

HOUSE BILL NO. HB0302

Local infrastructure improvements.

Sponsored by: Representative(s) Latta

A BILL

for

1 AN ACT relating to administration of government; creating a  
 2 grant and loan program for economic development  
 3 infrastructure; establishing an account for the program;  
 4 providing funding for the program; providing for  
 5 administration; making an appropriation; specifying  
 6 legislative intent; and providing for an effective date.

7

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

9

10 **Section 1.** W.S. 9-12-601 through 9-12-603 are created  
 11 to read:

12

ARTICLE 6

13

INFRASTRUCTURE PROGRAM

14

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16 **9-12-601. Local economy infrastructure program.**

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1           (a) The council shall establish and administer a  
2 local economy infrastructure program as provided by this  
3 article. Any city, town or joint powers board shall be  
4 eligible to apply to the council for loans or grants of  
5 funds from the program. An application under the program  
6 shall be on forms prescribed by and subject to rules  
7 promulgated by the council. Grants and loans may be  
8 applied for by a joint powers board with the approval of  
9 all participating agencies to the joint powers agreement.  
10 Grants and loans may be made by the council for economic  
11 development infrastructure projects, including the purchase  
12 of land, telecommunications infrastructure, rights of way,  
13 airports, sewer and water projects, roads, or other  
14 infrastructure determined by the council to be consistent  
15 with the purposes of this article. In adopting rules and  
16 making grants and loans under this article the council  
17 shall require all projects to be related to economic  
18 development infrastructure, which shall not include  
19 rehabilitation or expansion of existing infrastructure  
20 unless the applicant demonstrates the rehabilitation or  
21 expansion is necessary to retain an existing business or to  
22 facilitate the relocation of a business to the locality of  
23 the applicant. Grants shall be matching grants as

1 determined by the council. Loans shall be made at no or  
2 low interest rates.

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4 (b) Grants and loans may be used to fund project  
5 costs in accordance with approved applications and rules of  
6 the council.

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8 **9-12-602. Local economy infrastructure program**  
9 **account.**

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11 There is created within the special revenue fund, the local  
12 economy infrastructure program account. Funds in the  
13 account are continuously appropriated to the council to be  
14 used only for grants and loans authorized to be made under  
15 this article.

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17 **9-12-603. Council duties; actions on grant and loan**  
18 **applications.**

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20 All complete applications to participate in the grant and  
21 loan program established under this article which conform  
22 with the criteria established by law and rules promulgated  
23 under this article which are submitted to the council shall  
24 be considered by the council. The council shall approve or

1 disapprove each application it considers in accordance with  
2 this article and rules of the council.

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4 **Section 2.** W.S. 9-4-601(b)(i), (iv) and by creating a  
5 new paragraph (v) and 9-12-102(a)(viii) are amended to  
6 read:

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8 **9-4-601. Distribution and use; funds, accounts,**  
9 **cities and towns benefited; exception for bonus payments.**

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11 (b) The state treasurer shall ascertain and withhold  
12 all bonus payments received from the federal government  
13 attributable to coal, oil shale or geothermal leases of  
14 federal land within Wyoming and shall distribute it as  
15 follows:

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17 (i) Fifty percent (50%), the first seven million  
18 five hundred thousand dollars (\$7,500,000.00) of which  
19 shall be distributed as follows, but for the fiscal year  
20 beginning July 1, 2004 and ending June 30, 2005 any amount  
21 in excess of seven million five hundred thousand dollars  
22 (\$7,500,000.00) shall be deposited to the local economy  
23 infrastructure program account in accordance with paragraph  
24 (v) of this subsection, and thereafter any amount in excess

1 of seven million five hundred thousand dollars  
2 (\$7,500,000.00) per year shall be deposited into the school  
3 capital construction account established under W.S.  
4 21-15-111(a)(i);

5

6 (iv) ~~For the fiscal year commencing July 1,~~  
7 ~~1994, and for each fiscal year thereafter~~ And:

8

9 (A) Ten percent (10%) but not to exceed one  
10 million six hundred thousand dollars (\$1,600,000.00) per  
11 year, to an earmarked revenue fund account which may be  
12 expended by the community college commission in accordance  
13 with and in addition to appropriations available under W.S.  
14 21-18-205(c). For the fiscal year beginning July 1, 2004  
15 and ending June 30, 2005, any amount in excess of one  
16 million six hundred thousand dollars (\$1,600,000.00) shall  
17 be deposited to the local economy infrastructure program  
18 account in accordance with paragraph (v) of this  
19 subsection. Thereafter any amount in excess of one million  
20 six hundred thousand dollars (\$1,600,000.00) together with  
21 any unexpended revenues within the account at the end of  
22 any biennial budget period shall be credited to the school  
23 capital construction account established under W.S.  
24 21-15-111(a)(i);

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(B) For the fiscal year beginning July 1, 2004 and ending June 30, 2005, forty percent (40%) to be deposited to the local economy infrastructure program account in accordance with paragraph (v) of this subsection and thereafter to the school capital construction account established under W.S. 21-15-111(a)(i).

(v) For the fiscal year beginning July 1, 2004 and ending June 30, 2005, after making the distributions provided for in paragraphs (i) and (iv) of this subsection, fifteen million dollars (\$15,000,000.00) shall be deposited in the local economy infrastructure program account established by W.S. 9-12-602. After this amount is deposited in accordance with this paragraph, any remaining amounts shall be deposited in the school capital construction account established under W.S. 21-15-111(a)(i).

**9-12-102. Definitions.**

(a) As used in this act, the following terms have the following meanings, except where the context clearly indicates otherwise:

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2 (viii) "This act" means W.S. 9-12-101 through  
3 ~~9-12-401~~ 9-12-603.

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5 **Section 3.** The legislature intends that the local  
6 economy infrastructure program account be maintained and  
7 funded by the state by future legislative actions. This  
8 act is not intended to be a substitute for existing funding  
9 sources available to qualifying recipients. It is a  
10 supplement to those existing sources designed to focus on  
11 building economic development infrastructure.

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13 **Section 4.** There is appropriated from the budget  
14 reserve account to the local economy infrastructure program  
15 account fifteen million dollars (\$15,000,000.00).

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17 **Section 5.** This act is effective July 1, 2003.

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(END)