

ENROLLED ACT NO. 94, HOUSE OF REPRESENTATIVES

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING
2020 BUDGET SESSION

AN ACT relating to the administration of government; requiring studies and reports for the operations of government including primary and higher education programs; and providing for effective dates.

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

Section 1. [Governor's Office-Endangered Species Grants]. Not later than September 1, 2021, the governor's office shall report to the joint appropriations committee and the joint travel, recreation, wildlife and cultural resources interim committee on the grants and contracts funded under the endangered species administration division within the governor's office for fiscal years 2019, 2020 and 2021. The report shall include the amount of the grant or contract, recipient of the grant or contract, species of focus, purpose of the research being conducted under the grant or contract, general location of the research on the species of focus and any material findings or outcomes of the funded research that can be made publicly available.

Section 2. [State Treasurer's Office-Internal Investing].

(a) Not later than September 1, 2021 and September 1, 2022, the state treasurer's office shall report to the joint appropriations committee and the select committee on capital financing and investments on the documented savings resulting from increased use of internal investment personnel and reduced payments for external investment managers. The reports shall include the following:

(i) The documented savings, which shall be limited to avoided or reduced expenditures from terminated

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or renegotiated contracts with external investment managers;

(ii) An explanation and accounting of all expenditures relating to the work performed by internal investment personnel;

(iii) A performance report for the internally invested funds, including benchmark comparisons, overall investment return on the funds and a comparative performance with the externally managed funds for similar timeframes.

Section 3. [Department of Revenue-Effectiveness of Additional Positions and Technology].

(a) Not later than September 1, 2021 and September 1, 2022, the department of revenue shall report to the management audit committee, the joint appropriations committee and the joint revenue interim committee on the following:

(i) The historical trend in tax assessments and collections, the trend in the compliance ratio, the trend in the number of reviews conducted by the department, and any increase in the amount of collections that is reasonably attributable to the additional one (1) position added to the excise tax unit and the additional one (1) position added to the mineral tax unit under 2018 Wyoming Session Laws, Chapter 134, Section 2, Section 011;

(ii) Separately documented expenditure reductions, estimated costs avoided and estimated increased revenue collections resulting from the acquisition of oblique and orthogonal imagery technology and the

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acquisition of commercial off-the-shelf managed business solutions support for the department's excise and mineral tax systems;

(iii) Recommendations regarding the optimal level of department staffing, opportunities for additional efficiencies and an objective, post-implementation assessment of the initiatives described in paragraphs (i) and (ii) of this subsection.

Section 4. [Department of Audit-Effectiveness of Additional Positions].

(a) Not later than September 1, 2021 and September 1, 2022, the department of audit shall report to the management audit committee, the joint appropriations committee and the joint revenue interim committee on the following:

(i) The historic trend in tax assessments and collections attributable to audits, the per employee trend in tax assessments and collections attributable to audits, the trend in the compliance ratio, the trend in the number of audits conducted by the department and any increase in the number of audits and amount of assessments and collections estimated to be attributable to the additional three (3) positions added to the excise tax division under 2018 Wyoming Session Laws, Chapter 134, Section 2, Section 021;

(ii) Recommendations regarding the optimal level of department staffing, opportunities for additional efficiencies and an objective, post-implementation assessment of the additional positions referenced in paragraph (i) and of this subsection.

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Section 5. [Department of Health-Long-Term Care Waiver].

(a) Not later than October 1, 2020, the department of health shall complete a study on the comparative costs of the long-term care waiver and care in any public or private institutional setting for which the state is expending funds under the Medicaid program and report the results of the study to the joint appropriations committee and the joint labor, health and social services interim committee. In conducting the study, the department shall examine the comparative financial advantages and disadvantages of the options and consider whether:

(i) Services in an institutional setting would be pursued in the absence of a waiver;

(ii) Estimated future costs may be reduced or avoided under either option.

Section 6. [Department of Health-Developmental Preschool Funding].

(a) Not later than October 1, 2020, the department of health shall conduct a comprehensive review and rate rebasing assessment of developmental preschool services funding under W.S. 21-2-706 and report the results to the joint appropriations committee and the joint labor, health and social services interim committee. The report shall include the following:

(i) The adequacy of funding for the services specified in W.S. 21-2-706;

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(ii) The method of requesting fiscal year appropriations;

(iii) The mechanism for calculating payments and distributing funds to developmental preschool service providers;

(iv) Any related recommendations.

Section 7. [Departments of Health and Corrections-Bulk Purchase of Medications].

(a) Not later than October 1, 2020, the department of health and department of corrections shall complete a study on the bulk purchase of medication and report the results to the joint appropriations committee and the joint labor, health and social services interim committee. In conducting the study, the departments shall:

(i) Investigate opportunities to join other state agencies and other states to solicit one (1) or more bids for the bulk purchase of medications that could be purchased at a lower price through bulk purchasing or strategic sourcing, including hepatitis C treatments that are used within the correctional system or that are used by state health care programs;

(ii) Consider the methods and limitations of joint contracting between agencies and with other states;

(iii) Estimate the potential savings that could result from bulk purchase of the medications in accordance with this subsection.

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Section 8. [Departments of Health and Corrections and Judiciary-Use of Budgetary Flex Measures].

(a) The department of health shall report quarterly during the period beginning July 1, 2020 and ending June 30, 2022 to the joint appropriations committee and the joint labor, health and social services interim committee on the department's exercise of authorities under 2020 Senate File 0001, Section 305(a)(i) and Section 307, if enacted into law. The reports shall include the following:

(i) The specific uses and dollar amounts for which the authorities were exercised each quarter;

(ii) The cumulative amounts resulting from the authorities exercised for the 2021-2022 biennium;

(iii) The amount of any actual biennial budget shortfall and an estimate of anticipated budget shortfalls, if any, prior to June 30, 2022, as well as the anticipated use of available budget transfer authorities to address existing and future budget shortfalls.

(b) The department of corrections shall report quarterly during the period beginning July 1, 2020 and ending June 30, 2022 to the joint appropriations committee on the department's exercise of authorities under 2020 Senate File 0001, Section 307, if enacted into law. The reports shall include the following:

(i) The specific uses and dollar amounts for which the authorities were exercised each quarter;

(ii) The cumulative amounts resulting from the authorities exercised for the 2021-2022 biennium;

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(iii) The amount of any actual biennial budget shortfall and an estimate of anticipated budget shortfalls, if any, prior to June 30, 2022 as well as the anticipated use of available budget transfer authorities to address existing and future budget shortfalls.

(c) The judicial branch shall report quarterly during the period beginning July 1, 2020 and ending June 30, 2022 to the joint appropriations committee on the judiciary's exercise of authority under 2020 Senate File 0001, Section 307, if enacted into law. The reports shall include the specific uses and dollar amounts for which the authority was exercised. No report is required under this subsection for any quarter the authority was not exercised.

Section 9. [Wyoming Tourism Board-Regional Marketing Efforts]. Not later than October 1, 2020 and October 1, 2021, the Wyoming tourism board shall require the recipient of any grants associated with "salt to stone" regional marketing in southwest Wyoming to submit a report jointly with the board to the joint travel, recreation, wildlife and cultural resources interim committee and the joint appropriations committee. The report shall include information on the expenditure of grant funds, recommendations for future grants and measurable impacts of the grant related efforts, including local lodging tax collections and local sales and use tax collections for relevant industry classifications.

Section 10. [University of Wyoming and Department of Education-K-3 Reading Assessment and Intervention]. Not later than May 1, 2020, the University of Wyoming and the department of education shall submit a report to the joint education interim committee. The report shall include

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information regarding the implementation of 2019 Wyoming Session Laws, Chapter 155 and the feasibility of the University of Wyoming college of education conducting a summer 2020 pilot program for K-3 teachers. The pilot program considered should provide scientifically validated instruction techniques on how and why to assess and directly and systematically teach phonological and phonemic awareness, phonics and techniques to improve reading fluency. This section is effective immediately.

Section 11. [Department of Enterprise Technology Services-Strategic Purchasing of Computers]. Not later than December 1, 2020 and not later than December 1, 2021, the department of enterprise technology services shall report to the joint appropriations committee on identifiable savings resulting from the strategic bulk computer purchasing program, general results of the initiative and the number of waivers and reasons for any waivers. The report shall include a description of the program and recommendations, if any, for statutory revisions.

Section 12. [Department of Corrections-Incentives and Sanctions for Probation and Parole]. In addition to the report required under W.S. 7-13-1801(b)(vi), quarterly beginning July 1, 2020 and ending June 30, 2022, the department of corrections shall report to the joint judiciary interim committee and the joint appropriations committee on the implementation of 2019 Wyoming Session Laws, Chapter 116. The reports shall include the number of persons sentenced with the incentives and sanctions provided under W.S. 7-13-1801 through 7-13-1803, comparative outcomes with those sentenced without incentives and sanctions and expenditures on the incentives and sanctions. The reports shall also include recommendations, if any, for statutory revisions.

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Section 13. [Department of Revenue-Reorganization to Oversee Gaming].

(a) Not later than October 1, 2020, the department of revenue shall complete a study and report to the joint appropriations committee:

(i) The feasibility of creating a gaming division within the department of revenue to consolidate and oversee regulation of skill games allowed under the exceptions to criminal gambling under W.S. 6-7-101(a)(iii), online gambling, the pari-mutuel commission and the Wyoming lottery corporation;

(ii) The development of a reorganization plan and method, in cooperation with the pari-mutuel commission and the Wyoming lottery corporation, to accomplish the creation of a gaming division within the department of revenue in accordance with the provisions of the Wyoming Government Reorganization Act of 1989, W.S. 9-2-1701 through 9-2-1707;

(iii) Recommendations to operate the gaming division within the department of revenue using an enterprise fund with excess revenues going to the general fund and any other appropriate funding models;

(iv) Recommendations for any legislation needed to implement a gaming division within the department of revenue.

Section 14. [Shooting Sports and Tourism]. Not later than November 1, 2020, the board of tourism shall report to the joint travel, recreation, wildlife and cultural

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resources interim committee on the board's expenditures and efforts in the 2020 calendar year to promote shooting sports and shooting sports tourism.

Section 15. [Agency Vacant and Filled Full-Time and Part-Time Employee Positions]. Not later than June 30, 2021 and June 30, 2022, the department of transportation, the Wyoming tourism board, the University of Wyoming and the Wyoming business council shall report to the joint appropriations committee on the number within each agency of vacant and filled full-time and part-time employee positions funded by any source.

Section 16. [Wyoming Business Council-Wyoming Council for Women's Issues]. Not later than October 1, 2020, the Wyoming council for women's issues created within the Wyoming business council under W.S. 9-12-501 and 9-12-502 shall report to the joint minerals, business and economic development interim committee on its statutory obligations regarding the status of women in Wyoming. The report shall include any efforts addressing economic development, data collection and partnerships with business technology organizations.

Section 17. [Department of Health-Employee Group Insurance Plan Continuous Study]. The department of health shall report on the results of the continuous study required by W.S. 9-3-205(d) to the joint appropriations committee and the joint labor, health and social services interim committee.

Section 18. [University Medical Education Programs].

(a) Not later than October 1, 2020, the University of Wyoming shall report to the legislature expenditures for

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medical education programs for human health services, including but not limited to funds expended for the family medicine program under W.S. 21-17-125, the "WWAMI" medical education program, and medical education programs for human health care under W.S. 21-16-201 and 21-16-202. Undergraduate medical programs, nursing programs and pharmacy program expenditures need not be reported. The report shall include expenditures for the fiscal biennium ending June 30, 2020 by program.

(b) The university shall also report estimated resources necessary to establish and maintain a medical school which would meet accreditation requirements for licensing as a physician under Wyoming's "Medical Practice Act." The university shall include any recommendations regarding the establishment of a medical school in Wyoming under the purview of the university's board of trustees as it deems would be in the best interest of providing health care services to citizens of the state.

(c) It is the intent of this section to compare current expenditures by the state for post-graduate medical education to anticipated costs of establishing an accredited medical school graduating students with credentials sufficient for licensure under the Wyoming Medical Practice Act, and the provisions of this section shall be construed in light of this intent.

Section 19. [Effective date].

(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.

ORIGINAL HOUSE
BILL NO. HB0002

ENGROSSED

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(b) Except as otherwise provided, this act is effective July 1, 2020.

(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