

HOUSE BILL NO. \_\_\_\_\_

Funding for multi-lane highways.

Sponsored by: Joint Transportation and Highways Interim Committee

A BILL

for

1 AN ACT relating to the administration of government;  
 2 modifying the distribution of federal mineral royalties and  
 3 severance taxes as specified; distributing specified  
 4 federal mineral royalties and severance taxes to an account  
 5 within the highway fund; restricting use of account funds  
 6 to the construction and maintenance of multi-lane state  
 7 highways; providing a definition; conforming provisions;  
 8 and providing for an effective date.

9

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

11

12 **Section 1.** W.S. 9-4-601(a) (intro) and by creating a  
 13 new subsection (k), 9-4-602(a) by creating a new paragraph  
 14 (iv), 24-1-119 and 39-14-801(b), (c) (intro), (d) (intro) and  
 15 by creating a new subsection (e) are amended to read:

16

1           **9-4-601. Distribution and use; funds, accounts,**  
2 **cities and towns benefited; exception for bonus payments.**

3  
4           (a) All monies received by the state of Wyoming from  
5 the secretary of the treasury of the United States under  
6 the provisions of the act of congress of February 25, 1920  
7 (41 Stat. 437, 450; 30 U.S.C. §§ 181, 191), as amended, or  
8 from lessees or authorized mine operators and all monies  
9 received by the state from its sale of production from  
10 federal mineral leases subject to the act of congress of  
11 February 25, 1920 (41 Stat. 437, 450; 30 U.S.C. §§ 181,  
12 191) as amended, except as provided by subsection (b) of  
13 this section, shall be deposited in the trust and agency  
14 fund, then distributions under subsection (k) of this  
15 section shall be made and thereafter, the first two hundred  
16 million dollars (\$200,000,000.00) of revenues received in  
17 any fiscal year shall be distributed by the state treasurer  
18 as provided in this subsection. One percent (1%) of ~~these~~  
19 the two hundred million dollars (\$200,000,000.00) in  
20 revenues shall be credited to the general fund as an  
21 administrative fee, and the remainder shall be distributed  
22 as follows:

23

1       (k) Subject to the provisions of W.S. 9-4-602(a)(iv),  
2 after making any distributions required to make payments on  
3 bonds issued under W.S. 9-4-605(b) prior to July 1, 2003 or  
4 issued to refund bonds issued before July 1, 2003 and  
5 funded by revenues specified under W.S. 9-4-605(a), and  
6 before making any other distribution under subsection (a)  
7 or (d) of this section, seven million dollars  
8 (\$7,000,000.00) per year shall be deposited into the multi-  
9 lane highway account within the state highway fund under  
10 W.S. 24-1-119(b). The one percent (1%) administrative fee  
11 to be paid to the general fund provided for pursuant to  
12 subsection (a) of this section shall not apply to  
13 distributions under this subsection.

14  
15       **9-4-602. Distribution and use; state treasurer's**  
16 **duty.**

17  
18       (a) Except as hereafter provided, distribution under  
19 W.S. 9-4-601 shall be made by the state treasurer within  
20 thirty (30) days after the receipt of the government  
21 royalty funds for the preceding period. Federal mineral  
22 royalties received by the state on a continuing monthly  
23 basis shall be distributed under W.S. 9-4-601 by the state

1 treasurer, subject to the following and except as otherwise  
2 provided by law for fiscal year 1994:

3

4 (iv) Federal mineral royalties to be distributed  
5 under W.S. 9-4-601(k) to the multi-lane highway account  
6 within state highway fund under W.S. 24-1-119(b) shall be  
7 made in equal monthly amounts.

8

9 **24-1-119. State highway fund created; income and**  
10 **expenditure.**

11

12 (a) There is created a fund known as the state  
13 highway fund, to the credit of which the state treasurer,  
14 who is designated as the state official to receive all  
15 amounts paid by the United States under the act of congress  
16 approved July 11, 1916, shall place all monies previously  
17 received for the fund, all money subsequently received from  
18 the United States, under cooperative agreements as  
19 authorized, all money derived from taxes levied for such  
20 purpose or appropriated for the fund, all monies received  
21 from the sale of state bonds for highway construction or  
22 improvement, all money received from the counties under  
23 cooperative agreements as hereinbefore authorized, and all  
24 other monies received from donations or bequests, which may

1 be accepted by the commission on behalf of the state of  
2 Wyoming, or from any source designated by law for that  
3 purpose. Except as provided in subsection (b) of this  
4 section, all monies in the fund shall be available for the  
5 purpose of this act without further appropriation and no  
6 warrant shall be drawn on the fund excepting on a voucher  
7 approved by the director of the department of  
8 transportation or an assistant authorized by the director  
9 and approved by the transportation commission. It is  
10 provided that seventy-five percent (75%) of the amount of  
11 any bond issue subsequently issued by the state of Wyoming  
12 for the construction or improvement of state highways,  
13 after the payment of overhead expense, shall be apportioned  
14 to and spent in each county in the proportion which the  
15 assessed valuation of each county by the last general  
16 assessment bears to the total assessment of the state.

17

18 (b) A multi-lane highway account shall be established  
19 within the state highway fund. Funds within the account  
20 shall be available as provided in subsection (a) of this  
21 section except that they shall be used solely for the  
22 purposes of construction and maintenance of multi-lane  
23 state highways within the state. For purposes of this  
24 section "multi-lane" means more than two (2) lanes.

1

2           **39-14-801. Severance tax distributions; distribution**  
3 **account created; formula.**

4

5           (b) [LUST] Before making distributions from the  
6 severance tax distribution account under subsections (c),  
7 ~~and~~ (d) and (e) of this section, an amount equal to the  
8 amount of tax collected under W.S. 39-17-104(c) and  
9 39-17-204(b) for the same period shall be distributed to  
10 the corrective action account created by W.S. 35-11-1424  
11 and to the financial responsibility account created by W.S.  
12 35-11-1427 in an inverse proportion to the amount in the  
13 two (2) accounts.

14

15           (c) After making distributions under ~~subsection~~  
16 subsections (b) and (e) of this section, distributions  
17 under subsection (d) of this section shall be made from the  
18 severance tax distribution account. The amount of  
19 distributions under subsection (d) of this section shall  
20 not exceed one hundred fifty-five million dollars  
21 (\$155,000,000.00) in any fiscal year. To the extent that  
22 distributions under subsection (d) of this section would  
23 exceed that amount in any fiscal year, the excess shall be  
24 credited:

1

2 (d) Deposits into the account created by subsection  
3 (a) of this section shall be distributed as follows,  
4 subject to subsections (b), ~~and~~ (c) and (e) of this  
5 section:

6

7 (e) Before making distributions from the severance  
8 tax distribution account under subsections (c) and (d) of  
9 this section, seven million dollars (\$7,000,000.00) per  
10 year shall be deposited into the multi-lane highway account  
11 within the state highway fund under W.S. 24-1-119(b).  
12 Distributions of revenues under this subsection shall be  
13 made in equal quarterly amounts.

14

15 **Section 2.** This act is effective July 1, 2003.

16

17

(END)