

SENATE FILE NO. SF0114

Air services financial aid.

Sponsored by: Senator(s) Coe and Larson and
Representative(s) Illoway and Lockhart

A BILL

for

1 AN ACT relating to air service enhancements; specifying
2 services that qualify as air service enhancements;
3 clarifying conditions that the aeronautics commission shall
4 consider on applications for funding from the air services
5 enhancement account; and providing for an effective date.

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

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9 **Section 1.** W.S. 10-3-601(b), (d)(i), (ii), (v) and
10 (vii) is amended to read:

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12 **10-3-601. Wyoming air services enhancement;**
13 **legislative findings; Wyoming aeronautics commission**
14 **authority to contract for services; requirements.**

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1 (b) The Wyoming aeronautics commission may enter into
2 agreements to provide financial assistance to persons doing
3 business or who will do business in the state, to economic
4 development organizations within the state, to joint powers
5 boards or to other entities formed to provide for enhanced
6 air service to communities in Wyoming that have or are
7 seeking commercial air service, for the enhancement of air
8 services in the state conditioned upon contractual
9 assurances that specified benefits will accrue to the state
10 through increased air traffic and enplanements. For
11 purposes of this article, "enhanced air service" shall
12 include, but not be limited to, assuring that airports in
13 the state with commercial air service have the appropriate
14 level of federal security configuration to accommodate any
15 proposed air service and aircraft capacity. Benefits
16 accruing to the state shall include, but not be limited to,
17 increasing the minimum number of enplanements at airports
18 facing a possible loss of federal airport improvement
19 program funding, increasing passenger enplanements at
20 commercial airports in Wyoming, increasing frequency or
21 sustaining flight operations from commercial airports in
22 Wyoming to regional airport hubs, lowering airfares for air
23 passengers and increasing the number of routes flown within
24 the state. The commission shall consult with counties,

1 cities, towns, joint powers boards, airport boards or other
2 entities pursuing air service enhancement before entering
3 into agreements to provide air service enhancement and
4 shall require local funds for the provision of air service
5 enhancement grants. The amount of local funds required for
6 the provision of enhancing air services shall be determined
7 by the commission, taking into account the types of service
8 for which grants are approved, the diverse characteristics
9 of the communities to which air service is contracted for
10 and other considerations examined by the commission.

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12 (d) All applications for financial aid under this
13 section shall be submitted to the aeronautics commission.
14 The aeronautics commission shall approve or deny the
15 application. The applicant shall be promptly notified of
16 the decision. In making the decision to approve or deny the
17 application, the commission shall give priority to an
18 applicant whereby:

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20 (i) The applicant can provide assurances that
21 the ~~enterprise~~ proposed service has a reasonable chance of
22 success and will achieve benchmarks specified by the
23 applicant;

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1 (ii) Participation by the commission is
2 necessary to the success of the ~~enterprise~~service because
3 funding from other sources for the ~~enterprise~~service is
4 unavailable; ~~in the traditional capital markets, or because~~
5 ~~funding has been offered on terms that would substantially~~
6 ~~hinder the success of the enterprise;~~

7
8 (v) The applicant has already made or is
9 contractually committed to make a substantial financial and
10 time commitment to the ~~enterprise~~service and local funds
11 are provided to secure a financial grant under this
12 section, in an amount determined by the commission;

13
14 (vii) The applicant will provide reasonable
15 assurances that within a time specified by the commission,
16 the state shall benefit from its investment by means of
17 commercial airports having sufficient enplanements to
18 retain or reestablish eligibility for federal airport
19 improvement program funding and that commercial airports in
20 the state will receive increased revenues from established
21 passenger facility charges as a result of increased
22 enplanements ~~by the enterprise~~ or from other benefits.

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