DRAFT ONLY
NOT APPROVED FOR INTRODUCTION

HOUSE BILL NO.

Wyoming business council and programs-amendments.

Sponsored by: Joint Appropriations Committee

A BILL

for

AN ACT relating to the administration of government; providing legislative liaisons to the Wyoming business council; authorizing legislative liaisons to participate in specified matters; amending the Wyoming business ready community program as specified; amending the reversion of appropriations to the business ready community account; creating definitions; conforming provisions; specifying applicability; specifying a conflict of law provision; providing an appropriation; and providing for an effective date.

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

Section 1. W.S. 9-12-604 is created to read:

9-12-604. Wyoming business ready community program; legislative liaisons.

(a) The legislative liaisons appointed under W.S. 9-12-103(j) shall serve as liaisons to the council for purposes of the Wyoming business ready community program.

(b) In carrying out subsection (a) of this section, the legislative liaisons may:

(i) Attend any public or executive session meeting of the council or the state loan and investment board at which the Wyoming business ready community program, applications submitted under the program or recommendations for grants or loans under the program are considered;

(ii) Review applications and materials provided to the council for the Wyoming business ready community program;

(iii) Provide comments to the council and, when applicable, the state loan and investment board concerning the Wyoming business ready community program and applications for grants or loans under the program.

Section 2. W.S. 9-12-103 by creating a new subsection (j), 9-12-601(b), (d), (k) by creating new paragraphs (iii) and (iv), (m) and (n), 9-12-602 and 9-12-603 are amended to read:

9-12-103. Wyoming business council; creation; composition; compensation; termination; meetings; surety bonds; fiscal control; legislative liaisons.

(j) One (1) senator appointed by the president of the senate and one (1) representative appointed by the speaker of the house shall serve as nonvoting legislative liaisons to the council. Legislative liaisons may attend council meetings and participate in council activities as the legislative liaisons determine to be necessary or appropriate. For purposes of attending executive sessions held pursuant to W.S. 16-4-405(a) only, legislative liaisons shall be considered members of the governing body

of the council. The legislative liaisons shall serve two (2) year terms but are eligible for reappointment and may be removed by the officer appointing the member. Legislative liaisons shall be paid salary, per diem and mileage as provided in W.S. 28-5-101 when attending meetings of the council or when attending meetings of the state loan and investment board pursuant to W.S. 9-12-604(b)(i).

9-12-601. Wyoming business ready community program; purpose; creation; rulemaking.

(b) The council shall establish and administer a Wyoming business ready community program as provided by this article. Any city, town, county or the Eastern Shoshone or Northern Arapaho tribe, or the cooperative tribal governing body, may submit an application to the council for a grant or loan under the program on forms prescribed by and subject to rules promulgated by the council. Grants or loans may be applied for by a joint powers board with the approval of all participating agencies to the joint powers agreement. Grants and loans may be made by the council for planning projects and hard

infrastructure projects specified in this article that promote economic or educational development~~, planning or infrastructure projects, including~~. Expenditures on eligible projects shall be limited to the purchase of land, buildings, facilities, telecommunications infrastructure, rights of way, airports, sewer and water projects, roads, landscaping~~, recreational and convention facilities or other infrastructure determined by the council to be consistent with the purposes of this article~~ and for other related costs specifically authorized in this article. Eligible projects shall not include recreational facilities or convention facilities. No grant or loan shall be awarded for the purchase, construction, improvement or funding of any land, building, facility, infrastructure or other asset unless the applicant owns or will own the asset. The applicant shall operate the asset, if applicable, and shall not lease the asset to or permit the asset to be operated by any other person. In adopting rules and making grants and loans under this article the council ~~shall require all projects to be related to economic or educational development, planning or infrastructure, which~~ shall not include rehabilitation or expansion of existing infrastructure unless the council determines the

rehabilitation or expansion is necessary to meet the purposes of this article. Planning grants and loans shall be limited as provided in subsection (m) of this section. All grants or loans made under this article shall first be submitted to the legislative liaisons for review and comment and then referred by the council to the state loan and investment board for final approval or disapproval. The state loan and investment board may adopt rules as necessary to implement its duties under this article.

(d) Grants or loans shall be made under this article, only if the applicant demonstrates that upon receipt of the grant or loan, all projected project costs will be funded. Grants or loans for one (1) project may not exceed a maximum annual amount established by rule of the council. Multi-year projects may be awarded up to the maximum annual amount each year, for a period not to exceed ~~three (3)~~ four (4) years, as approved by the state loan and investment board. The application shall identify the source of all funds to be used for the project.

(k) As used in this article:

(iii) "Hard infrastructure project" means a project for the purchase, construction, improvement or funding of land, a building, facility, infrastructure or other physical asset. "Hard infrastructure project" shall not include a soft infrastructure project;

(iv) "Soft infrastructure project" means a project consisting of programs, services or operations related to education, workforce development, business assistance, health or social services, legal or financial services or general governmental administration.

(m) Planning grants and loans shall:

(i) Not exceed ~~two percent (2%)~~ five percent (5%) of the total amount appropriated to the business ready community program in any fiscal year;

(ii) Not exceed ~~one hundred thousand dollars ($100,000.00)~~ one hundred fifty thousand dollars ($150,000.00) per project. Beginning July 1, 2028, and on July 1 of each year thereafter, the maximum amount specified in this paragraph shall be increased by the

percentage increase in the consumer price index for all urban consumers as published by the United States department of labor, bureau of labor statistics for the preceding calendar year;

(n) Grant and loan recipients shall report the expenditures and progress related to a loan or a grant to the council and the legislative liaisons at least annually and more frequently if deemed necessary by the council. At the end of the term of the grant or loan, the recipient shall furnish a comprehensive report to the council and the legislative liaisons that shall, at a minimum, include a cumulative financial audit and a list of the accomplishments as a result of the grant or loan.

9-12-602. Wyoming business ready community program account.

There is created the business ready community account. Funds shall be credited to the account as provided by law. Subject to this section, funds in the account are continuously appropriated to the council to be used only for grants or loans authorized to be made under this

article. Any unexpended, unobligated funds appropriated to the account on or after July 1, 2027 shall remain in effect and shall not lapse or revert until June 30 of the fourth fiscal year following the fiscal year in which the funds are appropriated to the account. On that date, the funds shall revert to the account from which they were appropriated, except as otherwise authorized by law.

9-12-603. Council duties; actions on grant and loan applications.

All complete applications to participate in the grant and loan program established under this article which conform with the criteria established by law and rules promulgated under this article which are submitted to the council shall be considered by the council and reviewed by the legislative liaisons. The council shall approve or disapprove each application it considers in accordance with this article and rules of the council.

9-12-1509. Advisory council; broadband coordinator.

(a) The business council shall, in consultation with the economically needed diversity options for Wyoming (ENDOW) executive council, establish a broadband advisory council consisting of eleven (11) members. One (1) member shall be the state chief information officer or his designee. Remaining members shall be appointed by the council from the public at-large, with geographic diversity and to include diverse interests, including backgrounds in economic development, state or local government entities, broadband providers, technology related businesses, health care, education, library services and public safety. At least one (1) representative of the Northern Arapaho or Eastern Shoshone tribes of the Wind River Indian Reservation shall be appointed to the advisory council. ~~One (1) senator appointed by the president of the senate and one (1) representative appointed by the speaker of the house shall serve as~~ Legislative liaisons appointed to the business council under W.S. 9-12-103(j) shall serve as liaisons to the advisory council. Legislative liaisons shall be paid salary, per diem and mileage as provided in W.S. 28-5-101 when attending meetings of the advisory council. Members of the advisory council shall receive no salary, but shall be reimbursed under W.S. 9-3-102 and 9-3-

103 for per diem and travel expenses incurred in the performance of their duties.

Section 3. Nothing in this act shall be construed to impair any existing contracts, agreements or other obligations of the Wyoming business council executed before the effective date of this act.

Section 4. To the extent any provision of this act amends a provision of law that is repealed under any legislation enacted during the 2027 general session, the provisions of that legislation repealing the provision shall control.

Section 5. There is appropriated thirty thousand dollars ($30,000.00) from the general fund to the legislative service office for purposes of providing salary, mileage and per diem authorized in W.S. 9-12-103(j), as created by this act, to the legislative liaisons to the Wyoming business council. This appropriation shall be for the period beginning with the effective date of this act and ending June 30, 2028. This appropriation shall not be transferred or expended for any other purpose and any

unexpended, unobligated funds remaining from this appropriation shall revert as provided by law on June 30, 2028.

Section 5. This act is effective July 1, 2027.

(END)