

HOUSE BILL NO. HB0197

Wyoming office of energy planning and policy.

Sponsored by: Representative(s) Parady and Miller

A BILL

for

1 AN ACT relating to government administration and
 2 organization; creating a Wyoming office of energy planning
 3 and policy; requiring a reorganization plan as specified;
 4 requiring reports as specified; providing definitions;
 5 making conforming amendments; authorizing positions;
 6 providing an appropriation; and providing for an effective
 7 date.

8

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

10

11 **Section 1.** W.S. 9-2-2901 is created to read:

12

13

CHAPTER 29

14

ENERGY PLANNING

15

1 **9-2-2901. Wyoming office of energy planning and**
2 **policy created; director; powers and duties; reorganization**
3 **plan.**

4
5 (a) There is created as a separate operating agency
6 the Wyoming office of energy planning and policy.

7
8 (b) The administrative head of the office shall be a
9 director appointed by the governor with the advice and
10 consent of the senate. The initial director shall be
11 appointed not later than April 1, 2004 and may serve as
12 temporary director until a director is confirmed by the
13 senate. The director shall serve at the pleasure of the
14 governor.

15
16 (c) The office shall:

17
18 (i) Review, modify and implement the
19 comprehensive state energy plan developed by the Wyoming
20 energy commission and designed to facilitate development,
21 marketing, use and enhancement of Wyoming energy resources,
22 both within and without the state of Wyoming. In modifying
23 and implementing the state energy plan, the office shall

1 attempt to maximize the production and value of all of the
2 state's energy resources;

3

4 (ii) Propose research, development and
5 demonstration projects and programs necessary to evaluate
6 the availability and cost effectiveness of enhanced oil
7 recovery, including both secondary and tertiary recovery,
8 in Wyoming;

9

10 (iii) Serve as a single contact point within
11 state government to identify and coordinate all state
12 permitting required for construction or development of
13 energy projects within the state;

14

15 (iv) Maintain a public information position
16 within the office to solicit public input and provide
17 information to the public on Wyoming's energy plan and
18 energy projects proposed or being developed in Wyoming;

19

20 (v) Communicate and coordinate activities
21 relating to energy production and development with agencies
22 and programs of this state, other energy producing states
23 and the federal government;

24

1 (vi) Utilize the services of and receive
2 information and assistance from other agencies and programs
3 of this state, other states and the federal government.
4 The office is authorized to seek and utilize matching
5 grants, private funding and other federal government grants
6 and assistance to further the purposes of the office;

7

8 (vii) Establish and maintain a branch office in
9 Washington, D.C. to ensure state representation in the
10 development and implementation of national energy plans and
11 policies;

12

13 (viii) Report to the governor and to the state
14 loan and investment board periodically on the activities of
15 the office;

16

17 (ix) Adopt rules to carry out the purposes of
18 this article;

19

20 (x) Perform such other duties as may be
21 necessary to carry out the purposes of this article.

22

23 (d) In addition to any other powers and duties
24 specified in this section, the director shall prepare a

1 plan for reorganization of agencies, programs and functions
2 as specified in subsections (e) and (f) of this section and
3 submit the plan to the governor for approval. The
4 reorganization plan, as approved by the governor, shall be
5 submitted to the joint minerals, business and economic
6 development interim committee not later than September 15,
7 2004 and made available to the public. The committee shall
8 hold at least one (1) public hearing regarding the plan
9 before December 1, 2004 and shall report to the legislature
10 before the 2005 general session its recommendations on the
11 plan, including necessary legislation with respect to the
12 plan. The reorganization plan, as approved by act of the
13 legislature, shall be implemented not later than July 1,
14 2005.

15

16 (e) The reorganization plan shall consider whether
17 all or part of the following duties, responsibilities,
18 functions or programs should be assigned to the office:

19

20 (i) Duties and responsibilities of the Wyoming
21 energy commission specified in W.S. 30-7-101(b);

22

23 (ii) Powers and duties of the Wyoming oil and
24 gas conservation commission;

1

2 (iii) Science energy and technology authority
3 functions administered by the Wyoming business council
4 under W.S. 9-12-201 and 9-12-202;

5

6 (iv) Duties of the state under the Western
7 Interstate Nuclear Compact, W.S. 9-6-101 through 9-6-105;

8

9 (v) Duties of the natural gas pipeline authority
10 under W.S. 37-5-101 through 37-5-208;

11

12 (vi) Monitoring activities of the Black Hills
13 joint power commission under W.S. 37-7-301 through
14 37-7-311;

15

16 (vii) Monitoring activities of irrigation
17 districts undertaking power projects pursuant to W.S.
18 41-7-701 through 41-7-718 and public irrigation and power
19 districts under W.S. 41-7-801 through 41-7-865;

20

21 (viii) Monitoring activities of electric light
22 or power plants owned by municipalities or joint powers
23 boards pursuant to W.S. 15-7-201 through 15-7-209;

24

1 (ix) Duties of other programs identified by the
2 office that relate to the development, use and enhancement
3 of Wyoming energy resources.

4

5 (f) In developing the reorganization plan the
6 director shall:

7

8 (i) Consider the cost effectiveness of any
9 recommended transfer;

10

11 (ii) Consider whether the recommended transfer
12 will result in a more efficient development of energy
13 production and marketing in the state;

14

15 (iii) Consider the extent to which the
16 recommended transfer would benefit from involvement by
17 another agency;

18

19 (iv) Recommend additional legislation necessary
20 to ensure cooperation between and coordination of all
21 energy related programs of the state.

22

23 (g) Upon approval of the plan by the legislature, the
24 director shall submit a report to the governor and the

1 joint minerals, business and economic development interim
2 committee no later than November 1, 2005 addressing the
3 plan implementation.

4

5 (h) As used in this article:

6

7 (i) "Director" means the director of the office;

8

9 (ii) "Office" means the Wyoming office of energy
10 planning and policy.

11

12 **Section 2.** W.S. 9-2-1704(d) by creating a new
13 paragraph (xvi) is amended to read:

14

15 **9-2-1704. Reorganization plan; structure; time frame.**

16

17 (d) The entities of state government specified in
18 this subsection are designated as separate operating
19 agencies, which are separate and distinct from the
20 departments and offices specified in subsection (a) of this
21 section because of their quasi-judicial responsibility or
22 because of their unique, specialized function which
23 precludes their inclusion in another department. This act

1 does not otherwise apply to separate operating agencies.

2 Separate operating agencies are as follows:

3

4 (xvi) Wyoming office of energy planning and
5 policy.

6

7 **Section 3.**

8

9 (a) There is appropriated from the general fund one
10 million dollars (\$1,000,000.00) to the office of energy
11 planning and policy for the period beginning April 1, 2004
12 and ending June 30, 2006 for the purposes of this act.

13

14 (b) The office of energy planning and policy is
15 authorized six (6) full-time positions.

16

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

21

22

(END)