



**Certification Page**  
**Agencies Exempt from**  
**Rule Making Provisions of the APA**

Revised June 2013

**1. General Information**

a. Agency/Board Name Wyoming Business Council		
b. Agency/Board Address 214 W. 15th Street	c. City Cheyenne	d. Zip Code 82002
e. Name of Contact Person Ryan Whitehead - Business Finance Program Manager		f. Contact Telephone Number 777-2882
g. Contact Email Address ryan.whitehead@wyo.gov		h. Adoption Date 11/26/13
i. Program Wyoming Small Business Investment Credit Program		

**2. Rule Type and Information:** For each chapter listed, indicate if the rule is New, Amended, or Repealed.

If "New," provide the Enrolled Act number and year enacted:

b. Provide the Chapter Number, Short Title, and Rule Type of Each Chapter being Created/Amended/Repealed  
(Please use the Additional Rule Information form for more than 5 chapters, and attach it to this certification)

Chapter Number: 2	Short Title: Wyoming SBIC Fee Schedule	<input type="checkbox"/> New <input checked="" type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Short Title:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Short Title:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Short Title:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Short Title:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed

c. The authority to promulgate these rules is provided pursuant to W.S. 9-12-104 (iv)

d. The attached rule(s) pertain to:

Amendment of fee rules to administer the Wyoming Small Business Investment Credit Program

**3. Agency/Board Certification**

The undersigned certifies that:

1. The foregoing information is correct;
2. The attached rules are a true and correct copy; and
3. ☒ I am the Agency head of Wyoming Business Council; or  
☐ I am the chairperson of the \_\_\_\_\_.

(enter name of board)

Signature of Authorized Individual (Blue ink as per Rules on Rules, Section 7)	
Printed Name of Signatory	Robert K. Jensen
Signatory Title	CEO
Date of Signature	November 26, 2013

**Distribution List:**

- Secretary of State: Hard copy of certification page; PDF copy of final rules sent to [Rules@wyo.gov](mailto:Rules@wyo.gov)

### **Statement of Principal Reasons**

To: The Honorable Governor Mead

From: Robert K. Jensen, CEO  
Wyoming Business Council

(The agency contact person is Ryan Whitehead, whose telephone number is 307-777-2882 and e-mail address is [ryan.whitehead@wyo.gov](mailto:ryan.whitehead@wyo.gov))

Date: September 13, 2013

Re: Amend rules for Wyoming small business investment credit program – Fees

The 2010 Wyoming Legislature approved a bill creating the Wyoming small business investment credit program (HB 106). The Wyoming Small Business Investment Credit Program Fee Schedule Rule was filed on 12-09-10.

In accordance with W.S. 9-12-1301 through 9-12-1312, the Rule set the application fees and annual certification fees for Wyoming small business investment credit companies. Currently, the annual certification fee is set at one hundred sixty one thousand nine hundred fifty six dollars (\$161,956).

The Rule is being amended to decrease the annual certification fee to twenty five thousand three hundred sixty four dollars (\$25,364) to match the 2014 fiscal year budget. In fiscal years 2012 and 2013, the SBIC program was managed by a full time position, which justified the significant higher fee of \$161,956, which was a combination of administration costs for both fiscal years. Currently, the Business Finance Manager dedicates approximately 20% of time to the SBIC program. Therefore, the proposed fee has significantly decreased without the need for a direct full time position at this time.

## STATE OF WYOMING

### WYOMING SMALL BUSINESS INVESTMENT CREDIT PROGRAM

#### Rules and Regulations

#### CHAPTER 2 – WYOMING SMALL BUSINESS INVESTMENT CREDIT PROGRAM FEE SCHEDULE

**Section 1. Purpose.** These rules are adopted in order to implement W.S. 9-12-1301 through 9-12-1312, specifically setting the application fees and annual certification fees for Wyoming small business investment companies.

**Section 2. Authority.** Authority for the promulgation of these rules is granted in W.S. 9-12-104(a)(iv).

**Section 3. Fee Schedule.**

(a) The application fee to become a Wyoming small business investment company shall be equal to the annual certification fee for a Wyoming small business investment company. The annual certification fees collected from Wyoming small business investment companies shall be adequate to cover direct and indirect costs of program administration. Annual certification fees may vary over time depending on the number of Wyoming small business investment companies that are operating in Wyoming.

(b) The annual certification fee shall be set at twenty five thousand three hundred sixty four dollars (\$25,364).

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(b) The annual certification fee shall be set at ~~one hundred sixty one thousand nine hundred fifty six dollars (\$161,956)~~ twenty five thousand three hundred sixty four dollars (\$25,364).