

SENATE FILE NO. SF0099

Mineral royalty grant and loan qualification.

Sponsored by: Senator(s) Steinmetz, Agar, Anderson, Baldwin, Bebout, Biteman, Boner, Coe, Driskill, Ellis, Gierau, Kost, Moniz, Pappas, Schuler and Scott and Representative(s) Blake, Clausen, Duncan, Eklund, Hunt, Kirkbride, Laursen, Lindholm, Northrup, Sommers, Styvar, Tass and Western

A BILL

for

1 AN ACT relating to government royalty revenue; amending the
2 definition of "special districts" for purposes of mineral
3 royalty loans and grants; clarifying projects that are
4 eligible for loans and grants; and providing for an
5 effective date.

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

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9 **Section 1.** W.S. 9-4-604(a)(i) and (h)(intro) is
10 amended to read:

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12 (a) Revenues received under W.S. 9-4-601(a)(vi) and

13 (b)(i) shall be credited to a capital construction account.

1 No money shall be expended from the account until the money
2 has been appropriated by the legislature to the state loan
3 and investment board through the normal budget process to
4 be used in the board's discretion for any purpose
5 authorized by this section. The revenues shall be used to
6 finance state revenue bonds as provided by this section.
7 The balance shall be used for the making of loans or grants
8 to incorporated cities and towns, counties and special
9 districts as provided in this section. No loan or grant
10 shall be made by the state loan and investment board under
11 the provisions of this section until the loan or grant
12 application has been referred by the board to a state
13 agency for review as determined by the board. The state
14 agency shall provide the board with a written review of any
15 loan or grant application referred to the agency and any
16 other assistance requested by the board. No grant shall be
17 made by the state loan and investment board under this
18 section to any county unless the county imposes at least
19 eleven (11) or ninety-one and sixty-seven one-hundredths
20 percent (91.67%) of the available mills authorized by
21 article 15, section 5 of the Wyoming constitution, or
22 unless the county is imposing the optional sales tax
23 authorized under W.S. 39-15-204(a)(i) or (iii). No grant

1 shall be made by the state loan and investment board under
2 this section to any municipality unless the municipality
3 imposes at least seven (7) or eighty-seven and five-tenths
4 percent (87.5%) of the available mills authorized by
5 article 15, section 6 of the Wyoming constitution. No
6 grant shall be made by the state loan and investment board
7 under this section to any special district or other lawful
8 entity which imposes less than eighty percent (80%) of any
9 authorized mill levy. The state loan and investment board
10 may waive the taxation requirements imposed by this
11 subsection for good cause shown such as other funding
12 sources, but in no case shall the state loan and investment
13 board authorize any grant to any municipality under this
14 section which does not impose at least two (2) or twenty-
15 five percent (25%) of the available mills authorized by
16 article 15, section 6 of the Wyoming constitution. The
17 state loan and investment board shall grant money as
18 authorized by this section only when the board finds the
19 grant is necessary to:

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21 (i) Alleviate an emergency situation which poses
22 a direct and immediate threat to health, safety or welfare
23 or is likely to cause economic disaster;

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2 **9-4-604. Distribution and use; capital construction**
3 **projects and bonds; municipal, county and special district**
4 **purposes.**

5

6 (h) Not to exceed twenty million dollars
7 (\$20,000,000.00) of the total proceeds of all bonds issued
8 under subsection (b) of this section may be loaned or
9 granted to counties or special districts. As used in this
10 subsection "special districts" means hospital districts,
11 fire protection districts, sanitary and improvement
12 districts, solid waste disposal districts, service and
13 improvement districts, irrigation districts and water and
14 sewer districts. Notwithstanding any other provision of
15 law, no special district, either standing alone or as a
16 member of a joint powers board, shall receive any grant or
17 loan under this section until the special district's grant
18 or loan application has received a written review from the
19 board of county commissioners in any county in which the
20 special district is located. The board of county
21 commissioners shall review: (1) the ability of the special
22 district to fund the project through bonds, (2) whether the
23 project is adverse to the needs, plans or general welfare

1 of the county, (3) whether the special district has
2 utilized local funding resources, and (4) whether the
3 special district has met county standards. If any part of
4 the special district lies within five (5) miles of the
5 corporate limits of any city or town, the special
6 district's grant or loan application shall also receive a
7 written review from the governing body of the city or town.
8 The written review shall be submitted to the state loan and
9 investment board by the special district with its grant or
10 loan application. The county or special district shall be
11 eligible for funding under this subsection if the county or
12 special district is operating the project pursuant to a
13 long term contract. Loans or grants shall be made only
14 under the following conditions:

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16 **Section 2.** This act is effective July 1, 2020.

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(END)