thousand dollars (\$17,400,000.00) for operation of the school of energy resources;

(ii) Forty-five million dollars (\$45,000,000.00) to the school of energy resources for development of a subcommercial scale CO2 sequestration research and demonstration project. This appropriation is subject to the following:

(A) The university's school of energy resources may expend funds under this appropriation so that the stratigraphic test well project funded in part by the 2009 appropriation for carbon storage is suitable for injection of carbon dioxide;

(B) No other funds under this appropriation may be expended until the school of energy resources, with the approval of the energy resources council, provides the following to the joint minerals, business and economic development interim committee, the joint agricultural, state and public lands and water resources interim committee and the joint appropriations interim committee and provides them thirty (30) days for review and comment:

(I) An evaluation of the feasibility of proceeding with the project based upon the data derived from the test well;

(II) A draft plan for the development and operation of the project. The draft plan shall include an explanation of how carbon dioxide for the project will be

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secured and of how liability issues with regard to injection and storage will be addressed and a plan for the beneficial use and treatment of produced water;

(III) A draft budget for the development and operation of the project over a period of time that is reasonable for the demonstration of monitoring, verification and accountability (MVA), including the extent to which commitments for nonstate resources to support development of the project have been secured. No appropriations subject to this subparagraph (B) of this paragraph shall be expended for the next phase of the project unless commitments of nonstate resources in an amount equal to the state resources to support each of the next phases of the project have been secured;

(IV) A draft schedule for development.

(C) By November 1, 2011, the school of energy resources shall provide the information required under subparagraph (B) of this paragraph to the joint appropriations interim committee and joint minerals, business and economic development interim committee. By November 1, 2010, the school of energy resources shall submit a progress report regarding the project to the joint appropriations interim committee and joint minerals, business and economic development interim committee;

(D) Any proceeds from the disposal of any state-owned project assets shall be separately accounted for and credited to the state general fund upon receipt.

(iii) Six hundred sixty-six thousand dollars (\$666,000.00) to the college of agriculture for the Wyoming reclamation and restoration center;

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(iv) Nine hundred eighty-five thousand dollars (\$985,000.00) for a nuclear magnetic resonance (NMR) spectrometer;

(v) Fourteen million dollars (\$14,000,000.00) to the school of energy resources for clean coal technology research as recommended by the clean coal research task force pursuant to W.S. 21-17-121.

(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)(i), (ii), (iii) and (v) of this section.

(e) Except for funds subject to subsection (c) or (f) 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, 2012. Notwithstanding W.S. 9-2-1008, 9-2-1012(e) and 9-4-207(a), any unexpended, unobligated funds subject to:

(i) Paragraph (c)(ii) of this section for CO2 sequestration research and demonstration shall not revert until June 30, 2014;

(ii) Paragraph (c)(v) of this section for clean coal technology research shall not revert until June 30, 2014.

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(f) One hundred twenty thousand dollars (\$120,000.00) is appropriated from AML funds available to the department of environmental quality to be used by the department to contract for a qualified engineer to assess damages to houses or other residential structures located in Sweetwater County alleged to be caused by dynamic compaction. These assessments shall be completed within sixty (60) days after the effective date of this subsection, or within such time as the engineer may reasonably require. In making any settlement offer for damages assessed under this subsection the attorney general shall consider the opinions of the qualified engineer as to whether the damages were caused by dynamic compaction, and the amount of damages so caused if the engineer assesses the amount of damages, and shall make all settlement offers within one hundred twenty (120) days of completion of the assessment. All settlements subject to this subsection may be funded from AML funds available to the department. This subsection is effective immediately.

[AML FUNDING 2009-2010 FISCAL BIENNIUM REVERSION DATE CHANGES-1]

Section 321. 2008 Wyoming Session Laws, Chapter 48, as amended by 2009 Wyoming Session Laws, Chapter 159, creating a new Section 339(c)(vi), (d), (e)(i) and (iv) is amended to read:

Section 339.

(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

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section to the University of Wyoming for the period ending June 30, 2010 for the following projects:

(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. However, the university may use these funds to match substantial endowment gifts for an endowment for the reclamation ecology project which gifts and matching funds shall be administered in accordance with W.S. 21-16-901 through 21-16-904.

(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) (i), (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:

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(i) Paragraph (c)(i) for the clean coal partnership project shall not revert until June 30, ~~2012~~2014;

(iv) Paragraph (c)(iv) for CO2 sequestration research and demonstration shall not revert until June 30, ~~2012~~2014;

[AML FUNDING 2009-2010 FISCAL BIENNIUM REVERSION DATE CHANGES-2]

Section 322. This section is effective immediately. 2008 Wyoming Session Laws, Chapter 48, Section 320(e)(i) and (ii), as amended by 2009 Wyoming Session Laws, Chapter 159, Section 346 is amended to read:

Section 320.

(e) Except for funds subject to 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~~2012;

(ii) Paragraph (a)(vi) for the high plains gasification facility and technology center shall not revert until June 30, ~~2012~~2013;

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[CLEAN COAL PARTNERSHIP PROJECT]

Section 323.

As a condition of the authorization to expend funds appropriated for the joint UW/GE clean coal partnership project, the university shall, as soon as practicable, report to the governor, attorney general and joint appropriations interim committee any claim against the university or any of its employees or students for wrongful acts with regard to intellectual property of another, which claim is covered under insurance secured by the university regarding the clean coal partnership project.

[NCAR SUPERCOMPUTER - II]

Section 324. This section is effective immediately. 2007 Wyoming Session Laws, Chapter 136, Section 336(c)(intro), (i), (ii) and (e) as amended by 2009 Wyoming Session Laws, Chapter 159, Section 343 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. 9-2-407(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~~2013. The following amounts are appropriated:

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(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)~~ four million two hundred fifty thousand dollars (\$4,250,000.00) 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.

(ii) One million dollars (\$1,000,000.00) from the general fund to fund the memorandum of understanding ~~through~~ in fiscal year ~~2008~~ 2011. The university shall include a request for one million dollars (\$1,000,000.00) annually in its 2009-2010 biennial budget request to continue to fund the memorandum of understanding, which appropriation shall be separate from the university's block grant.

(e) Notwithstanding W.S. 9-4-207(a), 9-2-1008 and 9-2-1012(e), any funds from the appropriations under this section, including any transferred funds, that are unobligated and unencumbered on June 30, 2008, shall not lapse and shall remain available until June 30, ~~2010~~ 2013.

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[UNIVERSITY OF WYOMING - CAPITAL CONSTRUCTION AMENDMENTS REVISIONS TO PRIOR SESSION LAWS]

Section 325. 2006 Wyoming Session Laws, Chapter 35, Section 3, Section 067, as amended by 2007 Wyoming Session Laws, Chapter 136, Section 3, Section 067, footnote 3(a) and (b), as amended by 2008 Wyoming Session Laws, Chapter 48, Section 319, and footnote 2 to footnote 3(a), as amended by 2009 Wyoming Session Laws, Chapter 159, Section 344, 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 ~~\$1,100,000~~ 859,070
Engineering Labs \$2,000,000
Law School Moot Court ~~\$2,250,000~~ 2,247,380
School of Energy Resources Facility¹ ~~\$20,000,000~~ 18,468,550
International Center ~~\$1,750,000~~ 1,500,000
Other Lab and Facilities² ~~\$6,250,000~~ 3,275,000
Natural History Center \$10,000,000

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 to purchase the south lot property pursuant to this footnote shall

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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. The university may expend funds available under this footnote to raze existing structures on the property and to render the resulting space suitable for parking.

(b) ~~The university shall create a sinking fund for the purposes of operation and maintenance of facilities resulting from new construction built as a result of this appropriation. Funding for this sinking fund shall be from university sources and shall be in an amount equal to fifteen percent (15%) of the cost of new construction resulting from this appropriation~~ identify from university sources revenues sufficient to fund operations and maintenance of the School of Energy Resources facility and the Robert and Carol Berry Biodiversity Center, construction funding for both of which has been provided through private donations and state academic facilities matching funds. The university shall separately account for these revenues and expenditures and shall include in each biennial or supplemental budget request a report indicating the sources and amounts of revenues used and the expenditures for operations and maintenance for both these facilities during the preceding fiscal year.

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[ATHLETICS BRIDGE LOAN]

Section 326. 2008 Wyoming Session Laws, Chapter 48, Section 324(a) is amended to read:

Section 324.

(a) The purpose of this section is to authorize the university to receive a bridge loan from the corpus of the University of Wyoming permanent land fund account for the purpose of proceeding with construction of the remainder of the previous legislatively approved athletics facilities plan. The state treasurer shall invest funds in the University of Wyoming permanent land fund account in a bridge loan to the University of Wyoming which shall not exceed a total of four million three hundred thousand dollars (\$4,300,000.00) or the amount of binding commitments from donors which have been secured but not yet paid, whichever is less. The loan made under this section shall be repaid not later than December 31, 2011, and the unpaid balance of the loan shall bear interest at ~~five and thirty five hundredths percent (5.35%)~~ four and five-tenths percent (4.5%) annually.

[DISTANCE EDUCATION]

Section 327.

(a) There is created a center for distance learning and technology. The center shall use technology and other instructional strategies to enhance the effectiveness of existing distance learning programs offered by Wyoming institutions of higher education

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and the public schools and develop new techniques to support a modern, nonduplicative statewide system of effective distance education to serve Wyoming's citizens. This system shall be designed to accommodate distance education needs in Wyoming for training and professional education that is delivered by Wyoming school districts, Wyoming community colleges, the University of Wyoming and other entities. No funds appropriated under this section shall be expended for telecommunications equipment or telecommunications services without a competitive sealed bidding process.

(b) A distance learning council consisting of thirteen (13) members, experienced in the use, applications or administration of distance learning, shall provide advice to the governor's task force on distance education, video teleconferencing and IP based communications, established in November 2008, on the programs provided through the center. Members of the council shall be appointed by the governor as follows:

- (i) Three (3) members representing K-12 education in Wyoming;
- (ii) Three (3) members representing Wyoming community colleges;
- (iii) Three (3) members representing the University of Wyoming;
- (iv) Three (3) members representing other users of distance education, including but not limited to businesses, professional organizations and telehealth;
- (v) One (1) member from another state agency.

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(c) The governor shall designate a chair and vice-chair of the council from among the appointees. Appointments shall be for terms which expire on June 30, 2012. Members shall not receive a salary. Members who are not employees of state government or another entity of Wyoming government shall receive reimbursement for mileage and travel expenses incurred in attending meetings of the council in the same manner and amount as employees of the university.

(d) The task force shall hire a director with the approval of the governor and other staff for the center and shall approve the budget to operate the center and its programs. Informed by its 2009 report on distance education and video conferencing, the task force shall establish, implement, and modify, as necessary, plans for operation of the center.

(e) Not later than November 1, 2010, and November 1, 2011, the task force shall report to the governor and the joint appropriations interim committee regarding progress of the center and expenditures of appropriations authorized under this section. The November 1, 2011, report shall include a budget recommendation for the 2013-2014 fiscal biennium.

(f) The University of Wyoming shall provide administrative support to the council, including fiscal administration of the appropriation. The University of Wyoming shall provide physical space for the center.

(g) There is appropriated to the University of Wyoming from the general fund two million five hundred thousand dollars (\$2,500,000.00) subject to the following:

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(i) This appropriation shall not be included in the university's block grant;

(ii) The university shall separately account for this appropriation and shall expend it only subject to the direction of the task force;

(iii) Of this amount, not more than one million dollars (\$1,000,000.00) shall be expended or obligated prior to June 30, 2010;

(iv) Of this appropriation, one million five hundred thousand dollars (\$1,500,000.00) shall only be available for expenditure upon approval of the governor for purposes specified in this section.

(h) One million dollars (\$1,000,000.00) of the appropriations in this section is effective immediately as provided in paragraph (g)(iii). The remaining appropriations under this section shall be effective July 1, 2010. The balance of this section is effective immediately.

[STATEWIDE VIDEO CONFERENCING]

Section 328.

(a) During the period commencing March 15, 2010, through June 30, 2012, the state video task force appointed by the governor shall establish an effective state video conference capability that is technologically robust, expands video conferencing service capabilities and minimizes duplication among state agencies and government entities. The task force shall provide a progress report, to the governor and joint appropriations

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interim committee prior to the 2011 legislative session, and a subsequent report to the governor and the legislature not later than September 1, 2011.

(b) If the governor finds that satisfactory progress is being made toward implementation of an effective state video conference capability, the governor may approve expenditures from the appropriation under paragraph (c)(i) of this section to complete implementation of and provide for the operation of the system under the direction of the task force during the fiscal year commencing July 1, 2011. Prior to the expenditure of funds in paragraph (c)(i), the task force shall provide a report to the governor and joint appropriations interim committee not later than January 1, 2011 specifying:

(i) The progress toward full implementation of a state video conference capability that is technologically robust, expands video conferencing service capabilities and minimizes duplication among state agencies and government entities; and

(ii) A proposed budget for operating the state video conference capability for the period commencing July 1, 2011 and ending June 30, 2012 as well as the biennial budget period commencing July 1, 2012.

(c) There is appropriated from the general fund to the University of Wyoming one million seven hundred forty-seven thousand dollars (\$1,747,000.00) to be expended only as follows:

(i) One million dollars (\$1,000,000.00) upon approval of the governor for the purposes specified in subsection (b) of this section. No funds under this paragraph for

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the purchase or lease of telecommunications equipment or telecommunications services shall be expended without a competitive sealed bidding process;

(ii) Four hundred eighty-five thousand dollars (\$485,000.00) shall be available for expenditure of which one hundred fifty thousand dollars (\$150,000.00) shall be effective immediately to provide funding for a statewide video conferencing coordinator and video support. The remaining three hundred thirty-five thousand dollars (\$335,000.00) shall be available for a video conferencing coordinator and video conferencing support for the period July 1, 2010 to June 30, 2012;

(iii) Two hundred sixty-two thousand dollars (\$262,000.00) shall be expended to sustain the operations of the Wyoming video conferencing system, under the direction of the department of administration and information during the period July 1, 2010 and June 30, 2011;

(iv) These funds shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation on June 30, 2012, shall revert according to law; and

(v) These funds are subject to the following:

(A) This appropriation shall not be included in the university's block grant;

(B) The university shall separately account for this appropriation and shall expend it only subject to review and direction of the task force.

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(d) One hundred fifty thousand dollars (\$150,000.00) of the appropriations in this section is effective immediately as provided in paragraph (c)(ii). The remaining appropriations under this section shall be effective July 1, 2010. The balance of this section is effective immediately.

[AMERICAN RECOVERY AND REINVESTMENT ACT]

Section 329.

(a) Funds provided to the state pursuant to the American Recovery and Reinvestment Act of 2009, and any subsequent related economic stimulus federal legislation, 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 2013-2014 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 legislation only upon approval of the governor;

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

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(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.

(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, 2010 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, or any subsequent related economic stimulus federal legislation which allocates additional federal stimulus funding to state or local governments;

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(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.

[PUBLIC LIBRARY ENDOWMENT CHALLENGE FUND]

Section 330.

There is appropriated from the general fund to the public library endowment challenge fund created under W.S. 18-7-201 et seq., three million dollars (\$3,000,000.00) to be deposited, invested, distributed and expended in accordance with W.S. 18-7-201 through 18-7-205. Any unexpended, unobligated funds from the amounts appropriated under this section existing in the challenge fund on June 30, 2015 shall revert according to law.

[WYOMING PIPELINE AUTHORITY - BUDGET AUTHORIZATION]

Section 331.

(a) There is appropriated from the general fund to the Wyoming pipeline authority, one million two hundred six thousand nine hundred twenty-eight dollars (\$1,206,928.00) for operating expenses of the authority, including expenses for staff hired by the authority.

(b) The legislature hereby declares existing loan balances from loans made to the Wyoming pipeline authority pursuant to 2003 Wyoming Session Laws, Chapter 171, Section 4;

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2004 Wyoming Session Laws, Chapter 83, Section 3; 2004 Wyoming Session Laws, Chapter 95, Section 321; 2006 Wyoming Session Laws, Chapter 35, Section 304; 2008 Wyoming Session Laws, Chapter 48, Section 304, to be uncollectible and such loans shall be discharged and extinguished as an asset or account receivable of the state.

(c) Notwithstanding any provision of W.S. 37-5-101 through 37-5-208, commencing July 1, 2010, the authority shall not:

(i) Undertake any activity which would be engaging in a work of internal improvement under Wyoming Constitution Article 16, Section 6;

(ii) Encumber, obligate or expend any funds remaining from monies loaned to the authority under the provisions of any of the session laws specified in subsection (b) of this section.

(d) The joint minerals, business and economic development committee shall review the Wyoming pipeline authority created by W.S. 37-5-101(a) and determine the appropriate means to transition the authority from a body corporate operating as a state instrumentality to a state agency. The committee shall develop legislation for introduction in the 2011 general and budget session as necessary to do so.

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[WYOMING INFRASTRUCTURE AUTHORITY - BUDGET AUTHORIZATION]

Section 332.

(a) There is appropriated from the general fund to the Wyoming infrastructure authority, one million six hundred ninety-five thousand five hundred sixty-five dollars (\$1,695,565.00) for operating expenses of the authority, including expenses for staff hired by the authority.

(b) The legislature hereby declares existing loan balances from loans made to the Wyoming infrastructure authority pursuant to 2004 Wyoming Session Laws, Chapter 84, Section 4; 2005 Wyoming Session Laws, Chapter 191, Section 329; 2006 Wyoming Session Laws, Chapter 35, Section 305; 2008 Wyoming Session Laws, Chapter 48, Section 305, to be uncollectible and such loans shall be discharged and extinguished as an asset or account receivable of the state.

(c) Notwithstanding any provision of W.S. 37-5-301 through 37-5-408, commencing July 1, 2010, the authority shall not:

(i) Undertake any activity which would be engaging in a work of internal improvement under Wyoming Constitution Article 16, Section 6;

(ii) Encumber, obligate or expend any funds remaining from monies loaned to the authority under the provisions of any of the session laws specified in subsection (b) of this section.

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(d) The joint minerals, business and economic development committee shall review the Wyoming infrastructure authority created by W.S. 37-5-301(a) and determine the appropriate means to transition the authority from a body corporate operating as a state instrumentality to a state agency. The committee shall develop legislation for introduction in the 2011 general and budget session as necessary to do so.

[SCHOOL CAPITAL CONSTRUCTION]

Section 333.

(a) From amounts previously appropriated from the school capital construction account before the effective date of this section, the school facilities commission shall prior to July 1, 2010, expend or encumber up to eleven million seven hundred fifteen thousand nine hundred twelve dollars (\$11,715,912.00) for the following projects at the prescribed maximum amounts:

Planning Projects for the 2009-10 Biennium

Needs Index Priority	School District	Project	Maximum Amount
14	Laramie #1	Elementary School	\$ 50,000
19	Laramie #1	Elementary School	\$ 50,000
22	Fremont #1	Elementary School	\$ 50,000
24	Crook #1	Elementary School	\$ 50,000
37	Uinta #1	Middle School	\$ 50,000

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160	Carbon #2	Elementary School	\$ 50,000
Total			\$300,000

Design Projects for the 2009-10 Biennium

Needs

Index	School		Maximum
Priority	District	Project	Amount
1	Uinta #4	Middle School	\$ 750,551
8	Campbell #1	Alternative High School	\$ 410,000
14	Laramie #1	Elementary School	\$1,019,146
19	Laramie #1	Elementary School	\$ 680,799
22	Fremont #1	Elementary School	\$ 153,009
24	Crook #1	Elementary School	\$1,000,000
27	Sheridan #2	Elementary School	\$ 773,183
Total			\$4,786,688

Component Level Projects for the 2009-10 Biennium

Needs

Index	School			Maximum
Priority	District	Project	Description	Amount
43	Sweetwater #2	Elementary School	Demolition	\$ 180,000
72	Big Horn #2	High School	Paving	\$ 350,000
72	Big Horn #2	High School	Mechanical work	\$1,500,000
92	Lincoln #2	Middle School	Bus drop off	\$ 120,000

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102	Goshen #1	High School	Fire Marshall issues	\$3,300,000
113	Fremont #25	Administration Building	Partial demolition	\$ 121,224
113	Fremont #25	Administration Building	Site work	\$ 150,000
134	Fremont #25	Elementary School	Bus drop off	\$ 150,000
Total				\$5,871,224

Land Acquisitions for the 2009-10 Biennium

Needs

Index	School		Maximum
Priority	District	Project	Amount
324	Johnson #1	Future Elementary School	\$ 428,000
N/A	Campbell #1	Future Elementary School	\$ 330,000
Total			\$ 758,000

(b) The following amounts are appropriated from the school capital construction account to the school facilities commission for the 2011-2012 fiscal biennium and for the purposes specified:

(i) Up to one hundred thirty-three million one hundred eighty-one thousand seven hundred seven dollars (\$133,181,707.00) for the following school capital construction projects, subject to the prescribed maximum amounts:

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Needs Index Priority	School District	Project	Maximum Amount
1	Uinta #4	Middle School	\$ 24,597,284
3	Uinta #1	Alternative High School	\$ 4,758,000
9	Sublette #9	Elementary School	\$ 10,431,000
12	Natrona #1	Elementary School	\$ 9,857,444
14	Laramie #1	Elementary School	\$ 15,028,875
19	Laramie #1	Elementary School	\$ 10,568,250
21	Lincoln #1	Phase 1 of 3 phases for a High School	\$ 5,490,000
22	Fremont #1	Elementary School	\$ 15,910,854
25	Natrona #1	Phase 1 of 3 phases for a High School	\$ 7,320,000
25	Natrona #1	Phase 1 of 3 phases for a High School	\$ 7,320,000
27	Sheridan #2	Elementary School	\$ 11,490,790
30	Park #1	Westside Elementary School	\$ 11,411,355
Total			\$134,183,852

(ii) Up to eighteen million dollars (\$18,000,000.00) for school component level projects, to include the following projects subject to the prescribed maximum amounts:

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Needs Index Priority	School District	Project	Description	Maximum Amount
8	Campbell #1	Alternative High School	Building improvements	\$ 8,197
45	Park #16	K-12 School	Renovation	\$ 5,300,000
47	Campbell #1	Elementary School	Media center, KG classroom, & HVAC upgrade	\$ 1,643,000
50	Fremont #2	High School	HS gym wall repair	\$ 200,000
121	Park #1	Middle School	Kitchen & MS Cafeteria Addition	\$ 3,848,281
138	Campbell #1	Elementary School	KG classroom & HVAC upgrade	\$ 810,000
151	Campbell #1	Elementary School	KG classroom & HVAC upgrade	\$ 1,350,000
171	Uinta #1	High School	Roof replacement	\$ 1,800,000
211	Albany #1	Elementary School	Classroom addition	\$ 644,531
224	Fremont #2	Elementary/Middle School	Roof and HVAC	\$ 1,310,000
Total				\$16,914,009

(c) If the maximum amounts appropriated under subsection (b) of this section are not sufficient to complete a specified project:

(i) Any appropriation for a lower priority project under paragraph (b)(i) of this section and any excess amount for a completed higher priority project under that paragraph may be expended by the school facilities commission as necessary to complete the underfunded project, and likewise for projects authorized under paragraph (b)(ii) of this section within amounts appropriated under that paragraph;

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(ii) Any funds appropriated under paragraph (b)(i) of this section may be used to complete any project under that paragraph as long as no higher priority project has been identified, based upon estimates, as being underfunded, and likewise for projects authorized under paragraph (b)(ii) of this section for amounts appropriated under that paragraph;

(iii) The school facilities commission may expend amounts reappropriated to the capital construction account under paragraph (g)(ii) of this section to the extent necessary to fund those projects authorized under subsection (b) of this section;

(iv) Except as otherwise specified in this section, expenditures under this section shall be in the order of priority as specified in the July 2009 facility needs assessment conducted by the commission under W.S. 21-15-115(b).

(d) The school facilities commission may obligate and encumber amounts reappropriated under paragraph (g)(ii) of this section to fund capital construction projects which are in addition to and for which funds are not appropriated under subsection (b) of this section. Expenditures under this subsection shall be for the 2011-2012 fiscal biennium and are subject to the following:

(i) An expenditure shall not be made under this subsection if any capital construction or component level project authorized under subsection (b) of this section has been identified, based upon estimates, as underfunded;

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(ii) The total amount expended under this subsection and paragraph (c)(iii) of this section, including amounts appropriated under subsection (b) of this section, shall not exceed one hundred eighty-one million four hundred thirty-eight thousand ninety-three dollars (\$181,438,093.00), as computed by applying an eight and five-tenths percent (8.5%) reduction to the total cost estimated by the commission for each project included in its 2009 annual report to the governor and select school facilities committee submitted pursuant to W.S. 21-15-121 on September 1, 2009;

(iii) Expenditures shall be prioritized in accordance with paragraph (c)(iv) of this section and include the following capital construction projects in addition to those projects authorized under paragraph (b)(i) of this section:

Needs Index Priority	School District	Project	Maximum Amount
35	Sweetwater #1	New 5-6 Elementary School	\$ 14,311,039
40	Campbell #1	Lakeview Elementary School	\$ 14,943,202
Total			\$ 29,254,241

(iv) If, after conditions specified under paragraph (i) of this subsection have been met, the amount reappropriated under paragraph (g)(ii) of this section is not sufficient to complete a project as estimated subsequent to encumbrances for that project under this subsection, the authority to reallocate funds under paragraphs (c)(i) and (ii) shall apply subject to the expenditure threshold prescribed under paragraph (ii) of this subsection.

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(e) Subject to paragraph (d)(ii) of this section, expenditures may fund any unanticipated and emergency need of any district building, as determined by the commission and for which district major maintenance funds are insufficient. Expenditures under this subsection shall be reported by the commission to the select school facilities committee within the monthly report required under subsection (h) of this section.

(f) This section shall not prohibit the commission from obligating and otherwise encumbering funds for any project authorized under subsection (b) of this section prior to obligating and encumbering funds for a higher priority project if funds are capable of being obligated to that lower priority project in advance of commitment of funds to the higher priority project, provided the obligation of funds does not reduce or otherwise expend any amounts appropriated to the higher priority project except as provided under subsection (c) of this section. This subsection also applies to the extent funds are obligated and otherwise encumbered for any project under subsection (d) of this section.

(g) Notwithstanding W.S. 21-15-122(a), amounts that were to be deposited into the common school permanent land fund on June 30, 2010 pursuant to that subsection, shall not be deposited in accordance with W.S. 21-15-122(a). Those funds and other funds within the school capital construction account shall be subject to the following from the effective date of this section through June 30, 2012:

(i) An amount necessary to restore the balance within the school foundation program account to an amount equal to forty million dollars (\$40,000,000.00) on June 30, 2012, shall be deposited into the school foundation program account;

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(ii) Notwithstanding W.S. 9-2-1008, 9-2-1012(e) and 9-4-207(a), any unexpended, unobligated previously appropriated funds remaining within the school capital construction account as of June 30, 2010, shall not revert on June 30, 2010, and any other amounts which would revert to the school capital construction account pursuant to law during the 2011-2012 fiscal biennium, are hereby reappropriated for purposes of subsections (b) through (d) of this section for the period commencing July 1, 2010, and ending June 30, 2012;

(iii) Any unappropriated, unexpended, unobligated funds within the school capital construction account, following reduction for the amounts appropriated from the account pursuant to this section and amounts deposited into the school foundation program account under paragraph (i) of this subsection, shall be continuously deposited into a common school permanent land fund holding account from the effective date of this section through the period ending June 30, 2012. Amounts within the holding account shall on June 30, 2012, be transferred to the common school permanent land fund as provided for funds within the school capital construction account under W.S. 21-15-122(a)(ii).

(h) The school facilities commission shall report monthly to the select school facilities committee in a matrix format depicting all capital construction projects and component level projects which have encumbered funds pursuant to this section. For each project, the monthly matrix report shall provide the total amount encumbered, the total amount expended, the total amount unexpended and the total unexpended amount for that project which are expended for other projects.

(j) In addition to subsection (h) of this section and on or before May 1, 2010, the school facilities commission shall hold a public hearing in Big Horn, Wyoming, for

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purposes of addressing maintenance and construction options for the Sheridan county school district no. 1 elementary school facility at Big Horn, Wyoming. The commission shall report to the select school facilities committee and the joint appropriations committee on recommendations for remedial action necessary to address the adequacy needs of this facility.

(k) In addition to amounts appropriated under subsection (a) of this section, three million six hundred eleven thousand seven hundred fifty-five dollars (\$3,611,755.00) is appropriated to the school facilities commission from amounts previously appropriated to the commission from the school capital construction account before the effective date of this section. Following completion of the public hearing and reporting to the select school facilities committee and the joint appropriations committee as required under subsection (j) of this section, and upon approval by the governor, the appropriation under this subsection shall be expended by the commission to correct the state's incomplete remediation of the Big Horn middle and high school facilities in Sheridan county school district no. 1, in order to avoid jeopardizing the occupancy of the newly constructed portion of this facility. This appropriation shall be combined with five million one hundred twenty-eight thousand nine hundred thirty-two dollars (\$5,128,932.00), as estimated by the commission on February 22, 2010, to be unexpended and unencumbered from allocated amounts for this remedy following completion of prior phases of this project, to fund completion of the facility remedy correction as directed by this subsection.

(m) This section is effective immediately.

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[SCHOOL FINANCE RECALIBRATION]

Section 334.

(a) The select committee on school finance recalibration is created consisting of the following members:

(i) Not more than six (6) members of the Wyoming senate appointed by the president of the senate, one (1) of whom shall be the chairman of the senate education committee, one (1) shall be the chairman or vice-chairman of the select committee on school facilities and one (1) shall be the chairman of the senate appropriations committee;

(ii) A number of members of the Wyoming house of representatives equal to the number of Wyoming senators appointed under paragraph (i) of this subsection not to exceed a total of six (6) house members, appointed by the speaker of the house of representatives with one (1) member to be the chairman of the house education committee, one (1) to be the chairman or vice-chairman of the select committee on school facilities and one (1) to be the chairman of the house appropriations committee;

(iii) At least two (2) members from each house shall be from the minority party;

(iv) Except for the chairman of the house and senate education committees, the president of the senate and the speaker of the house may upon request, appoint a designee

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of any committee chairman or vice-chairman comprising the select committee appointments under this subsection.

(b) The chairman of the senate education committee and the chairman of the house education committee shall serve as the cochairmen of the select committee. The select committee shall undertake a study to recalibrate the education resource block grant model as required under W.S. 21-13-309(t) to determine if modifications are necessary to ensure the model remains effective and cost-based in light of changing conditions and modifications to law. Recalibration shall be based upon maintaining a block grant model that meets the diverse needs and potentials of students and sustains and promotes excellence in educational achievement, facilitating access to higher education or furthering the development of career-technical skills. In conducting its work, the select committee shall encourage the active participation of parents, educators, district school board members, businesses, taxpayers and foundations, members of the state board of education and state agency personnel. The department of education, school districts and the school data advisory committee established under W.S. 21-2-203 shall collect and provide the information requested by the committee. The recalibration study shall include, but is not limited to, the following activities:

(i) Review the components of the educational model, using demonstrated results or research-based studies, to assess the effectiveness of the components in supporting quality education and determine if any component should be eliminated, added, modified or maintained;

(ii) Evaluate school districts' divergence from the educational model and assess the effects of the divergence on a cost-based quality education;

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(iii) Review recommendations from teachers and administrators regarding effective instruction and the ability of teachers to convey effective instruction given their clerical, testing and administrative duties;

(iv) Determine:

(A) The costs of model components;

(B) Whether the present level of funding is adequate and appropriate in meeting intended goals; and

(C) The best means of providing funds to school districts to provide quality education.

(v) Consider the extent that federal funds may be applied towards the state's funding obligations;

(vi) Review methods of assessment of student achievement under the current model and recommend student assessment policies and procedures in the recalibrated system of education.

(c) The select committee shall report its recommendations and any associated legislation to the legislature in time for consideration during the 2011 general session. The select committee may introduce legislation as other committees of the legislature.

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(d) Appointments shall be made under this section not later than March 15, 2010. Members shall serve on the select committee through the 2011 general session. Any vacancy occurring on the select committee shall be filled by the president or speaker, as appropriate, prior to the commencement of the 2011 general session.

(e) For the period beginning on the effective date of this section and ending June 30, 2011, there is appropriated from the school foundation program account to the legislative service office fifty thousand dollars (\$50,000.00) to fund necessary expenses of the select committee as necessary to carry out this section.

(f) Notwithstanding W.S. 9-2-1008, 9-2-1012(e) and 9-4-207(a), any unexpended, unobligated monies appropriated from the school foundation program account to the attorney general under 2008 Wyoming Session Laws, Chapter 48, Section 2, Section 015, for purposes of the school finance litigation law office, shall to the extent necessary to fund the amounts reappropriated under this subsection, not revert on June 30, 2010. The following amounts are hereby reappropriated from these funds as follows:

(i) To the department of education, up to three hundred fifty thousand dollars (\$350,000.00) is appropriated for, and the department is authorized, two (2) at-will positions in accordance with W.S. 9-2-1022(a)(xi)(F), for the period commencing on the effective date of this section and ending June 30, 2011. These positions shall support school finance data collection and analysis in the recalibration of the block grant funding model, as necessary to support the school finance recalibration committee established under subsection (a) of this section. In expending this appropriation, the department shall fill both at-will positions by no later than May 15, 2010; and

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(ii) To the legislative service office, an amount up to one million five hundred thousand dollars (\$1,500,000.00) is appropriated for the period beginning on the effective date of this section and ending June 30, 2012, for professional consulting expertise and other support necessary to support the work of the select school finance recalibration committee established under subsection (a) of this section. Funds appropriated under this paragraph shall be expended in accordance with contractual agreement entered into between the management council and professional consultants.

(g) This section is effective immediately.

[LOCAL GOVERNMENT DISTRIBUTIONS]

Section 335.

(a) From funds within the permanent Wyoming mineral trust fund reserve account which, except for section 301 of this act, would be deposited to the permanent Wyoming mineral trust fund pursuant to W.S. 9-4-719(b) on June 30, 2010, there is appropriated twenty million dollars (\$20,000,000.00) and from the general fund there is appropriated sixty-seven million four hundred fifty-six thousand five hundred sixty dollars (\$67,456,560.00) to the office of state lands and investments to be allocated pursuant to the following and as further provided in this section:

(i) Two-thirds (2/3) of eighty-nine percent (89%) of the total amount appropriated, for direct distribution to cities and towns;

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(ii) One-third (1/3) of eighty-nine percent (89%) of the total amount appropriated, for direct distribution to counties;

(iii) Five and one-half percent (5.5%) of the total amount appropriated, for distribution to revenue challenged cities and towns;

(iv) Five and one-half percent (5.5%) of the total amount appropriated, for distribution to revenue challenged counties.

[CITY AND TOWN DIRECT DISTRIBUTION ALLOCATIONS]

(b) Funds appropriated in paragraph (a)(i) of this section are to be distributed to cities and towns in two (2) equal distributions on August 15, 2010 and on August 15, 2011, subject to the following:

(i) From these distributions each city or town with a population of thirty-five (35) or less shall first receive five thousand dollars (\$5,000.00) and each city or town with a population over thirty-five (35) shall first receive ten thousand dollars (\$10,000.00). From the remainder each city and town shall receive amounts in accordance with a municipal supplemental funding formula as provided in this paragraph with each city or town receiving amounts in the proportion which the adjusted population of the city or town bears to the adjusted population of all cities and towns in Wyoming. The municipal supplemental funding formula shall be calculated by the office of state lands and investments as follows:

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(A) Calculate the per capita distribution of sales and use tax revenues for the fiscal year beginning July 1, 2008 and ending June 30, 2009 to each county, including distributions to each city and town within that county, under W.S. 39-15-111 and 39-16-111, but excluding the distribution exclusively to counties under W.S. 39-15-111(b)(iii) made from an amount equivalent to one percent (1%) of the tax collected under W.S. 39-15-104, and excluding the distribution exclusively to counties under W.S. 39-16-111(b)(iii) made from an amount equivalent to one percent (1%) of the tax collected under W.S. 39-16-104;

(B) Arrange the counties in ascending order by the per capita distribution calculated;

(C) Following the arrangement of counties in subparagraph (B) of this paragraph, list the population of each city and town within the county;

(D) Apply the appropriate adjustment factor determined in subdivisions (I) through (V) of this subparagraph for a county to each city and town within that county:

(I) Beginning with the county with the lowest per capita distribution, an adjustment factor of one and one-half (1.5) shall be applied to each county listed under subparagraph (B) of this paragraph, so long as its incorporated population plus the incorporated population of each county with a lower per capita distribution is within the lowest tenth percentile. The adjustment factor shall be applied for each of these counties by multiplying the incorporated population of the county by one hundred fifty percent (150%);

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(II) An adjustment factor determined under this subdivision shall be applied to the county with the next higher per capita distribution not qualifying for the adjustment factor under subdivision (I) of this subparagraph. The adjustment factor for this county shall be determined by:

(1) Multiplying by one hundred fifty percent (150%) that portion of the incorporated population of that county which is within the lowest tenth percentile;

(2) Multiplying by one hundred twenty-five percent (125%) the incorporated population of that county which is within the lowest twentieth percentile and at or above the tenth percentile;

(3) If applicable, multiplying by one hundred percent (100%) the incorporated population of that county which is at or above the twentieth percentile;

(4) Dividing the sum of the products of subdivisions (II)(1) through (3) of this subparagraph by the incorporated population of that county.

(III) If an adjustment factor has not been applied under subdivision (I) or (II) of this subparagraph, an adjustment factor of one and one-quarter (1.25) shall be applied to each county listed under subparagraph (B) of this paragraph, so long as its incorporated population plus the incorporated population of each county with a lower per capita distribution does not exceed the twentieth percentile. The adjustment

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factor shall be applied for each of these counties by multiplying the incorporated population of the county by one hundred twenty-five percent (125%);

(IV) An adjustment factor determined under this subdivision shall be applied to the next higher listed county not qualifying for the adjustment factor under subdivision (III) of this subparagraph. The adjustment factor for this county shall be determined by:

(1) Multiplying by one hundred twenty-five percent (125%) that portion of the incorporated population of that county which is within the lowest twentieth percentile;

(2) Multiplying by one hundred percent (100%) the incorporated population of that county which is at or above the lowest twentieth percentile;

(3) Dividing the sum of the products of subdivisions (IV)(1) and (2) of this subparagraph by the incorporated population of that county.

(V) An adjustment factor of one (1) shall be applied to the remaining counties.

(E) Distribute the remainder of the revenues under this paragraph on a per capita basis using the total adjusted population for all cities and towns and the adjusted population for each city or town as calculated under subparagraph (D) of this paragraph;

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(F) As used in this paragraph:

(I) A county's "incorporated population" means the population of all cities and towns within the county;

(II) "Percentile" means that portion of the incorporated population as listed in the arrangement of cities and towns under subparagraphs (B) and (C) of this paragraph.

[COUNTY DIRECT DISTRIBUTION ALLOCATIONS]

(c) Funds appropriated in paragraph (a)(ii) of this section are to be distributed to counties in two (2) equal distributions on August 15, 2010 and on August 15, 2011. From these distributions each county shall receive the following:

(i) An equal share of fifteen percent (15%) of the total amount to be distributed; and

(ii) Of the remaining eighty-five percent (85%), an amount to be distributed to each county in the proportion each county's population bears to the total population of the state.

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[CITY AND TOWN REVENUE CHALLENGED ALLOCATIONS]

(d) Funds appropriated in paragraph (a)(iii) of this section are to be distributed to eligible cities and towns in two (2) equal distributions on August 15, 2010 and on August 15, 2011, subject to the following:

(i) Each eligible city and town shall receive amounts in accordance with a municipal supplemental funding formula as provided in this paragraph. The municipal supplemental funding formula shall be calculated by the office of state lands and investments as follows:

(A) Calculate the per capita distribution of sales and use tax revenues for the period beginning July 1, 2008 and ending June 30, 2009 to each county, including distributions to each city and town within that county, under W.S. 39-15-111 and 39-16-111, but excluding the distribution exclusively to counties under W.S. 39-15-111(b)(iii) made from an amount equivalent to one percent (1%) of the tax collected under W.S. 39-15-104, and excluding the distribution exclusively to counties under W.S. 39-16-111(b)(iii) made from an amount equivalent to one percent (1%) of the tax collected under W.S. 39-16-104;

(B) Arrange the counties in ascending order by the per capita distribution calculated;

(C) Following the arrangement of counties in subparagraph (B) of this paragraph, list the population of each city and town within the county;

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(D) Apply the appropriate adjustment factor determined in subdivisions (I) through (V) of this subparagraph for a county to each city and town within that county:

(I) Beginning with the county with the lowest per capita distribution, an adjustment factor of one and one-half (1.5) shall be applied to each county listed under subparagraph (B) of this paragraph, so long as its incorporated population plus the incorporated population of each county with a lower per capita distribution is within the lowest tenth percentile. The adjustment factor shall be applied for each of these counties by multiplying the incorporated population of the county by one hundred fifty percent (150%);

(II) An adjustment factor determined under this subdivision shall be applied to the county with the next higher per capita distribution not qualifying for the adjustment factor under subdivision (I) of this subparagraph. The adjustment factor for this county shall be determined by:

(1) Multiplying by one hundred fifty percent (150%) that portion of the incorporated population of that county which is within the lowest tenth percentile;

(2) Multiplying by one hundred twenty-five percent (125%) the incorporated population of that county which is within the lowest twentieth percentile and at or above the tenth percentile;

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(3) If applicable, multiplying by one hundred percent (100%) the incorporated population of that county which is at or above the twentieth percentile;

(4) Dividing the sum of the products of subdivisions (II)(1) through (3) of this subparagraph by the incorporated population of that county.

(III) If an adjustment factor has not been applied under subdivision (I) or (II) of this subparagraph, an adjustment factor of one and one-quarter (1.25) shall be applied to each county listed under subparagraph (B) of this paragraph, so long as its incorporated population plus the incorporated population of each county with a lower per capita distribution does not exceed the twentieth percentile. The adjustment factor shall be applied for each of these counties by multiplying the incorporated population of the county by one hundred twenty-five percent (125%);

(IV) An adjustment factor determined under this subdivision shall be applied to the next higher listed county not qualifying for the adjustment factor under subdivision (III) of this subparagraph. The adjustment factor for this county shall be determined by:

(1) Multiplying by one hundred twenty-five percent (125%) that portion of the incorporated population of that county which is within the lowest twentieth percentile;

(2) Multiplying by one hundred percent (100%) the incorporated population of that county which is at or above the lowest twentieth percentile;

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(3) Dividing the sum of the products of subdivisions (IV)(1) and (2) of this subparagraph by the incorporated population of that county.

(V) An adjustment factor of one (1) shall be applied to the remaining counties.

(E) From the adjusted population of a city or town as calculated in subparagraphs (A) through (D) of this paragraph, subtract the actual population of the city or town to determine the resulting population adjustment. Distribute the funding under this paragraph in the proportion which the population adjustment of the city or town bears to the population adjustments of all cities and towns in Wyoming as calculated under subparagraph (D) of this paragraph;

(F) As used in this paragraph:

(I) A county's "incorporated population" means the population of all cities and towns within the county;

(II) "Percentile" means that portion of the incorporated population as listed in the arrangement of cities and towns under subparagraphs (B) and (C) of this paragraph.

[COUNTY REVENUE CHALLENGED ALLOCATIONS]

(e) Funds appropriated in paragraph (a)(iv) of this section are to be distributed to eligible counties in two (2) equal distributions on August 15, 2010 and on August 15,

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2011. The office of state lands and investments shall calculate the amounts to be distributed to eligible counties as determined by this subsection as follows:

(i) Multiply each county's total assessed valuation for tax year 2009 by twelve mills (.012). This amount shall represent the county property tax available;

(ii) Calculate the sum of the following to determine the county funding need:

(A) One million two hundred thousand dollars (\$1,200,000.00); plus

(B) The product of the county population from zero (0) to five thousand (5,000) multiplied by one hundred sixty dollars (\$160.00); plus

(C) The product of the county population from five thousand one (5,001) to twenty-five thousand (25,000) multiplied by one hundred thirty dollars (\$130.00); plus

(D) The product of the county population above twenty-five thousand (25,000) multiplied by one hundred dollars (\$100.00).

(iii) Calculate the property tax shortfall for each county by subtracting the property tax available as determined by paragraph (i) of this subsection from the county funding need as determined by paragraph (ii) of this subsection. If the amount is greater than zero (0), the county shall be eligible for distribution of money under this subsection;

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(iv) The amount distributed under this subsection to each eligible county shall be in the proportion that the county's property tax shortfall bears to the total property tax shortfall of all counties eligible to receive a distribution under this subsection.

(f) For purposes of this section, population is to be determined by resort to the latest decennial federal census as updated by the bureau of census.

[SELECT COMMITTEE ON DEVELOPMENTAL PROGRAMS]

Section 336.

(a) There is created the select committee on developmental/intellectual programs consisting of the following members:

(i) Three (3) members of the Wyoming senate appointed by the president of the senate, at least one (1) of whom shall be a member of the senate labor, health and social services committee and not more than two (2) of whom shall be from the same political party;

(ii) Four (4) members of the Wyoming house of representatives appointed by the speaker of the house of representatives, at least two (2) of whom shall be members of the house labor, health and social services committee, one (1) of whom shall be a member of the house appropriations committee, and not more than three (3) of whom shall be from the same political party.

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(b) The president of the senate and the speaker of the house of representatives shall each appoint a cochairman of the select committee.

(c) The committee shall analyze data provided by service providers for persons with developmental disabilities and service provider organizations to determine the fiscal viability of providers following the 2009 implementation of cost-based reimbursement payments.

(d) The committee shall determine:

(i) Whether providers have reduced staffing levels and whether the providers' staffing levels are adequate to meet the requirements of plans of care;

(ii) Whether the providers have fiscal reserves;

(iii) The ratio of providers' management and administrative employees to direct patient care employees;

(iv) Other factors affecting the providers' fiscal viability.

(e) The committee shall report on new methods of providing services to persons with developmental disabilities, including alternative methods tested in Wyoming or in other states within the last three (3) years.

(f) The committee shall report on the legality and practicality of parents creating limited liability companies or other business entities to design services for their

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children with disabilities, including a review of other states' models for parents providing for the extraordinary needs of their children with developmental disabilities.

(g) The committee shall study the effects of dual diagnosis on service provision and budgets. The study shall consider:

(i) An assessment tool to quantify the additional needs of persons with mental illness and developmental disabilities;

(ii) Best practices for plans of care;

(iii) Cooperation with the center for medicare and medicaid services of the United States department of health and human services to incorporate services into waivers if appropriate.

(h) The committee shall identify system changes for improvement in the delivery of services to persons with developmental disabilities and sponsor necessary legislation implementing committee recommendations.

(j) The committee shall request and examine the budgets, balance statements and financial statements for residential treatment providers receiving funding from the state of Wyoming to verify staffing levels, staff salaries, overhead and profits.

(k) The committee shall report to the legislature and the governor not later than October 1, 2010 on conclusions and recommendations developed under subsections (c) through (h) of this section.

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(m) The committee shall exist until December 31, 2010.

(n) Twenty-nine thousand dollars (\$29,000.00) is appropriated from the general fund to the legislative service office to fund activities of the select committee.

(o) This section is effective immediately.

[WILDLIFE TRUST CHALLENGE ACCOUNT]

Section 337. 2008 Wyoming Session Laws, Chapter 48, Section 326(a) and (b) is amended to read:

Section 326.

(a) The Wyoming wildlife trust challenge account created by 2006 Wyoming Session Laws, Chapter 35, Section 320 is continued. Any unexpended, unobligated monies appropriated from the general fund to the account by 2006 Wyoming Session Laws, Chapter 35, Section 320 shall not revert on June 30, ~~2008~~2010 and shall remain in the account for the purpose of providing a state match pursuant to subsections (c) through (e) of this section. Unexpended, unobligated monies in the account on June 30, ~~2010~~2012 shall revert as provided by law. The state treasurer shall invest monies within the account and shall deposit the earnings from investments to the general fund.

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(b) To the extent funds are available in the wildlife trust challenge account, the state treasurer shall match gifts actually received during the donation period provided in this subsection by the Wyoming wildlife and natural resource trust account board. A match shall be paid under this section by the state treasurer following any accumulated gift amounts actually received by the Wyoming wildlife and natural resource trust account board in a total of five thousand dollars (\$5,000.00) or more. The match shall be made by transferring from the wildlife trust challenge account to the Wyoming wildlife and natural resource trust account created by W.S. 9-15-103(a) an amount equal to the accumulated amount of the gift. The match applies to gifts received during the donation period commencing July 1, 2006 and ending June 30, ~~2010~~2012.

[OUT OF STATE TRAVEL AND PUBLICATIONS RESTRICTIONS]

Section 338.

(a) For the period beginning July 1, 2010 and ending March 31, 2011, no expenditure of funds in excess of the amounts provided in this section, appropriated under this act, shall be made for out of state travel, publications or advertising without the approval of the director of the agency making the expenditure, in accordance with requirements set forth in an executive order to be issued by the governor no later than July 1, 2010. Each month this limitation is in place, each director shall furnish to the budget division of the department of administration and information, the amount of each expenditure for out of state travel, publications and for advertising, along with a statement of the director's reasons for approving each expenditure. The budget division shall compile all agency expenditure reports monthly and submit the compilation to the

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legislative service office for distribution to the joint appropriations interim committee.

(b) All agencies shall submit a report to the department of administration and information by December 1, 2010, setting out all anticipated publications, advertising and out of state travel expenditures for the period beginning April 1, 2011 and ending June 30, 2012. Except as approved in the 2011 supplemental budget bill, no expenditures of funds in excess of the amounts provided in this section, appropriated under this act, shall be made by any agency for publications, advertising or out of state travel after April 1, 2011. Transfers of funding through the B-11 process as authorized by W.S. 9-2-1005(b)(ii) for these purposes are not subject to this section.

(c) As used in this section:

(i) "Agency" means the state of Wyoming or any of its executive branch agencies, authorities, departments, boards, commissions, councils, instrumentalities, offices, separate operating agencies or units, or institutions, including the university and community colleges;

(ii) "Director" means the director of the agency or the administrative head of the agency for those agencies with no director;

(iii) Expenditure of funds subject to this section shall include only:

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(A) For out of state travel, those expenditures in excess of one thousand dollars (\$1,000.00) as payment or reimbursement for any one (1) individual employee for any single out of state trip;

(B) For publications, those expenditures in excess of five thousand dollars (\$5,000.00) for any single issue of a publication;

(C) For advertising, those expenditures in excess of five thousand dollars (\$5,000.00) paid to any single vendor for advertising services.

(d) The governor may by executive order exempt any agency from the requirements of this section, increase or decrease the amounts specified in paragraph (c)(iii) of this section or modify any of the reporting requirements of this section if he finds the data which would be provided would not be meaningful or the requirement is unduly burdensome. If the governor exempts an agency or modifies any amount or reporting requirement he shall report to the joint appropriations interim committee the exemption or modification and an explanation for the exemption or modification.

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[STATE AGENCY CONTRACTUAL SERVICES]

Section 339.

(a) For the period beginning July 1, 2010 and ending March 31, 2011, no contract for services shall be entered into without the approval of the director of the agency making the expenditure, in accordance with requirements set forth in an executive order to be issued by the governor no later than July 1, 2010. Each month this limitation is in place, each director shall furnish to the budget division of the department of administration and information, the amount of each contract for services, along with a statement of the director's reasons for approving each expenditure. The budget division shall compile all agency reports on contracts under this section monthly and submit the compilation to the legislative service office for distribution to the joint appropriations interim committee.

(b) All agencies shall submit a report to the department of administration and information by December 31, 2010, setting out all anticipated contractual services expenditures for the period beginning April 1, 2011 and ending June 30, 2012. Except as approved in the 2011 supplemental budget bill, no expenditures of general funds appropriated under this act shall be made by any agency for contractual services after April 1, 2011. Transfers of funding through the B-11 process as authorized by W.S. 9-2-1005(b)(ii) for these purposes are not subject to this section.

(c) As used in this section:

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(i) "Agency" means the state of Wyoming or any of its executive branch agencies, authorities, departments, boards, commissions, councils, instrumentalities, offices, separate operating agencies or units, or institutions, including the university and community colleges;

(ii) "Contract for services" means those contracts for services funded from 900 series appropriations;

(iii) "Director" means the director of the agency or the administrative head of the agency for those agencies with no director.

(d) The governor may by executive order exempt any agency from the requirements of this section or otherwise modify any of the reporting requirements of this section if he finds the data which would be provided would not be meaningful or the requirement is unduly burdensome. If the governor exempts an agency or modifies any reporting requirement he shall report to the joint appropriations interim committee the exemption or modification and an explanation for the exemption or modification.

[SCHOOL FACILITIES COMMISSION-POST-AUDIT ACCOUNTING]

Section 340.

(a) Based upon findings and recommendations contained in the independent audit of the school facilities commission undertaken pursuant to 2009 Wyoming Session Laws, Chapter 207, Section 2, the department of audit shall conduct an accurate accounting of total costs of all projects receiving funds from the school capital construction account

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for the preceding four (4) fiscal biennial periods ending with the 2009-2010 biennium, including transfers of funds between projects during those periods. The accounting shall include independent consultations with commission field representatives responsible for total project costs and with the governor's legislative liaison for school facilities. The accounting shall be undertaken in sufficient time to report findings to the select committee on school facilities by September 1, 2010.

(b) For the period beginning on the effective date of this section and ending December 31, 2010, and for purposes of conducting the accounting required under this section, the department of audit is authorized an additional two (2) part-time, time limited positions. Seventy thousand dollars (\$70,000.00) is appropriated to the department of audit from the school capital construction account for purposes of this section.

(c) This section is effective immediately.

[SCHOOL FACILITIES COMMISSION REORGANIZATION STUDY]

Section 341.

(a) In accordance with W.S. 9-2-1701 through 9-2-1707, the select school facilities committee shall study and prepare a plan for the reorganization of the school facilities commission established under W.S. 21-15-113, including the commission director and commission staff authorized under W.S. 21-15-114(c). On or before September 1, 2010, the plan shall be submitted to the joint appropriations committee and made available to the public. The joint appropriations committee shall hold at least one (1) public hearing on

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the proposed plan and shall submit final recommendations to the legislature in sufficient time for consideration in the 2011 general session. The plan, as approved by the legislature, shall be implemented not later than July 1, 2011. The reorganization plan required under this section shall include the following components of the statewide school capital construction system:

(i) The major building and facility repair and replacement program established under W.S. 21-15-109;

(ii) The statewide standards for school building and facility adequacy and the assessment of the inventory of school buildings and facilities under the adequacy standards as provided under W.S. 21-15-115;

(iii) The school district facility planning process created under W.S. 21-15-116;

(iv) The annual evaluation and prioritization of school building and facility needs and the scheduling of building and facility remediation as established under W.S. 21-15-117;

(v) The budget process for funding school building and facility remediation recommendations prescribed under W.S. 21-15-119.

(b) Effective immediately and until July 1, 2011, the existing school facilities commission and its staff shall be subject to the following:

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(i) Notwithstanding W.S. 21-15-113, the commission shall serve in an advisory capacity to the governor to provide recommendations and policy alternatives to the governor and the system of school capital construction in the manner prescribed under W.S. 9-2-1707(a)(iii)(F);

(ii) Notwithstanding W.S. 9-1-202 and 21-15-114(c):

(A) The commission director shall serve at the pleasure of the governor;
and

(B) The commission and staff shall function as a department operating unit of state government as defined under W.S. 9-2-1703(a)(iii) and be subject to the direction of the governor.

(iii) During the transition period between the effective date of this section and the date of implementation of the legislatively approved plan under subsection (a) of this section, the positions, personnel, property and appropriated funds of the commission shall be used for purposes specified by existing law. In addition, all policies, rules and regulations of the commission shall be effective during the transition period unless otherwise specified by the governor.

(c) This section is effective immediately.

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[EFFECTIVE DATE]

Section 400.

(a) As used in this act, "effective immediately" means 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. Any appropriation contained in this act which is effective immediately shall not lapse until June 30, 2012, unless otherwise specified.

(b) Except as otherwise provided, this act is effective July 1, 2010.

(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

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