

HOUSE BILL NO. HB0215

Integrated test center-governance.

Sponsored by: Representative(s) Conrad and Burkhart and
Senator(s) Dockstader

A BILL

for

1 AN ACT relating to the administration of the government;
2 codifying and continuing the integrated test center;
3 specifying oversight and powers of the integrated test
4 center; requiring reports; specifying budget procedures for
5 the center; creating an account; making conforming
6 amendments; providing for the transfer and assumption of
7 obligations, funds and duties; and providing for effective
8 dates.

9

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

11

12 **Section 1.**

13

14 (a) The integrated test center established in 2014
15 Wyoming session laws, chapter 26, section 334(h)(ii) and

1 (n), as amended by 2015 Wyoming session laws, chapter 142,
2 section 334(h)(ii) and (o), shall be transferred to the
3 University of Wyoming school of energy resources as of the
4 effective date of this subsection. Except as provided in
5 section 4 of this act, all property, equipment, obligations
6 and unexpended funds of the integrated test center shall be
7 transferred to the University of Wyoming school of energy
8 resources on the effective date of this subsection.

9

10 (b) Before October 1, 2024, the joint minerals,
11 business and economic development interim committee is
12 directed to study the impacts this act will have on the
13 duties and responsibilities of the school of energy
14 resources and the integrated test center, including the
15 effect the transfer will have on existing funding and
16 obligations of the integrated test center. The integrated
17 test center and the school of energy resources shall assist
18 the committee in this study as requested. The committee
19 shall sponsor any necessary legislation to correct or
20 improve the outcome of any issue associated with the
21 transfer of the integrated test center or of any other
22 issue identified in this study.

23

1 (c) Not later than May 1, 2024, the director of the
2 school of energy resources shall prepare a plan for the
3 transfer of the integrated test center and its programs,
4 assets, obligations and functions to the school of energy
5 resources. The director shall submit the plan to the joint
6 minerals, business and economic development interim
7 committee for consideration during the committee's first
8 interim committee meeting of 2024.

9

10 (d) Not later than October 1, 2024 and again on
11 February 1, 2024, the school of energy resources and the
12 integrated test center shall report to the joint minerals,
13 business and economic development interim committee on the
14 status of the plan to transfer duties, property,
15 obligations and responsibilities of the integrated test
16 center to the school of energy resources. The center and
17 the school of energy resources shall recommend to the
18 committee any legislation necessary to correct or improve
19 the outcome of any issue identified in the codification of
20 the integrated test center as provided for by this act.

21

22 (e) In anticipation of the transfer of the integrated
23 test center to the school of energy resources, the school

1 of energy resources may include any necessary exception
2 requests for the integrated test center in the supplemental
3 budget the school submits under W.S. 9-2-1010 through
4 9-2-1014 and 21-17-117(c)(iv) before the 2025 general
5 session.

6

7 (f) Beginning with the effective date of this
8 subsection until July 1, 2025, the integrated test center
9 shall consult with the school of energy resources, the
10 energy resources council and the governor regarding any
11 agreement, contract, lease or other obligation the
12 integrated test center seeks to enter into on behalf of the
13 center.

14

15 **Section 2.** W.S. 21-17-117.1 is created to read:

16

17 **21-17-117.1. Integrated test center; governance;**
18 **duties; powers.**

19

20 (a) The integrated test center established in 2014
21 Wyoming session laws, chapter 26, section 334(h)(ii) and
22 (n), as amended by 2015 Wyoming session laws, chapter 142,

1 section 334(h)(ii) and (o), is hereby codified and
2 continued as the integrated test center.

3

4 (b) The school of energy resources, under direction
5 from the energy resources council, shall oversee and
6 operate the integrated test center.

7

8 (c) The school of energy resources, under direction
9 from the energy resources council, shall establish the
10 structure and policies for the operation of the integrated
11 test center consistent with the objectives of this section
12 and W.S. 21-17-117, and shall engage as many academic
13 departments and colleges as possible in support of the
14 center.

15

16 (d) In operating the center, the school of energy
17 resources shall:

18

19 (i) Design, construct and operate a research
20 facility to study the capture, sequestration, utilization
21 and management of carbon dioxide emissions or other
22 emissions, improvements in electricity generation
23 technologies or other research projects. For purposes of

1 this paragraph, a center designed and constructed under
2 2014 Wyoming session laws, chapter 26, section 334(n) shall
3 be deemed to satisfy the requirements of this paragraph;

4

5 (ii) Provide a testing location for research
6 projects;

7

8 (iii) Enter into leases with owners of real
9 property where the research facility specified in paragraph
10 (i) of this subsection is located. Any lease entered into
11 under this paragraph shall offer the owner of the real
12 property the right of first refusal to purchase the
13 research facility and all fixtures at fair market value
14 after conclusion of all center activities at the research
15 facility;

16

17 (iv) Establish relationships and work with the
18 Wyoming energy authority, the office of the governor and
19 any other relevant entity or state agency to ensure
20 coordination of the center's activities and to communicate
21 appropriate opportunities for collaboration;

22

1 (v) Prioritize research space at the facility
2 established under paragraph (i) of this subsection and
3 resources to research projects that the school of energy
4 resources and the energy resources council determines
5 would:

6

7 (A) Have a high likelihood for commercial
8 success and are at the correct developmental stage for
9 testing at the center;

10

11 (B) Increase the knowledge base within the
12 state of Wyoming on the capture, sequestration, utilization
13 and management of carbon dioxide emissions or other
14 emissions with the potential benefit of improving the
15 future marketability of Wyoming energy sources;

16

17 (C) Increase the national and international
18 exposure of the state of Wyoming and its agencies,
19 instrumentalities and political subdivisions as
20 participants and locations for innovation in the use of
21 energy;

22

1 (D) Add ancillary or supplemental value to
2 Wyoming products or byproducts; or

3

4 (E) Lead to the development of methods or
5 products that may advance the future use of Wyoming's
6 natural resources.

7

8 (e) The school of energy resources shall establish
9 and collect fees and prepare a schedule of fees, rentals
10 and other charges for the use of the integrated test
11 center's research facility and any other facilities of the
12 center, as the school of energy resources may determine.

13

14 (f) Any fees or charges collected under subsection
15 (e) of this section shall be deposited into the integrated
16 test center account, which is hereby created. Funds in the
17 account shall be invested by the state treasurer in
18 accordance with law, and all earnings shall be deposited
19 into the account. Funds in the account shall only be
20 expended upon legislative appropriation for purposes of
21 operating, managing and improving the integrated test
22 center.

23

1 (g) Not later than October 1 of each year, the school
2 of energy resources shall report to the joint minerals,
3 business and economic development interim committee and the
4 joint appropriations committee on:

5

6 (i) The work of the center in the past fiscal
7 year, including the work and use of the research facility
8 established under paragraph (d)(i) of this section;

9

10 (ii) All accomplishments of the center in the
11 past fiscal year and benefits accruing to Wyoming's economy
12 as a result of the center's work;

13

14 (iii) The current occupancy of the center,
15 including lessees and the projects lessees are conducting
16 at the center;

17

18 (iv) The amount of fees and charges collected by
19 the integrated test center and the balance of the
20 integrated test center account created under subsection (f)
21 of this section.

22

1 **Section 3.** W.S. 21-17-117(c)(iv) and by creating a
2 new paragraph (v) is amended to read:

3

4 **21-17-117. School of energy resources; creation**
5 **authorized; University of Wyoming energy resources council**
6 **established; reports; budget submittal.**

7

8 (c) The school of energy resources shall:

9

10 (iv) Notwithstanding any other provision of this
11 chapter, develop and submit a budget for the school for
12 approval by the energy resources council and then shall
13 submit for review in accordance with W.S. 9-2-1010 through
14 9-2-1014. The school of energy resources shall include in
15 the budget submitted under this paragraph a budget for the
16 integrated test center created by W.S. 21-17-117.1. The
17 school of energy resources shall submit its budget to the
18 governor after approval by the energy resources council
19 created in subsection (e) of this section. The school of
20 energy resources shall submit a copy of its budget for
21 informational purposes to the university's board of
22 trustees; ~~and~~

23

1 (v) Oversee and manage the integrated test
2 center in accordance with W.S. 21-17-117.1.

3
4 **Section 4.**

5
6 (a) On July 1, 2025, the integrated test center
7 designed and constructed under 2014 Wyoming session laws,
8 chapter 26, section 334(n) shall be transferred to the
9 authority of the University of Wyoming school of energy
10 resources. Subject to the requirements of this section, all
11 property, equipment, unexpended funds and obligations
12 associated with the integrated test center, including any
13 unexpended funds from funds appropriated in 2014 Wyoming
14 session laws, chapter 26, section 334(h)(ii) and (n)(intro)
15 shall be transferred to the school of energy resources on
16 July 1, 2025, except as otherwise provided in this section.
17 For purposes of this subsection, any funds appropriated for
18 purposes of or to the integrated test center during the
19 2024 budget session and the 2025 general session of the
20 legislature shall be transferred to the school of energy
21 resources on July 1, 2025, subject to the requirements of
22 this section.

23

1 (b) Nothing in this act shall be construed to impair
2 existing contracts, agreements or other obligations of the
3 integrated test center that were entered into on the
4 integrated test center's behalf before July 1, 2025. Except
5 as otherwise provided in this subsection, contracts entered
6 into by the integrated test center before July 1, 2025
7 shall be treated as if entered by the school of energy
8 resources. The school of energy resources shall, to the
9 greatest extent authorized by law and upon assuming
10 responsibility for the integrated test center, fulfill
11 existing agreements, contracts and other obligations of the
12 integrated test center entered into before July 1, 2025.
13 For any existing agreement, contract or other obligation
14 that the school of energy resources cannot assume lawfully,
15 the entity or agency originally entering into, assuming or
16 holding the agreement, contract or obligation shall retain
17 and fulfill those agreements, contracts and other
18 obligations.

19

20 (c) If any funds appropriated to or for the purpose
21 of the integrated test center before July 1, 2025 cannot be
22 lawfully transferred to the school of energy resources, the
23 entity or agency to whom those funds were appropriated

1 shall retain those funds and expend those funds for the
2 integrated test center in accordance with the terms of the
3 appropriation. Funds retained by an entity or agency under
4 this subsection shall remain subject to all applicable
5 provisions of law pertaining to appropriations,
6 expenditures and reversions.

7

8 **Section 5.**

9

10 (a) Except as provided in subsection (b) of this
11 section, this act is effective July 1, 2024.

12

13 (b) Sections 1(b) through (f) and 5 of this act are
14 effective immediately upon completion of all acts necessary
15 for a bill to become law as provided by Article 4, Section
16 8 of the Wyoming Constitution.

17

18 (END)