

HOUSE BILL NO. HB0307

State agency funding.

Sponsored by: Representative(s) Luthi

A BILL

for

1 AN ACT relating to public funds; specifying procedures for
2 modifying agency budgets in certain circumstances;
3 specifying public funds to be used to account for monies
4 received by the attorney general; authorizing fees for
5 specified services; specifying the disposition of certain
6 fees; providing continuous appropriations of specified
7 funds; and providing for an effective date.

8

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

10

11 **Section 1.** W.S. 9-1-639 is created to read:

12

13 **9-1-639. Attorney general; funds accounting.**

14

15 (a) There is created an account within the trust and
16 agency fund which the attorney general shall use to account
17 for:

1

2 (i) Monies the attorney general administers as
3 trustee pursuant to law or agreement which restricts the
4 use of the money to a specified purpose; and

5

6 (ii) Monies which the attorney general holds and
7 disburses as an agent, which shall include but not be
8 limited to class action litigation recoveries that are to
9 be distributed to any person or business organization,
10 local government pass-through monies, and contingent fee
11 contracts to be distributed to contract attorneys.

12

13 (b) All consumer protection recoveries and class
14 action recoveries where the attorney general is not
15 designated as the administrator, the trustee or the agent
16 for distribution purposes, shall be deposited into the
17 general fund after deducting litigation costs reimbursed to
18 the attorney general. For purposes of this subsection
19 "litigation costs" shall include expert witness fees,
20 filing fees, reporter costs, other witness fees and costs
21 associated with depositions and discovery.

22

1 (c) Monies deposited to the trust and agency fund
2 under subsection (a) of this section may be expended in
3 accordance with W.S. 9-2-1005(b)(ii).

4

5 **Section 2.** W.S. 9-1-633(f), (g), (j), (m) and by
6 creating a new subsection (n), 9-1-702 by creating a new
7 subsection (j), 9-2-1005(a)(intro), (b)(intro), (ii),
8 (c)(intro) and 9-2-1006(a) are amended to read:

9

10 **9-1-633. Wyoming law enforcement academy; director;**
11 **appointment; term; qualifications; employees; salaries;**
12 **curriculum and training programs; fees; disposition.**

13

14 (f) The director shall charge and collect a fee
15 sufficient to cover actual direct and indirect costs of
16 coroner basic courses. The fee shall be at least three
17 hundred dollars (\$300.00) per student attending the coroner
18 basic courses. ~~, which shall be credited to the general~~
19 ~~fund.~~

20

21 (g) The director may allow the use of academy
22 facilities by governmental agencies other than law
23 enforcement and shall charge a fee based on actual direct
24 and indirect costs for that use. ~~Fees collected under this~~

1 ~~subsection shall be credited to an account in the~~
2 ~~enterprise fund which are appropriated to be expended by~~
3 ~~the academy for the actual direct and indirect costs of use~~
4 ~~of facilities under this subsection.~~

5
6 (j) To the extent space is available and under
7 policies established by the director and approved by the
8 attorney general, the academy may permit persons other than
9 peace officers to attend training courses it offers and to
10 charge a fee to recover, at a minimum, the cost of the
11 training and all services provided in conjunction
12 therewith. Prior to admittance a person shall meet all
13 requirements of W.S. 9-1-704(b) (i) through (viii) providing
14 for any background investigation and examinations at the
15 cost of the applicant. ~~The director, through the attorney~~
16 ~~general, shall report annually to the joint appropriations~~
17 ~~interim committee regarding the total cost of and revenues~~
18 ~~received from providing training authorized under this~~
19 ~~subsection.~~

20
21 (m) The director shall establish an outreach training
22 services program whereby certain updates, specialized or
23 advanced training courses may be provided locally. The
24 director may seek assistance from the appropriate entities

1 in determining the amount and the specific courses to be
2 offered under the program. The director shall charge and
3 collect a fee to cover the development, delivery and
4 material costs of the training offered by the program. ~~Any~~
5 ~~fees collected from the program shall be transferred to the~~
6 ~~state treasurer for deposit into an account within the~~
7 ~~enterprise fund. The cost of providing training authorized~~
8 ~~under this subsection shall be appropriated by the~~
9 ~~legislature from the enterprise fund.~~

10
11 (n) Revenues received pursuant to subsections (e),
12 (f), (g), (j) and (m) of this section and W.S. 9-1-635
13 shall be credited to an account in the enterprise fund and
14 are continuously appropriated to the attorney general to be
15 expended for the actual direct and indirect costs of
16 providing the services generating the revenues.

17
18 **9-1-702. Created; membership; removal; compensation;**
19 **meetings; publication of procedures; standards for**
20 **certified training; powers and duties.**

21
22 (j) The commission may establish examination and
23 certification fees for administering its duties under this
24 article in accordance with W.S. 33-1-201. Revenues received

1 pursuant to this subsection shall be credited to an account
2 in the enterprise fund and are continuously appropriated to
3 the attorney general to be expended for the actual direct
4 and indirect costs of providing the services generating the
5 revenues.

6
7 **9-2-1005. Payment of warrants; budget powers of**
8 **governor; agency budgets; federal funds; new employees.**

9
10 (a) ~~Subject to subsections (k), (m) and (n) of this~~
11 ~~section and except as otherwise provided by law for the~~
12 ~~period commencing July 1, 1994 and ending June 30, 1998, No~~
13 warrant shall be drawn by the auditor or paid by the
14 treasurer:

15
16 (b) ~~Subject to subsection (c) of this section and~~
17 ~~except as otherwise provided by law for the period~~
18 ~~commencing July 1, 1994 and ending June 30, 1998, The~~
19 governor may:

20
21 (ii) ~~Increase or revise~~ Authorize revisions,
22 changes, redistributions or increases to amounts authorized
23 for expenditure by legislative appropriation acts from non-
24 general fund sources after notifying the legislature that

1 in his opinion an emergency financial situation exists,
2 general fund appropriations can be conserved, ~~or~~ agency
3 program requirements have significantly changed or
4 unanticipated non-general fund revenues become available
5 and qualify pursuant to W.S. 9-2-1006(a);

6
7 (c) ~~Subject to subsections (k), (m) and (n) of this~~
8 ~~section and except as otherwise provided by law for the~~
9 ~~period commencing July 1, 1994 and ending June 30, 1998,~~

10 The governor shall not:

11
12 **9-2-1006. Revenues or income of state agencies not**
13 **part of appropriation or budget; exception; additions to**
14 **appropriation or budget; reports concerning enterprise fund**
15 **accounts.**

16
17 (a) Revenues or income from any source collected,
18 received or accruing to any agency shall not become a part
19 of its appropriation or budget unless such revenues or
20 income is specified by law to be used for such purpose and
21 is approved by the ~~department through the budget division~~
22 governor pursuant to W.S. 9-2-1005(b). Any amount added to
23 its appropriation or budget constitutes the entire
24 appropriation for the full fiscal period.

