

SENATE FILE NO. SF0146

NCAR supercomputer funding.

Sponsored by: Senator(s) Nicholas and Representative(s)
Berger, Brown, Illoway and Philp

A BILL

for

1 AN ACT relating to the national center for atmospheric
2 research supercomputing center; authorizing the University
3 of Wyoming to acquire the center facility by issuing
4 revenue bonds or pledging federal mineral royalty
5 distributions as specified; specifying terms and
6 conditions; 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. 21-17-451 is created to read:

11

12 **21-17-451. Contingent authorization for the**
13 **university to acquire the national center for atmospheric**
14 **research supercomputer center facility.**

15

1 (a) Subject to the terms and conditions of this
2 section, the University of Wyoming board of trustees is
3 authorized to acquire the facility housing the national
4 center for atmospheric research supercomputer center
5 constructed and operated in accordance with the memorandum
6 of understanding and final contract entered into pursuant
7 to 2007 Wyoming Session Laws, Chapter 136, Section 336. The
8 acquisition may be made by:

9
10 (i) Pursuant to subsection (b) of this section
11 notwithstanding W.S. 21-17-408(b), pledging and, as
12 required, using federal mineral royalties distributed to
13 the university pursuant to W.S. 9-4-601(a)(iv) to fund the
14 principal amount and accrued interest remaining to be paid
15 on industrial development revenue bonds issued by Laramie
16 County, Wyoming, and purchased by the state treasurer to
17 fund the construction of the center facility; or

18
19 (ii) Pursuant to subsection (c) of this section,
20 the issuance of revenue bonds under the University
21 Securities Law, W.S. 21-17-402 through 21-17-450.

22

1 (b) Any action taken by the board pursuant to
2 paragraph (a)(i) or (ii) of this section shall be subject
3 to the following terms and conditions:

4
5 (i) All final agreements have been executed for
6 construction and operation of the center as required in
7 2007 Wyoming Session Laws, Chapter 136, Section 336(d);

8
9 (ii) The final agreements in paragraph (i) of
10 this subsection include binding provisions as follows:

11
12 (A) If the national science foundation
13 ceases to fund the center on or after July 1, 2019, the
14 national center for atmospheric research shall provide
15 written notice to the University of Wyoming at least one
16 (1) year in advance of the date upon which funding will
17 cease;

18
19 (B) If the national science foundation
20 ceases to fund the center as provided in subparagraph (A)
21 of this paragraph, the university consortium for
22 atmospheric research, which is the parent organization for
23 the national center for atmospheric research, shall
24 transfer ownership of all its interest in the center to the

1 University of Wyoming so that the university holds one
2 hundred percent (100%) ownership interest in the center
3 facility.

4

5 (c) If the national science foundation ceases to fund
6 the center as provided in subparagraph (b)(ii)(A) of this
7 section, to the extent the board of trustees determines
8 that the issuance of revenue bonds under the University
9 Securities Law, may more economically or otherwise better
10 accomplish the purposes of this section and no other source
11 of revenue, other than the pledge under paragraph (a)(i) of
12 this section, has been committed to meet the repayment
13 obligations required by the industrial development revenue
14 bonds, the board may issue its revenue bonds to repay the
15 industrial development revenue bonds if the state treasurer
16 still owns them.

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18 (d) The university shall report any notification from
19 the national center for atmospheric research under
20 subparagraph (b)(ii)(A) of this section to the governor,
21 state treasurer, joint appropriations interim committee and
22 joint minerals, business and economic development interim
23 committee of the legislature.

24

1 **Section 2.** This act is effective immediately upon
2 completion of all acts necessary for a bill to become law
3 as provided by Article 4, Section 8 of the Wyoming
4 Constitution.

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6

(END)