

ORIGINAL HOUSE
BILL NO. HB0107

ENROLLED ACT NO. 53, HOUSE OF REPRESENTATIVES

SIXTY-SIXTH LEGISLATURE OF THE STATE OF WYOMING
2022 BUDGET SESSION

AN ACT relating to the state water pollution control revolving loan account, the state drinking water revolving loan account and the corrective action account; providing additional state match funding sources; requiring reimbursement of additional state match funding sources; authorizing the state loan and investment board to make grants; authorizing set-asides; and providing for an effective date.

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

Section 1. 16-1-201(a)(viii), 16-1-202(a) and (b), 16-1-205(b)(iv), (v) by creating a new paragraph (vi) and by creating a new subsection (e), 16-1-301(a) by creating a new paragraph (xx), 16-1-302(a) and (b), 16-1-305(b)(i)(C), by creating a new paragraph (iv) and by creating a new subsection (f) and 35-11-1424(a)(intro), (vi)(intro) and (vii) are amended to read:

16-1-201. Definitions.

(a) As used in this article:

(viii) "Title VI" means Title VI of the Federal Water Pollution Control Act, 33 U.S.C. §§ 1381 to 1387 (~~Cum. Supp. 1989~~) as amended;

16-1-202. Account established; state match.

(a) There is established the state water pollution control revolving loan account. All monies received from federal capitalization grants, excluding any set-aside authorized by Title VI, and all state matching funds shall

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be deposited in the account and shall be used only to provide financial assistance as authorized in this article.

(b) The twenty percent (20%) state matching funds for each federal capitalization grant payment to the account shall be paid from the corrective action account. If the available funds from the corrective action account are insufficient to provide the full twenty percent (20%) state match amount, the board may authorize additional match funding to be paid from the mineral royalty capital construction account created by W.S. 9-4-604. Funding received from the corrective action account and the mineral royalty capital construction account for state matching funds shall be reimbursed from eligible program funds to the account from which they were paid.

16-1-205. Authorized projects; authorized financial assistance.

(b) Financial assistance for the projects authorized in subsection (a) of this section may take the forms provided in Title VI including:

(iv) Security or a source of revenue for the payment of principal and interest on revenue or general obligation bonds issued by the state provided that the net proceeds of the sale of such bonds shall be deposited in the account; ~~and~~

(v) Loan guarantees for similar revolving accounts established by municipalities, counties or joint powers boards; ~~i-~~ and

(vi) Grants and other forms of financial assistance.

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(e) The board may authorize the use of any amount of the allowable percentage of the capitalization grant for any set-aside authorized by Title VI.

16-1-301. Definitions.

(a) As used in this article:

(xx) "Corrective action account" means as defined by W.S. 35-11-1415(a)(ii).

16-1-302. Account established; state match.

(a) There is established the state drinking water revolving loan account. All monies received from the federal capitalization grants, ~~exclusive of the four percent (4%) administration~~ excluding any set-aside as authorized ~~under section 1452(a) of~~ by the Safe Drinking Water Act (42 U.S.C. § 300j-12), and all state matching funds shall be deposited in the account and shall only be used to provide financial assistance as authorized by this article.

(b) The twenty percent (20%) state matching funds for each federal capitalization grant payment to the account ~~shall~~ may be paid fifty percent (50%) out of water development accounts I or II created by W.S. 41-2-124(a) and fifty percent (50%) from the federal mineral royalty capital construction account created by W.S. 9-4-604, up to the maximum amount available and authorized from those accounts. If the available and authorized funds from the federal mineral royalty capital construction account and water development accounts I or II are together insufficient to provide the full twenty percent (20%) state

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match amount, the board may authorize additional matching funds to be paid from the corrective action account or loaned from the mineral royalty capital construction account created by W.S. 9-4-604. Funding received from the corrective action account for state matching funds and any additional monies received from the mineral royalty capital construction account shall be reimbursed from eligible program funds to the account from which they were paid.

16-1-305. Authorized projects; authorized financial assistance.

(b) Financial assistance for the projects authorized in subsection (a) of this section may be in the forms authorized by the Safe Drinking Water Act including:

(i) Loans at or below market interest rates. Loans may be awarded only if:

(C) The loan is fully amortized not later than ~~twenty (20)~~ thirty (30) years after project completion or not later than ~~thirty (30)~~ forty (40) years for disadvantaged communities providing the period of the loan does not exceed the design life of the project; and

(iv) Grants and other forms of financial assistance.

(f) The board may authorize the use of any amount of the allowable percentage of the capitalization grant for any set-aside authorized by the Safe Drinking Water Act.

35-11-1424. Corrective action account created; use of monies; cost recovery.

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(a) There is created the corrective action account. This account is intended to provide for financial assurance coverage required by federal law and shall be used by the department to take corrective action in response to a release and to remediate orphan sites and solid waste landfills. The department shall use monies from the corrective action account as appropriated by the legislature for the administration of this article, W.S. 35-11-533 through 35-11-537 and 35-11-1701. Interest earned by this account shall be deposited in the general fund. Monies in the corrective action account ~~shall~~may also be used for the state drinking water and water pollution control revolving loan ~~account~~accounts pursuant to W.S. 16-1-201 through 16-1-207 and 16-1-301 through 16-1-308. Except as provided in subsection (p) of this section, and contingent on availability of money in the corrective action account, the director shall distribute monies in the corrective action account to the solid waste landfill remediation account created by W.S. 35-11-535 and the orphan site remediation account created pursuant to W.S. 35-11-1701 on July 1 of each specified year in an amount up to:

(vi) 2024 through 2028 - provided that in no event shall monies plus net accounts receivable in the corrective action account on July 1 of any year of this period be less than two million dollars (\$2,000,000.00), the director shall:

(vii) 2029 and each year thereafter-the director shall determine expected expenditures from the corrective action account for the underground storage tank program for the next fiscal year and retain monies equal to that amount in the corrective action account, with the remainder of the monies being divided and deposited at the director's

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discretion into the solid waste landfill remediation account and the orphan site remediation account, but in no event shall monies plus net accounts receivable in the corrective action account on July 1 of any year be less than two million dollars (\$2,000,000.00).

Section 2. This act is effective July 1, 2022.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk