

ENROLLED ACT NO. 65, HOUSE OF REPRESENTATIVES

FIFTY-SEVENTH LEGISLATURE OF THE STATE OF WYOMING
2004 BUDGET SESSION

AN ACT relating to the Wyoming business council; extending the appropriation for the Wyoming air services enhancement account as specified; authorizing the business council to enter into an agreement with the aeronautics commission to investigate applications and make recommendations; requiring matching fund grants as specified; and providing for an effective date.

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

Section 1. W.S. 9-12-701(b), (c), (d)(intro) and (iii) through (v) and 9-12-702(b) and (c) are amended to read:

9-12-701. Wyoming air services enhancement; legislative findings; Wyoming business council authority to contract for services; requirements.

(b) The Wyoming business council may enter into agreements to provide financial assistance to persons doing business or who will do business in the state for the enhancement of air services in the state conditioned upon contractual assurances that specified benefits will accrue to the state through increased air traffic and enplanements, including increasing the minimum number of enplanements at airports facing a possible loss of federal airport improvement program funding, increasing ridership between commercial airports in Wyoming and regional airport hubs, lowering airfares for air passengers and increasing the number of routes flown within the state. The council shall consult with counties, cities, towns, joint powers boards, airport boards or other entities pursuing air service enhancement before entering into agreements with persons to provide air service enhancement and shall

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require matching funds for the provision of air service enhancement grants.

(c) The council has primary responsibility and may consult with the aeronautics division of the Wyoming department of transportation or other entities and enter into an agreement with the Wyoming aeronautics commission, as necessary, to develop criteria for bids and contracts for financial aid under this section. ~~in accordance with W.S. 9-2-1016(b)(iv).~~

(d) All applications for financial aid under this section shall be submitted to the ~~council~~ aeronautics commission which shall investigate and prepare a report concerning the advisability of approving the proposed financial aid for the applicant and concerning any other factors deemed relevant by the ~~council~~ aeronautics commission. After consideration of the report, the council, in consultation with the aeronautics commission shall approve or deny the application. The applicant shall be promptly notified of the decision. In making the decision to approve or deny the application, the council shall give priority to an applicant whereby:

(iii) The applicant will use the proceeds of the financial assistance provided under this section only to ~~cover operational costs or acquisition of aircraft suitable for the special requirements of Wyoming airports~~ secure or enhance air services within the state;

(iv) The financial assistance has the reasonable potential in the opinion of the ~~Wyoming business council~~ aeronautics commission to create a substantial amount of air travel originating within the state;

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(v) The applicant has already made or is contractually committed to make a substantial financial and time commitment to the enterprise and local matching funds are provided to secure a financial grant under this section;

9-12-702. Wyoming air services enhancement account.

(b) Any funds appropriated by the legislature to the account established under subsection (a) of this section shall not lapse as provided by W.S. 9-4-207(a), but shall revert to the transportation enterprise fund as provided by W.S. 9-12-103(c) or upon a finding by the council that no applicant is able to provide the assurances required by W.S. 9-12-701 by June 30, ~~2004~~2006, whichever occurs earlier.

(c) The council shall report to the joint minerals, business and economic development interim committee, the joint appropriations interim committee and the air transportation liaison committee no later than September 30, 2003 and 2004 with respect to any applications it has received under W.S. 9-12-701, including any actions taken and funds expended in consideration of, and pursuant to, any contract entered into under W.S. 9-12-701. If any funds are expended under a contract prior to June 30, ~~2004~~2006, the council shall also report no later than that date and annually thereafter with respect to the performance of any recipient of funds under the contract.

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

(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