

[BUDGET AFFECTED]

Budget(s): **Section 400. AMERICAN RESCUE PLAN DIRECT (ARPD) APPROPRIATIONS**

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- 1 Page 5-line 2 Delete "060" and insert "029".
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- 3 Page 11-line 10 Delete "office of state lands and investments"
- 4 and insert "Wyoming water development office".
- 5
- 6 Page 11-line 12 Before "allocation" insert "final".
- 7
- 8 Page 11-line 13 Delete "state loan and investment".
- 9
- 10 Page 11-line 14 Delete "board." and insert "Wyoming water
- 11 development commission. The office of state
- 12 lands and investments and department of
- 13 environmental quality shall consult with and
- 14 provide technical assistance to the Wyoming
- 15 water development office in the application
- 16 process and administration of grants pursuant
- 17 to this footnote. The Wyoming water
- 18 development commission and the directors of
- 19 the Wyoming water development office, the
- 20 office of state lands and investments and the
- 21 department of environmental quality may
- 22 establish an informal working group to
- 23 facilitate any consultation and technical
- 24 assistance among the agencies. The Wyoming
- 25 water development office, or the working group
- 26 if created, shall forward the determination of
- 27 eligibility and potential prioritization,
- 28 including funding recommendation, to the
- 29 Wyoming water development commission."
- 30
- 31 Page 11-lines 17 through 23 Delete entirely and insert:
- 32
- 33 "(i) The maximum grant awarded for any single eligible
- 34 project shall not exceed eighty-five percent (85%) of the estimated
- 35 project costs or seven million five-hundred thousand dollars
- 36 (\$7,500,000.00), whichever is less;
- 37

1 (ii) Subject to federal law, a grant awarded under this
2 act shall be conditioned upon the recipient agreeing to be
3 responsible for:

4
5 (A) Compliance with all applicable requirements of
6 the American Rescue Plan Act of 2021, P.L. No. 117-2;

7
8 (B) The operation and maintenance of the project;

9
10 (C) All project expenditures in excess of the
11 total project grant award amount;

12
13 (D) Repaying the entirety, or a portion, of the
14 grant award if the recipient abandons completion of the project,
15 or if a portion of the project is ultimately determined to be
16 ineligible for American Rescue Plan Act funds;

17
18 (E) Any additional consideration deemed necessary
19 by the Wyoming water development office to protect the use of
20 public funds;

21
22 (F) Expending grant funds before
23 December 1, 2026.

24
25 (iii) Decisions of the Wyoming water development
26 commission, Wyoming water development office, office of state
27 lands and investments and department of environmental quality
28 relating to determinations of project eligibility and
29 prioritization, including recommendations relating to grant award
30 amounts, are specifically exempt from all provisions of the Wyoming
31 Administrative Procedure Act including provisions for judicial
32 review under W.S. 16-3-114 and 16-3-115;

33
34 (iv) The Wyoming water development commission and
35 Wyoming water development office shall report the approved
36 projects and awarded grant amounts to the select water committee
37 and joint appropriations committee."

38
39 Page 12-lines 1 and 2 Delete entirely.

40
41 To the extent required by this amendment: adjust totals; and
42 renumber as necessary. SIMPSON, SOMMERS