

HOUSE BILL NO. HB0191

American rescue plan act appropriations-amendments-3.

Sponsored by: Representative(s) Sommers

A BILL

for

1 AN ACT relating to the emergency expenses of government;
2 providing definitions; providing appropriations; amending
3 and repealing prior appropriations of COVID-19 relief
4 funds; specifying conditions on the appropriation and
5 expenditure of COVID-19 relief funds; amending prior
6 conditions on the reduction and prioritization of COVID-19
7 relief funds; providing for the reversion of unexpended and
8 unobligated funds; authorizing emergency government
9 programs; authorizing rulemaking; requiring reporting;
10 specifying applicability; providing for priority of
11 appropriations; and providing for an effective date.

12

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

14

15 **Section 1.**

16

1 (a) As used in this act:

2

3 (i) "Agency" means any governmental unit or
4 branch of government receiving an appropriation under this
5 act;

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7 (ii) "Appropriation" means the authorizations
8 granted by the legislature under this act to make
9 expenditures from and to incur obligations against the funds
10 as specified;

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12 (iii) "ARPD" means American Rescue Plan Act
13 direct funds, which are any unexpended, unobligated funds
14 received by the state of Wyoming through the Coronavirus
15 State Fiscal Recovery Fund established under section 602 of
16 title VI of the federal Social Security Act, as created by
17 section 9901 of the American Rescue Plan Act of 2021, P.L.
18 117-2. "ARPD" shall not include expenditures authorized
19 under the American Rescue Plan Act of 2021, P.L. 117-2,
20 section 602(c)(1)(C) for revenue replacement for the
21 provision of government services to the extent of the state
22 of Wyoming's reduction in revenue;

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2 (iv) "This appropriation" when used in a footnote
3 shall be construed as a reference to that portion of the
4 appropriated funds identified in the footnote.

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6 **Section 2.** 2022 Wyoming Session Laws, Chapter 50,
7 Section 2, Section 400, as amended by 2023 Wyoming Session
8 Laws, Chapter 188, Section 2, is amended to read:

9

10 **Section 2.**

11

APPROPRIATION	OTHER FUNDS
FOR	\$
1 Section 400. AMERICAN RESCUE PLAN DIRECT (ARPD) APPROPRIATIONS	
2	
3 AGENCY & PROGRAM	
4 001 - Discr. Health Response ¹ .	4,414,100 ARPD
5 001 - Workforce Prgms ² .	10,000,000 ARPD
6 024 - Outdoor Rec. Grant Prgm ³ .	22,000,000 ARPD
7	<u>13,168,109 ARPD</u>
8 024 - Outdoor Rec. & Tourism ⁴ .	2,000,000 ARPD
9 045 - Tech. Needs for WyoLink ⁵ .	35,000,000 ARPD
10 045 - Air Service Financial Assistance ²⁵ .	8,832,058 ARPD
11 048 - HHS Staffing Stabilization ⁶ .	13,000,000 ARPD
12	<u>11,397,573 ARPD</u>
13 048 - HHS Innovation Fund ⁷ .	5,000,000 ARPD
14	<u>3,127,223 ARPD</u>
15 048 - EMS Dispatch Cert. ⁸ .	84,000 ARPD
16 048 - 2-1-1 Capacity Building ⁹ .	1,750,000 ARPD
17 048 - EMS Stabilization Fund ¹⁰ .	5,000,000 ARPD
18	<u>4,775,751 ARPD</u>
19 048 - EMS Regionalization Pilot ¹¹ .	10,000,000 ARPD
20	<u>6,000,000 ARPD</u>
21 048 - HHS Cap. Imprv.	
22 & Provider Relief ¹³ .	5,000,000 ARPD
23	<u>4,143,485 ARPD</u>
24 048 - 24-7 Suicide Prevention ²⁶ .	2,100,000 ARPD
25 048 - Mental Health Provider	

APPROPRIATION FOR	OTHER FUNDS \$
1 Training Phase II ²⁸ .	200,000 ARPD
2 048 - First Responder & Law	
3 Enforcement Mental Health Support ²⁹ .	1,000,000 ARPD
4	<u>960,911 ARPD</u>
5 049 - Food Insecurity -	
6 System Improv. ³⁰ .	3,250,000 ARPD
7 057 - WYIN Loan & Grant Prgm ¹⁵ .	6,427,477 ARPD
8	<u>6,112,847 ARPD</u>
9 060 - HHS Capital Construction ¹⁶ .	125,000,000 ARPD
10	<u>120,504,163 ARPD</u>
11 060 - Local Gov. Support Projects ¹⁷ .	70,300,000 ARPD
12	<u>68,358,818 ARPD</u>
13 060 - Eligible Water	
14 & Sewer Projects ¹⁸ .	80,000,000 ARPD
15 067 - Family Medicine	
16 Residency Program ¹⁹ .	708,407 ARPD
17 080 - SUD Treatment Backlog ²¹ .	1,200,000 ARPD
18	<u>434,821 ARPD</u>
19 085 - Connect Wyoming 2 ²² .	25,000,000 ARPD
20 101 - Circuit Court eFiling ²³ .	2,140,000 ARPD
21	<u>1,490,000 ARPD</u>
22 101 - PPE, Tests and	
23 Mental Health Diversion ²⁴ .	150,000 ARPD
24 101 - Equal Justice Wyoming ³² .	<u>817,900 ARPD</u>
25 TOTALS	440,373,942
26	<u>389,780,166</u>
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APPROPRIATION

OTHER

FUNDS

FOR

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1 1. This appropriation to the governor's office is for purposes of responding
2 to the COVID-19 public health emergency.

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4 2. (a) This appropriation to the governor's office is for distribution to
5 or through the Wyoming business council, department of workforce services,
6 University of Wyoming or Wyoming community college commission and community
7 colleges for:

8
9 (i) Pre-apprenticeships and apprenticeships;

10
11 (ii) Targeted healthcare workforce programs;

12
13 (iii) Targeted early childhood workforce programs;

14
15 (iv) Dislocated and underemployed talent transition programs;

16
17 (v) Workforce development for targeted populations who do not
18 qualify for other assistance, including prisoners released on parole;

19
20 (vi) Assistance to former Wyoming residents who have intent to
21 return to Wyoming for careers;

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23 (vii) Economic development training for state, local and private
24 economic development professions.

APPROPRIATION

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(b) No funds from this appropriation shall be expended on post-secondary education other than for career and technical education programs determined by the governor to be critical to the Wyoming workforce.

3. This appropriation to the department of state parks and cultural resources is for products, projects and grants in response to the COVID-19 public health emergency that qualify as ARPD expenditures.

4. This appropriation to the department of state parks and cultural resources, office of outdoor recreation, is for qualifying ARPD expenditures.

5. This appropriation to the department of transportation is for qualifying ARPD state or local government expenditures related to the WyoLink statewide public safety interoperable radio communications system, hardware and network. This appropriation is for purposes of assisting Wyoming's continued response to the COVID-19 public health emergency and improved connectivity of first responders.

6. This appropriation to the department of health is for purposes of providing emergency funding for staff retention and for attracting employees to health and human services provider groups. The department of health shall provide priority for funding under this footnote to employees who care for vulnerable populations and at risk populations.

APPROPRIATION

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2 7. This appropriation to the department of health is for purposes of
 3 providing grants for health and human services innovations in rural health
 4 care, long-term care, provision of human services, community behavioral
 5 health, mental health and health information technology and digital medical
 6 innovation.

7

8 8. This appropriation to the department of health is for the establishment of
 9 emergency medical dispatch statewide certification, which could include
 10 training, hardware and other activities to improve emergency response times
 11 and patient outcomes related to the emergency response to the COVID-19 public
 12 health emergency.

13

14 9. This appropriation to the department of health is for purposes of
 15 enhancing the capacity of the Wyoming 2-1-1 directory of resources to provide
 16 comprehensive information and referrals to improve the emergency response to
 17 the COVID-19 public health emergency.

18

19 10. This appropriation to the department of health is for purposes of
 20 providing grants to stabilize emergency medical services.

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22 11. This appropriation to the department of health is for purposes of
 23 establishing an emergency medical services regionalization pilot opportunity
 24 for the five (5) trauma regions across Wyoming and investigating alternative

APPROPRIATION

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1 options for emergency medical services that improve access and reduce costs.

2 Expenditure of this appropriation is conditioned upon a match of funds.

3

4 13. This appropriation to the department of health is for purposes of
 5 providing grants to health and human services providers to improve existing
 6 infrastructure and to provide financial relief to providers who are at
 7 imminent risk of closure. Grants shall be distributed to providers as
 8 determined by the department.

9

10 15. This appropriation to the Wyoming community college commission is for the
 11 Wyoming investment in nursing program. Notwithstanding the source of funding
 12 for this appropriation, it is the intent of the legislature that the standard
 13 budget of the Wyoming investment in nursing program within the Wyoming
 14 community college commission be requested from state general funds for the
 15 immediately succeeding fiscal biennium.

16

17 16. (a) Of this appropriation to the office of state lands and investments
 18 ~~eighty-eight million dollars (\$88,000,000.00)ARPD~~ eighty-four million eight
 19 hundred two thousand one hundred fifty dollars (\$84,802,150.00)ARPD shall be
 20 for purposes of providing grants for qualifying health and human services
 21 infrastructure and capital construction investments. Grants from this
 22 appropriation shall be determined by the state loan and investment board. The
 23 following conditions shall apply to all grants provided under subsections (a)
 24 through (c) of this footnote:

APPROPRIATION

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(i) The maximum grant for any single project shall be ten million dollars (\$10,000,000.00);

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(ii) A needs analysis determination shall be conducted by the state loan and investment board and may include a review of the project sponsor's financial information, including but not limited to revenue and other projections, budgets, financial statements and audits;

9

10

(iii) Expenditure of the grant by the recipient is conditioned upon a match of funds in the ratio of one dollar (\$1.00) of grant funds to not less than one dollar (\$1.00) from any other source, including in-kind contributions to the project, except that the state loan and investment board may modify this matching requirement upon determination of need as provided in paragraph (a)(ii) of this footnote;

16

17

(iv) The state loan and investment board shall only consider applications for grants available under subsections (a) through (c) of this footnote that were submitted on and before January 23, 2023.

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21

(b) Of this appropriation to the office of state lands and investments, seven million dollars (\$7,000,000.00) ARPD shall be for the purpose of providing grants to community mental health center regional crisis stabilization facilities and women's substance use disorder facilities.

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APPROPRIATION	OTHER FUNDS
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(c) Of this appropriation to the office of state lands and investments, fifteen million dollars (\$15,000,000.00) ARPD shall be for the purpose of providing grants to rural health clinics. Grants from this appropriation shall be determined by the state loan and investment board. The following conditions shall apply to this appropriation:

(i) Up to thirteen million dollars (\$13,000,000.00) ARPD may be expended to provide grants related to costs incurred by rural health clinics for qualifying infrastructure and capital construction investments;

(ii) Up to two million dollars (\$2,000,000.00) ARPD may be expended to provide grants for rural telehealth pilot projects.

(d) Of this appropriation to the office of state lands and investments, ~~fifteen million dollars (\$15,000,000.00) ARPD~~ thirteen million seven hundred two thousand thirteen dollars (\$13,702,013.00) ARPD shall be for the purpose of providing supplemental grants for projects approved in 2022 by the state loan and investment board under subsection (a) of this footnote. These supplemental grants shall only be for purposes of inflation related costs. The maximum supplemental grant for any single project under this subsection shall be five million dollars (\$5,000,000.00).

APPROPRIATION	OTHER
FOR	FUNDS
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1 17. (a) This appropriation to the office of state lands and investments is
 2 for administrative costs and merit based allocations of competitive grant
 3 funding to cities, counties and tribal governments to address the COVID-19
 4 public health emergency or its negative economic impacts. Applications for
 5 eligible water and wastewater projects shall receive a lower priority from
 6 this appropriation than other eligible applications. Subject to the
 7 limitations provided in this footnote, the allocations of the competitive
 8 grant funding shall be determined by the state loan and investment board.

9
 10 (b) Of this appropriation to the office of state lands and investments,
 11 ~~five million dollars (\$5,000,000.00)ARPD~~ three million fifty-eight thousand
 12 eight hundred eighteen dollars (\$3,058,818.00)ARPD shall be for the purpose of
 13 providing grants to cities, counties and tribal governments in Wyoming for
 14 unmet affordable housing needs through infrastructure, including utilities.

15
 16 18. (a) This appropriation to the office of state lands and investments is
 17 for the allocation of competitive grant funding to cities, counties, special
 18 districts and tribal governments for eligible water and wastewater projects.
 19 The allocation of the competitive grant funding shall be determined by the
 20 state loan and investment board. The following conditions shall apply to all
 21 grants provided under this footnote:

22
 23 (i) The maximum grant for any single project shall be seven
 24 million five hundred thousand dollars (\$7,500,000.00);

APPROPRIATION

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(ii) Expenditure of the grant by the recipient is conditioned upon a match of funds in the ratio of eighty-five cents (\$0.85) of grant funds to not less than fifteen cents (\$0.15) from matching funds provided by the project sponsor;

(iii) The state loan and investment board shall only consider applications for grants available under this footnote that were submitted on and before January 23.

19. This appropriation to the University of Wyoming is for the family medical residency program.

21. This appropriation to the department of corrections is for purposes of resolving the substance use disorder treatment backlog created by the COVID-19 public health emergency.

~~22. (a) This appropriation to the Wyoming business council is for purposes of increasing broadband connectivity to improve access to and meet the increased need for reliable high-speed internet service. In administering funds distributed and expended under this footnote, the Wyoming business council shall:~~

APPROPRIATION	OTHER
FOR	FUNDS
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1 ~~(i) Include performance requirements in its contracts with grant~~
2 ~~recipients, which performance requirements shall, at a minimum, require the~~
3 ~~grant recipient and any successor in interest to offer and provide continuous~~
4 ~~service to broadband customers during at least the first seven (7) years after~~
5 ~~substantial completion of the relevant project for which grant funds were~~
6 ~~expended;~~

7
8 ~~(ii) Strive to increase the availability of broadband services~~
9 ~~available in Wyoming rural, unserved and underserved areas in Wyoming cities,~~
10 ~~towns and counties;~~

11
12 ~~(iii) For middle-mile broadband projects as defined by W.S.~~
13 ~~9-12-1501(h)(ii) that receive or expend funds from this appropriation, require~~
14 ~~project recipients to allow last-mile broadband providers access to those~~
15 ~~middle-mile conduits at a reasonable rate as determined by the council;~~

16
17 ~~(iv) For any projects that receive or expend funds from this~~
18 ~~appropriation, implement buildout requirements that include milestones and~~
19 ~~network performance testing requirements, as determined by the council.~~

20
21 ~~(b) Of the appropriation in subsection (a) of this footnote,~~
22 ~~expenditure of fifteen million dollars (\$15,000,000.00) ARPD is conditioned~~
23 ~~upon a match of funds in the ratio of one dollar (\$1.00) of appropriated funds~~
24 ~~to not less than fifty cents (\$0.50) of private sector matching funds from~~

APPROPRIATION

OTHER

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1 ~~project participants. Private sector matching funds provided under this~~
 2 ~~subsection shall be accounted for in the aggregate of appropriated funds~~
 3 ~~expended and not on a per project basis. Private sector matching funds~~
 4 ~~provided under this subsection shall include future maintenance commitments~~
 5 ~~that will be expended within the first three (3) years of the life of the~~
 6 ~~project and any other allowable expense authorized by the Infrastructure~~
 7 ~~Investment and Jobs Act, P.L. 117-58.~~

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23. This appropriation to the supreme court is for the implementation of electronic filing of court documents in the Wyoming circuit courts and for associated maintenance and support as a mechanism to employ technology to limit the number of members of the public who are present in courthouses as a mitigation strategy to slow the spread of COVID-19.

24. This appropriation to the supreme court is for purposes of implementing COVID-19 mitigation measures including, but not limited to acquisition of personal protective equipment to slow the spread of COVID-19. The supreme court may expend any funds not expended on COVID-19 mitigation measures for

APPROPRIATION

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1 the study, planning and design of diversionary treatments and systems of care
2 for defendants with mental and substance abuse illnesses.

3

4 25. This appropriation to the department of transportation is to provide aid
5 to commercial air providers to mitigate financial hardship, including
6 supporting payroll costs, lost pay and benefits for returning employees,
7 support of operations and maintenance of existing equipment and facilities.

8

9 26. This appropriation to the department of health is to procure twenty-four
10 (24) hours per day suicide prevention services.

11

12 28. This appropriation to the department of health is for the purpose of
13 training one hundred three (103) mental health first aid trainers across the
14 state to include two (2) trainers in each county, one (1) trainer in each
15 school district, one (1) trainer in each community college district and one
16 (1) trainer in the University of Wyoming. This appropriation is intended to
17 increase access to mental health first aid trainers for purposes of training
18 community members to assist residents experiencing mental health or substance
19 abuse challenges due to the COVID-19 pandemic.

20

21 29. (a) This appropriation to the department of health is for the purpose
22 of establishing a grant program for emergency medical service providers and
23 county and municipal law enforcement agencies to deliver and improve access
24 to mental health services for first responders as defined by W.S.

APPROPRIATION

OTHER

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1 27-14-102(a)(xxxii) and law enforcement officers. An emergency medical service
 2 provider or county or municipal law enforcement agency seeking a grant under
 3 this footnote shall apply to the department detailing the provider's or
 4 agency's grant proposal on an application provided by the department. Grant
 5 proposals shall be evaluated by the department and prioritized for grant
 6 funding based on the following criteria:

7
 8 (i) The degree to which the proposal will reasonably achieve the
 9 intent of this program;

10
 11 (ii) The adequacy of the proposal's approach to ensuring that
 12 any mental health programming funded through the receipt of a grant can be
 13 independently sustained by the emergency medical service provider or county
 14 or municipal law enforcement agency into the future.

15
 16 30. Of this appropriation to the department of family services, two hundred
 17 twenty-five thousand dollars (\$225,000.00)ARPD is for the purpose of planning
 18 a system to maximize state and local food distribution and minimize waste of
 19 donated and publicly purchased food to feed needy children, families and
 20 elderly persons with the intent to identify best practices and opportunities
 21 for enhancement and improvement. Of this appropriation, three million twenty-
 22 five thousand dollars (\$3,025,000.00)ARPD is to provide one (1) time grant
 23 funds to Wyoming organizations and entities to implement recommendations from

APPROPRIATION

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1 the assessment and evaluation of the food distribution system to Wyoming
2 citizens who face food insecurity.

3
4 32. This appropriation to the supreme court is for purposes of assisting with
5 the provision of civil legal needs of low-income individuals, clients with
6 special needs and other vulnerable populations and improving access to legal
7 services during the COVID-19 pandemic through equal justice Wyoming. This
8 appropriation shall be used by the supreme court to implement a common case
9 management system for nonprofit civil legal aid providers, create an online
10 triage portal for low-income individuals allowing for increased access to
11 civil legal services, broaden access for limited English proficient
12 individuals to the court system through remote interpretation and upgrade the
13 equal justice Wyoming website, which serves as the central information
14 repository for clients seeking legal assistance.

15
16 **Section 3.** 2023 Wyoming Session Laws, Chapter 188, Section
17 3, Section 401 is amended to read:

18
19 **Section 3.**

20

APPROPRIATION	OTHER FUNDS
FOR	\$
1 Section 401. AMERICAN RESCUE PLAN DIRECT (ARPD) 2023 APPROPRIATIONS	
2	
3 AGENCY & PROGRAM	
4 048 - Behavioral Health Redesign ¹ .	5,000,000 ARPD
5	<u>3,000,000 ARPD</u>
6 049 - Family Resource Centers ⁶ .	2,750,000 ARPD
7 049 - High Needs and High-Risk Youth ² .	4,000,000 ARPD
8 049 - Difficult to Employ	
9 Self-Sufficiency Program ⁴ .	2,252,500 ARPD
10	<u>2,147,500 ARPD</u>
11 053 - Workforce Programs II ³ .	2,500,000 ARPD
12 101 - Treatment Courts Transfer ⁵ .	<u>100,000 ARPD</u>
13 TOTALS	16,602,500
14	<u>14,497,500</u>
15	

16 1. This appropriation to the department of health, behavioral health
 17 division, is for implementation and infrastructure changes for behavioral
 18 health redesign as provided in 2021 Wyoming Session Laws, Chapter 79 and 2022
 19 Wyoming Session Laws, Chapter 31. This appropriation shall be used in lieu of
 20 the expenditure of state general funds for any qualifying ARPD expenditures
 21 for the implementation of the behavioral health redesign.

22
 23 2. This appropriation to the department of family services is to provide
 24 educational, behavioral health, child welfare and juvenile delinquency
 25 services to children who have profound and complex diagnoses including mental
 26 health, intellectual disabilities and severe behavioral issues.

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3. (a) This appropriation to the department of workforce services is for distribution to or through the Wyoming business council, department of workforce services, University of Wyoming or Wyoming community college commission and community colleges for:

(i) Pre-apprenticeships and apprenticeships;

(ii) Targeted healthcare workforce programs;

(iii) Targeted early childhood workforce programs;

(iv) Dislocated and underemployed talent transition programs;

(v) Workforce development for targeted populations who do not qualify for other assistance, including prisoners released on parole;

(vi) Assistance to former Wyoming residents who demonstrate an intent to return to Wyoming for careers;

(vii) Economic development training for state, local and private economic development professions.

APPROPRIATION

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2 (b) No funds from this appropriation shall be expended on post-
3 secondary education other than for career and technical education determined
4 by the governor to be critical to the Wyoming workforce.

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6 4. This appropriation to the department of family services is to develop an
7 integrated case management model for clients who are among the most difficult
8 to employ and whose barriers have kept them from re-entering the workforce
9 after the COVID-19 pandemic.

10

11 5. This appropriation to the supreme court is to implement, expand and
12 improve court supervised treatment programs within the judicial branch. This
13 appropriation shall only be effective if 2023 Senate File 0023 is enacted
14 into law.

15

16 6. This appropriation to the department of family services is for the
17 purposes of developing a program to provide grants, collect and monitor data
18 and provide technical assistance to communities to establish or strengthen
19 family resource centers.

20

21 **Section 4.**

1

2 (a) The unappropriated balance of ARPD funds as of the
3 effective date of this act shall revert and are hereby
4 reappropriated in accordance with this section.

5

6 (b) From any unappropriated ARPD funds and from reverted
7 funds specified in subsection (a) of this section, the following
8 sums of money identified in section 402 of this section, or as
9 much thereof as is necessary, are appropriated to the specified
10 agencies to be expended for the purposes and programs specified
11 in this section beginning with the effective date of this act
12 and ending December 31, 2026. Unless otherwise specifically
13 provided, the conditions, terms and other requirements on
14 appropriations in this act are effective until December 31,
15 2026.

16

17 (c) The following sums of money appropriated in section
18 402 of this section are intended to provide a maximum amount for
19 each appropriation and shall not be construed to be entitlements
20 or guaranteed amounts. If the total appropriations under this
21 section exceed the unexpended, unobligated American Rescue Plan
22 Act direct funds available to the state, the governor shall
23 proportionally reduce appropriations to executive branch

APPROPRIATION

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FUNDS

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1 agencies and the University of Wyoming to not exceed the total
2 unexpended, unobligated funds.

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4 **Section 402. AMERICAN RESCUE PLAN DIRECT (ARPD) 2024 APPROPRIATIONS**

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6 AGENCY & PROGRAM

7	048 - Mental Health ARPA Programs ¹ .	10,000,000 ARPD
8	057 - Colleges - Wyoming Investment in Nursing ² .	219,916 ARPD
9	060 - Eligible Water & Sewer Projects ³ .	27,000,000 ARPD
10	096 - ARPA Projects - Inflationary Costs ⁴ .	15,000,000 ARPD
11	096 - Administrative Funding, Staffing & Costs ⁵ .	639,000 ARPD
12	096 - Administrative Funds - Grants & Services ⁶ .	<u>1,750,000 ARPD</u>
13	TOTALS	54,608,916

14

15 1. This appropriation to the department of health is only for purposes of
16 community mental health reform implementation. Of this appropriation, not more
17 than five million dollars (\$5,000,000.00)ARPD shall be expended on an outcomes
18 pilot project for community mental health reform. Of this appropriation, not
19 more than five million dollars (\$5,000,000.00)ARPD shall be expended on a
20 high-risk youth care contractor.

21

22 2. This appropriation to the community college commission is for purposes of
23 funding college nursing faculty positions under the Wyoming Investment in
24 Nursing program.

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APPROPRIATION

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1 3. (a) This appropriation to the office of state lands and investments shall
 2 be first expended for purposes of an offset of matching funds identified from
 3 water development account I, water development account II and water
 4 development account III for projects that qualified for ARPD funds and
 5 received or had included state water development funding from the water
 6 development accounts specified in this footnote. Funds to be offset under this
 7 footnote shall revert to the appropriate water development account upon
 8 distribution of this appropriation under this subsection.

9
 10 (b) From any funds remaining from this appropriation after expenditures
 11 under subsection (a) of this footnote, this appropriation shall be expended by
 12 the office of state lands and investments for purposes of offsetting any
 13 matching funds required from and provided by applicants for eligible sewer
 14 projects that received and expended ARPD funds for the sewer projects.

15
 16 4. (a) This appropriation to the state budget department is for purposes of
 17 providing supplemental funding for previously approved eligible projects for
 18 ARPD funds to address increased project costs, in accordance with this
 19 footnote.

20
 21 (b) Any recipient of ARPD funds for projects for Health and Human
 22 Services Capital Construction projects approved in 2023, Eligible Water and
 23 Sewer Projects and Local Government Support Projects seeking additional funds

APPROPRIATION

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1 from this appropriation may apply to the office of state lands and
2 investments, provided that recipients shall apply not later than May 1, 2024.

3

4 (c) Any applicant for funds from this appropriation shall provide
5 sufficient documentation to demonstrate the increased project costs.

6

7 (d) No funds shall be distributed from this appropriation to any
8 applicant that has not let the project for bid before the effective date of
9 this act.

10

11 (e) The office of state lands and investments may consult with any
12 agency in distributing funds from this appropriation. Not later than August 5,
13 2024, the director of the office of state lands and investments shall
14 recommend distributions of this appropriation to the state budget department
15 for disbursement of funds from this appropriation.

16

17 (f) Nothing in this footnote shall be construed to require additional
18 matching funds for receipt of funds from this appropriation.

19

20 (g) If the applications and funding requests received under subsection
21 (b) of this section exceed the amount of this appropriation, the state budget
22 department, in consultation with the director of the office of state lands and
23 investments, shall proportionally reduce recommended distributions to each
24 applicant on a pro rata basis.

APPROPRIATION

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2 (h) The state budget department shall distribute all funds from this
3 appropriation in accordance with this footnote.

4

5 5. This appropriation to the state budget department is for purposes of
6 funding at-will employment contract positions, allowable administrative
7 expenses and associated costs, including necessary subscription services, for
8 purposes of necessary reporting for and compliance with the American Rescue
9 Plan Act and the expenditure of ARPD funds.

10

11 6. This appropriation to the state budget department is for purposes of
12 maintaining a grants management office and any allowable administrative
13 expenses to provide assistance with applications necessary to receive and
14 expend American Rescue Plan Act funds, in accordance with the American Rescue
15 Plan Act and any applicable rules and guidance.

16

17 **Section 5.**

18

1 (a) Any unexpended, unobligated funds appropriated in
2 section 4, section 402 of this act, appropriated in 2022
3 Wyoming Session Laws, Chapter 50, Section 2, Section 400,
4 as amended by 2023 Wyoming Session Laws, Chapter 188,
5 Section 2 and section 2 of this act and appropriated in
6 2023 Wyoming Session Laws, Chapter 188, Section 3, Section
7 401, as amended by section 3 of this act, and any other
8 American Rescue Plan Act direct funds that are not fully
9 committed or obligated in accordance with the American
10 Rescue Plan Act and any applicable rules, regulations or
11 guidance by September 1, 2024 shall revert on September 1,
12 2024 to the office of the governor for purposes of this
13 section.

14

15 (b) On September 1, 2024, funds reverted under this
16 section are hereby reappropriated to the office of the
17 governor and shall be expended for purposes of programs and
18 projects eligible for expenditure with ARPD funds. The
19 governor shall expend funds reappropriated under this
20 section on programs and projects for which ARPD funds may
21 be obligated not later than December 31, 2024 for any other
22 projects or uses eligible under the American Rescue Plan
23 Act that are identified by the governor.

1

2 **Section 6.**

3

4 (a) Funds appropriated under this act may be expended
5 or obligated by the executive branch or judicial branch
6 subject to the following conditions:

7

8 (i) It is the intent of the legislature that the
9 appropriations in this act not be included in the
10 respective agencies' standard budget for the immediately
11 succeeding fiscal biennium, unless otherwise specifically
12 provided;

13

14 (ii) The appropriations in this act shall not be
15 revised, changed, redistributed or increased pursuant to
16 W.S. 9-2-1005(b)(ii) and (iii);

17

18 (iii) The appropriations in this act shall not
19 be transferred or expended for any purpose other than the
20 purpose for which they are appropriated.

21

1 (b) No expenditure of funds shall be made under this
2 act except in accordance with state and federal laws,
3 regulations and orders.

4

5 (c) The governor shall implement reporting
6 requirements on the recipient of any grant, distribution or
7 aid authorized under this act sufficient to comply with all
8 federal reporting requirements.

9

10 (d) The governor is authorized to establish by order
11 or rule emergency programs for which funds are appropriated
12 in this act that are consistent with the terms of the
13 American Rescue Plan Act of 2021, P.L. 117-2, and that do
14 not obligate the state to make any expenditure of state
15 funds not appropriated by the legislature. Any emergency
16 program under the authority granted in this act shall
17 expire on December 31, 2026 unless expressly continued by
18 act of the legislature.

19

20 (e) Funds appropriated under this act shall be
21 obligated in accordance with the American Rescue Plan Act
22 and any applicable rules or guidance not later than

1 December 31, 2024, unless a later date is specified by
2 federal law, rule or guidance.

3

4 (f) The governor shall report to the joint
5 appropriations committee on a monthly basis on all of the
6 following:

7

8 (i) The aggregate allocation of funds
9 appropriated in this act, by program;

10

11 (ii) Program expenditures;

12

13 (iii) Grant awards;

14

15 (iv) Grant expenditures.

16

17 **Section 7.** 2023 Wyoming Session Laws, Chapter 188,
18 Section 5 is repealed.

19

20 **Section 8.** Nothing in this act shall be construed to
21 modify or impair any existing contract or obligation of the
22 state that is executed or incurred on or before the
23 effective date of this act.

1

2 **Section 9.** To the extent that the total sum of
3 appropriations made under any law enacted through the 2024
4 budget session exceed the amount of unexpended, unobligated
5 American Rescue Plan Act direct funds available for
6 expenditure, the appropriations made in this act, 2023
7 Wyoming Session Laws, Chapter 188, Section 3, Section 401
8 and 2022 Wyoming Session Laws, Chapter 50, Section 2,
9 Section 400, as amended by 2023 Wyoming Session Laws,
10 Chapter 188, Section 2, shall be given precedence.

11

12 **Section 10.** This act is effective immediately upon
13 completion of all acts necessary for a bill to become law
14 as provided by Article 4, Section 8 of the Wyoming
15 Constitution.

16

17

(END)