

HOUSE BILL NO. HB0147

Infrastructure authority-energy transmission.

Sponsored by: Representative(s) Miller, Barlow, Larsen,
Lubnau and Stubson and Senator(s) Bebout and
Cooper

A BILL

for

1 AN ACT relating to the Wyoming infrastructure authority;
2 expanding facilities authorized under the authority to
3 include energy transmission facilities, including coal
4 distribution facilities and ports; 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. 37-5-301(b), 37-5-302(a)(iii),
10 37-5-303(a) and (b), 37-5-304(a)(x), 37-5-305(d) and
11 37-5-306 are amended to read:

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13 **37-5-301. Wyoming infrastructure authority.**

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15 (b) The authority shall be governed by a board
16 composed of five (5) members appointed by the governor,

1 with the advice and consent of the senate. The members of
2 the initial board shall be appointed for staggered terms,
3 two (2) members for terms of one (1) year each and the
4 other members for terms of two (2), three (3) and four (4)
5 years, respectively, as designated at the time of
6 appointment. Thereafter all members shall be appointed for
7 four (4) year terms. The governor may remove any member as
8 provided in W.S. 9-1-202. Vacancies shall be filled by
9 appointment by the governor in accordance with W.S.
10 28-12-101. The members shall elect from the membership a
11 chairman, vice-chairman and secretary. A majority of
12 persons appointed and serving as members shall be qualified
13 voters of the state of Wyoming with special knowledge, as
14 evidenced by college degrees or courses, or with at least
15 five (5) years experience in managerial positions, in the
16 field of electric or energy transmission or generation
17 development, or natural gas or coal production,
18 transportation, marketing or industrial or municipal
19 consumption. Members of the board may receive the same per
20 diem, expenses and travel allowance as members of the
21 legislature while in actual attendance at meetings of the
22 board and the performance of their duties relative thereto.

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24 **37-5-302. Definitions.**

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2 (a) As used in this article and W.S. 37-5-401 through
3 37-5-408:

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5 (iii) "Facilities" means electric or energy
6 transmission facilities, including distribution facilities
7 and ports, and related supporting infrastructure, including
8 any interests therein.

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10 **37-5-303. Purposes; budget.**

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12 (a) The purpose for which the authority is created is
13 to diversify and expand the Wyoming economy through
14 improvements in the state's electric and energy
15 transmission infrastructure and to facilitate the
16 consumption of Wyoming energy by planning, financing,
17 constructing, developing, acquiring, maintaining and
18 operating electric transmission facilities, advanced coal
19 technology facilities, coal distribution facilities
20 including ports, advanced energy technology facilities and
21 related supporting infrastructure and undivided or other
22 interests therein to facilitate the transmission of energy.
23 In order to provide for the financing, construction,
24 development, maintenance, upgrade and operation of existing

1 and new electric and energy transmission facilities, the
2 authority may own, lease or rent facilities constructed
3 pursuant to the authority conferred herein, and all
4 facilities, structures and properties incidental and
5 necessary thereto, to facilitate the transmission of
6 energy.

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8 (b) The facilities and related supporting
9 infrastructure may include all facilities, structures and
10 properties incidental and necessary or useful in the
11 production, distribution or transmission of energy.

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13 **37-5-304. Powers of the authority.**

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15 (a) In exercising the rights and powers granted to
16 it, the authority shall be vested with authority to:

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18 (x) Investigate, plan, prioritize and establish
19 corridors for the transmission of electricity and energy;

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21 **37-5-305. Bonds.**

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23 (d) Any bonds issued hereunder shall be payable from
24 and be secured by the pledge of the revenues derived from

1 the operation of the electric or energy transmission
2 facilities or other facilities, as constructed, acquired,
3 extended or improved with the proceeds of the bonds,
4 subject only to prior payment of the reasonable and
5 necessary expenses of operating and maintaining the
6 facilities. Any bonds issued hereunder may also be payable
7 from unexpended bond proceeds. Any holder of the bonds may
8 by appropriate legal action compel performance of all
9 duties required of the authority in order to enforce
10 payment of the bonds when due. If any bond issued
11 hereunder is permitted to go into default as to principal
12 or interest, any court of competent jurisdiction may,
13 pursuant to the application of the holder of the bonds,
14 appoint a receiver for the facilities, who shall operate
15 the same and collect and distribute the revenues thereof
16 pursuant to the provisions and requirements of the
17 resolution authorizing the bonds.

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19 **37-5-306. Use of net revenues.**

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21 The authority, acting alone or in cooperation with any
22 agency of the state of Wyoming may use and employ any net
23 revenues derived from the facilities herein authorized or
24 from any other source, after providing for all the costs of

1 maintenance and operation of the facilities and after
2 making the required principal and interest payments on any
3 revenue bonds issued and any other payments provided in any
4 resolution or resolutions authorizing the issuance and sale
5 of revenue bonds and obligations, in extending and
6 improving the facilities as the board of the authority may
7 determine to be warranted by the need for electric or
8 energy transmission facilities. If the board determines
9 that no need exists, the net revenues shall be paid to the
10 state treasurer for credit to the state general fund.

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12 **Section 2.** This act is effective July 1, 2014.

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(END)