

HOUSE BILL NO. HB0003

Wyoming energy authority-amendments.

Sponsored by: Joint Minerals, Business & Economic Development
Interim Committee

A BILL

for

1 AN ACT relating to public utilities; amending provisions of
2 the Wyoming energy authority; providing for additional
3 qualifications for energy authority members; amending ex
4 officio members and powers of the authority; amending bonding
5 requirements; repealing a bonding provision; amending
6 definitions; 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. 37-5-501(a)(v), 37-5-502(b),
11 (c)(intro), (i), (ii) and (iv), 37-5-504(a)(vi), (xiv), by
12 creating new paragraphs (xv) and (xvi) and by renumbering
13 (xv) as (xvii), 37-5-505(g)(intro) and 37-5-602(b), as
14 created by 2019 Wyoming Session Laws, Chapter 34, Section 2,
15 are amended to read:

1

2 **37-5-501. Definitions.**

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4 (a) As used in this article:

5

6 (v) "Natural resource associated with energy" or
7 "associated natural resource" means any technology or any
8 substance, element or compound, either gaseous, liquid or
9 solid, associated with the production, development, refining,
10 processing, storage or transmission of energy;

11

12 **37-5-502. Wyoming energy authority.**

13

14 (b) The authority shall be governed by a board composed
15 of seven (7) voting members appointed by the governor, with
16 the advice and consent of the senate. Except as provided in
17 this subsection, all voting members shall be appointed for
18 four (4) year terms. The governor shall appoint four (4)
19 initial voting board members to a term of four (4) years and
20 shall appoint the remaining three (3) initial voting board
21 members to a term of two (2) years. The governor may remove
22 any member as provided in W.S. 9-1-202. Vacancies shall be
23 filled by appointment by the governor in accordance with W.S.

1 28-12-101. The members shall elect from the membership a
2 chairman, vice-chairman and secretary. A majority of the
3 persons appointed and serving as members shall be qualified
4 voters of the state of Wyoming. At least two (2) members of
5 the board shall have special knowledge, education or
6 experience in the field of energy or natural resource
7 development, transmission, generation, transportation,
8 financing or marketing, or a field related to industrial or
9 municipal energy consumption. At least two (2) other members
10 of the board shall have special knowledge, education or
11 experience in the field of natural gas or oil production,
12 transportation, marketing or industrial consumption. Members
13 of the board may receive the same per diem, expenses and
14 travel allowance as members of the legislature under W.S.
15 28-5-101 while in attendance at meetings of the board and
16 while performing their duties as members of the board.

17

18 (c) The following persons shall serve as ex officio,
19 nonvoting members of the board:

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21 (i) A member of the Wyoming enhanced oil recovery
22 ~~commission~~institute selected by the ~~commission~~director of
23 the enhanced oil recovery institute;

1

2 (ii) The ~~chairman~~chief executive officer of the
3 Wyoming business council or a designee;

4

5 (iv) The ~~chairman~~supervisor of the Wyoming oil
6 and gas conservation commission or a designee;

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8 **37-5-504. Powers of the authority.**

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10 (a) The authority may:

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12 (vi) Receive by gift, grant, donation or
13 otherwise, any sum of money, aid or assistance from the United
14 States, the state of Wyoming, any political subdivision or
15 any other public or private entity or any country in good
16 standing with the United States subject to federal law;

17

18 (xiv) Advocate for or against or take legal action
19 concerning any energy project before any regulatory body
20 tasked with the oversight of the project;

21

1 (xv) Request data from any public or private
2 entity that is necessary to ascertain the location of
3 associated natural resources within the state;

4
5 (xvi) Conduct national and international
6 marketing and technology research;

7
8 ~~(xv)~~(xvii) Do any and all things necessary or
9 proper for the development, regulation and accomplishment of
10 the purposes of the authority within the limitations of
11 authority granted by this article.

12
13 **37-5-505. Bonds.**

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15 (g) No board or commission other than the authority
16 shall fix or supervise the making of fees and charges stated
17 in this subsection, which shall be in amounts reasonably
18 necessary for the purposes stated in this article. When the
19 authority has issued bonds and pledged the revenues of the
20 pipeline or other transportation or distribution system or
21 facility or the energy transmission facility for the payment
22 of the bonds as provided in this article, the authority shall
23 operate and maintain or shall contract for the operation and

1 maintenance of the system or facility and shall impose and
2 collect fees and charges for the services furnished by the
3 system or facility, including those furnished to the
4 authority itself, in the amounts and at rates as shall be
5 fully sufficient at all times to:

6

7 **37-5-602. Authority revenue bonds; issuance; amount.**

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9 (b) The authority may issue and have outstanding bonds
10 to finance energy transmission facilities and related
11 infrastructure, pipeline and other transportation and
12 distribution projects consistent with the purposes of W.S.
13 37-5-503(a), which may be located within or without the state
14 of Wyoming, in an amount not to exceed three billion dollars
15 (\$3,000,000,000.00). The financing of a pipeline or other
16 transportation and distribution projects under this article
17 may include or consist solely of the purchase of capacity by
18 the authority as authorized by subsection (m) of this section.

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20 **Section 2.** W.S. 37-5-602(a), as created by 2019 Wyoming
21 Session Laws, Chapter 34, Section 2, is repealed.

22

1 **Section 3.** This act is effective July 1, 2020.

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(END)