

SENATE FILE NO. SF0132

American rescue plan act appropriations-amendments-4.

Sponsored by: Senator(s) Kolb and Nethercott and
Representative(s) Bear

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.**

1

2 (a) As used in this act:

3

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

7

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

12

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

1

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.

5

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
FOR	FUNDS
	\$
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		OTHER
FOR		FUNDS
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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>
27		

APPROPRIATION

OTHER

FUNDS

FOR

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

3

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

17

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

21

22 (vi) Assistance to former Wyoming residents who have
23 intent to return to Wyoming for careers;

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APPROPRIATION

OTHER

FUNDS

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

3

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

8

9 3. This appropriation to the department of state parks and cultural
10 resources is for products, projects and grants in response to the COVID-
11 19 public health emergency that qualify as ARPD expenditures.

12

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

16

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

23

APPROPRIATION

OTHER

FUNDS

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

6

7 7. This appropriation to the department of health is for purposes of
 8 providing grants for health and human services innovations in rural
 9 health care, long-term care, provision of human services, community
 10 behavioral health, mental health and health information technology and
 11 digital medical innovation.

12

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

18

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

23

APPROPRIATION

OTHER

FUNDS

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

3

4 11. This appropriation to the department of health is for purposes of
5 establishing an emergency medical services regionalization pilot
6 opportunity for the five (5) trauma regions across Wyoming and
7 investigating alternative options for emergency medical services that
8 improve access and reduce costs. Expenditure of this appropriation is
9 conditioned upon a match of funds.

10

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

16

17 15. This appropriation to the Wyoming community college commission is
18 for the Wyoming investment in nursing program. Notwithstanding the
19 source of funding for this appropriation, it is the intent of the
20 legislature that the standard budget of the Wyoming investment in
21 nursing program within the Wyoming community college commission be
22 requested from state general funds for the immediately succeeding fiscal
23 biennium.

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APPROPRIATION

OTHER

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1 16. (a) Of this appropriation to the office of state lands and
 2 investments ~~eighty-eight million dollars (\$88,000,000.00)ARPD~~ eighty-
 3 four million eight hundred two thousand one hundred fifty dollars
 4 (\$84,802,150.00)ARPD shall be for purposes of providing grants for
 5 qualifying health and human services infrastructure and capital
 6 construction investments. Grants from this appropriation shall be
 7 determined by the state loan and investment board. The following
 8 conditions shall apply to all grants provided under subsections (a)
 9 through (c) of this footnote:

10

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

13

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

18

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

APPROPRIATION

OTHER

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(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.

5

6

(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.

11

12

(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:

17

18

(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;

22

23

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

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APPROPRIATION

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(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).

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

(b) Of this appropriation to the office of state lands and investments, ~~five million dollars (\$5,000,000.00)ARPD~~ three million fifty-eight thousand eight hundred eighteen dollars (\$3,058,818.00)ARPD

APPROPRIATION

OTHER

FUNDS

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1 shall be for the purpose of providing grants to cities, counties and
 2 tribal governments in Wyoming for unmet affordable housing needs through
 3 infrastructure, including utilities.

4

5 18. (a) This appropriation to the office of state lands and
 6 investments is for the allocation of competitive grant funding to
 7 cities, counties, special districts and tribal governments for eligible
 8 water and wastewater projects. The allocation of the competitive grant
 9 funding shall be determined by the state loan and investment board. The
 10 following conditions shall apply to all grants provided under this
 11 footnote:

12

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

15

16 (ii) Expenditure of the grant by the recipient is
 17 conditioned upon a match of funds in the ratio of eighty-five cents
 18 (\$0.85) of grant funds to not less than fifteen cents (\$0.15) from
 19 matching funds provided by the project sponsor;

20

21 (iii) The state loan and investment board shall only
 22 consider applications for grants available under this footnote that were
 23 submitted on and before January 23, 2024.

24

APPROPRIATION

OTHER

FUNDS

FOR

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

3

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

7

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

13

14 ~~(i) Include performance requirements in its contracts with~~
15 ~~grant recipients, which performance requirements shall, at a minimum,~~
16 ~~require the grant recipient and any successor in interest to offer and~~
17 ~~provide continuous service to broadband customers during at least the~~
18 ~~first seven (7) years after substantial completion of the relevant~~
19 ~~project for which grant funds were expended;~~

20

21 ~~(ii) Strive to increase the availability of broadband~~
22 ~~services available in Wyoming rural, unserved and underserved areas in~~
23 ~~Wyoming cities, towns and counties;~~

24

APPROPRIATION

OTHER

FUNDS

FOR

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1 ~~(iii) For middle mile broadband projects as defined by W.S.~~
 2 ~~9-12-1501(h)(ii) that receive or expend funds from this appropriation,~~
 3 ~~require project recipients to allow last mile broadband providers access~~
 4 ~~to those middle mile conduits at a reasonable rate as determined by the~~
 5 ~~council;~~

6
 7 ~~(iv) For any projects that receive or expend funds from~~
 8 ~~this appropriation, implement buildout requirements that include~~
 9 ~~milestones and network performance testing requirements, as determined~~
 10 ~~by the council.~~

11
 12 ~~(b) Of the appropriation in subsection (a) of this footnote,~~
 13 ~~expenditure of fifteen million dollars (\$15,000,000.00) ARPD is~~
 14 ~~conditioned upon a match of funds in the ratio of one dollar (\$1.00) of~~
 15 ~~appropriated funds to not less than fifty cents (\$0.50) of private~~
 16 ~~sector matching funds from project participants. Private sector matching~~
 17 ~~funds provided under this subsection shall be accounted for in the~~
 18 ~~aggregate of appropriated funds expended and not on a per project basis.~~
 19 ~~Private sector matching funds provided under this subsection shall~~
 20 ~~include future maintenance commitments that will be expended within the~~
 21 ~~first three (3) years of the life of the project and any other allowable~~
 22 ~~expense authorized by the Infrastructure Investment and Jobs Act, P.L.~~
 23 ~~117-58.~~

24

APPROPRIATION

OTHER

FUNDS

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1 ~~(c) It is the intent of the legislature that the appropriation~~
2 ~~in subsection (a) of this footnote leverage additional federal funds~~
3 ~~for broadband connectivity under the Infrastructure Investment and Jobs~~
4 ~~Act, P.L. 117-58 to the maximum extent possible and not less than one~~
5 ~~dollar (\$1.00) of appropriated funds to four dollars (\$4.00) of federal~~
6 ~~matching funds.~~

7

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

13

14 24. This appropriation to the supreme court is for purposes of
15 implementing COVID-19 mitigation measures including, but not limited to
16 acquisition of personal protective equipment to slow the spread of
17 COVID-19. The supreme court may expend any funds not expended on COVID-
18 19 mitigation measures for the study, planning and design of
19 diversionary treatments and systems of care for defendants with mental
20 and substance abuse illnesses.

21

22 25. This appropriation to the department of transportation is to
23 provide aid to commercial air providers to mitigate financial hardship,
24 including supporting payroll costs, lost pay and benefits for returning

APPROPRIATION

OTHER

FUNDS

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1 employees, support of operations and maintenance of existing equipment
2 and facilities.

3

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

6

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

16

17 29. (a) This appropriation to the department of health is for the
18 purpose of establishing a grant program for emergency medical service
19 providers and county and municipal law enforcement agencies to deliver
20 and improve access to mental health services for first responders as
21 defined by W.S. 27-14-102(a)(xxxi) and law enforcement officers. An
22 emergency medical service provider or county or municipal law
23 enforcement agency seeking a grant under this footnote shall apply to
24 the department detailing the provider's or agency's grant proposal on

APPROPRIATION

OTHER

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1 an application provided by the department. Grant proposals shall be
 2 evaluated by the department and prioritized for grant funding based on
 3 the following criteria:

4

5 (i) The degree to which the proposal will reasonably
 6 achieve the intent of this program;

7

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

12

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

24

APPROPRIATION

OTHER

FUNDS

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

13

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

16

17 **Section 3.**

18

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
18 behavioral health redesign as provided in 2021 Wyoming Session Laws,
19 Chapter 79 and 2022 Wyoming Session Laws, Chapter 31. This
20 appropriation shall be used in lieu of the expenditure of state general
21 funds for any qualifying ARPD expenditures for the implementation of
22 the behavioral health redesign.

23
24 2. This appropriation to the department of family services is to
25 provide educational, behavioral health, child welfare and juvenile
26 delinquency services to children who have profound and complex

APPROPRIATION

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1 diagnoses including mental health, intellectual disabilities and severe
2 behavioral issues.

3

4 3. (a) This appropriation to the department of workforce services is
5 for distribution to or through the Wyoming business council, department
6 of workforce services, University of Wyoming or Wyoming community
7 college commission and community 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
16 programs;

17

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

21

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

24

APPROPRIATION

OTHER

FUNDS

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

3

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

7

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

12

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

17

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

22

23 **Section 4.**

1

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

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APPROPRIATION

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1 (c) The following sums of money appropriated in
 2 section 402 of this section are intended to provide a
 3 maximum amount for each appropriation and shall not be
 4 construed to be entitlements or guaranteed amounts. If the
 5 total appropriations under this section exceed the
 6 unexpended, unobligated American Rescue Plan Act direct
 7 funds available to the state, the governor shall
 8 proportionally reduce the appropriations to executive
 9 branch agencies and the University of Wyoming to not exceed
 10 the total unexpended, unobligated funds.

11

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

13

14 AGENCY & PROGRAM

15	060 - Water Projects Offset ¹ .	20,000,000 ARPD
16	060 - Eligible ARPA Projects ² .	<u>34,264,986 ARPD</u>
17	TOTALS	54,264,986

18

19 1. This appropriation to the office of state lands and investments
 20 shall be expended for purposes of an offset of matching funds
 21 identified from water development account I for projects that qualified
 22 for ARPD funds and received or had included water development account I
 23 funding. Funds to be offset under this footnote shall revert to water

APPROPRIATION

OTHER

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1 development account I upon distribution of the appropriation under this
2 footnote.

3

4 2. (a) This appropriation to the office of state lands and
5 investments is for purposes of programs and projects eligible for
6 expenditure with ARPD funds. The state loan and investment board shall
7 award funds appropriated under this footnote on programs and projects
8 for which ARPD funds may be obligated not later than September 1, 2024
9 and in the following priority order and subject to the following
10 conditions:

11

12 (i) Supplemental grant funding to any previous recipient
13 of ARPD funds from the state for projects for Health and Human Services
14 Capital Construction, Eligible Water and Sewer Projects and Local
15 Government Support Projects. These supplemental grants shall only be
16 for purposes of inflation related costs;

17

18 (ii) Grant funding to cities, counties, special districts
19 and tribal governments for eligible water and wastewater projects
20 pursuant to rules promulgated by the state loan and investment board.
21 The state loan and investment board shall only consider applications
22 for grants available under this paragraph that were submitted on and
23 before the effective date of this act. The projects for eligible water
24 and wastewater projects funded by grants under this paragraph shall be

APPROPRIATION

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1 under contract by July 1, 2024, have their project funds obligated not
 2 later than September 1, 2024 and completed by December 31, 2026.

3

4 (d) On August 1, 2024, any unexpended, unobligated
 5 funds remaining from the appropriations and
 6 reappropriations in this section shall be reappropriated to
 7 the Wyoming department of transportation for purposes of
 8 funding eligible ARPD projects that improve safety.

9

10 **Section 5.**

11

1 (a) Any unexpended, unobligated funds appropriated in
2 section 4 of this act, appropriated in 2022 Wyoming Session
3 Laws, Chapter 50, Section 2, Section 400, as amended by
4 2023 Wyoming Session Laws, Chapter 188, Section 2 and
5 section 2 of this act and appropriated in 2023 Wyoming
6 Session Laws, Chapter 188, Section 3, Section 401, as
7 amended by section 3 of this act, and any other American
8 Rescue Plan Act direct funds that are not fully committed
9 or obligated in accordance with the American Rescue Plan
10 Act and any applicable rules, regulations or guidance by
11 September 1, 2024 shall revert on September 1, 2024 to the
12 office of state lands and investments 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 state
17 lands and investments for projects eligible for expenditure
18 with ARPD funds. The state loan and investment board shall
19 expend funds reappropriated under this subsection on
20 programs and projects for which ARPD funds may be obligated
21 not later than December 31, 2024 and in the following
22 priority order and subject to the following conditions:

1

2 (i) Supplemental grant funding to any previous
3 recipient of ARPD funds from the state for projects for
4 Health and Human Services Capital Construction, Eligible
5 Water and Sewer Projects and Local Government Support
6 Projects. These supplemental grants shall only be for
7 purposes of inflation related costs;

8

9 (ii) Grant funding to cities, counties, special
10 districts and tribal governments for eligible water and
11 wastewater projects pursuant to rules promulgated by the
12 state loan and investment board. The state loan and
13 investment board shall only consider applications for
14 grants available under this paragraph that were submitted
15 on and before the effective date of this act. The projects
16 for eligible water and wastewater projects funded by grants
17 under this paragraph shall be under contract by July 1,
18 2024, have their project funds obligated not later than
19 December 31, 2024 and completed by December 31, 2026.

20

21 **Section 6.**

22

1 (a) Funds appropriated under this act may be expended
2 or obligated by the executive branch or judicial branch
3 subject to the following conditions:

4

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

10

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

14

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

18

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

22

1 (c) The governor shall implement reporting
2 requirements on the recipient of any grant, distribution or
3 aid authorized under this act sufficient to comply with all
4 federal reporting requirements.

5

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

15

16 (e) Funds appropriated under this act shall be
17 obligated in accordance with the American Rescue Plan Act
18 and any applicable rules or guidance not later than
19 December 31, 2024, unless a later date is specified by
20 federal law, rule or guidance.

21

1 (f) The governor shall report to the joint
2 appropriations committee on a monthly basis on all of the
3 following:

4

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

7

8 (ii) Program expenditures;

9

10 (iii) Grant awards;

11

12 (iv) Grant expenditures.

13

14 **Section 7.** 2023 Wyoming Session Laws, Chapter 188,
15 Section 5 is repealed.

16

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

21

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

10

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

15

16

(END)