

ENROLLED ACT NO. 62, SENATE

SIXTY-THIRD LEGISLATURE OF THE STATE OF WYOMING
2016 BUDGET SESSION

AN ACT relating to abandoned mine land funds; authorizing application for funds; appropriating and specifying authorized use of funds; reappropriating prior authorizations; redirecting prior authorizations; specifying and amending reversion dates for funds; extending the University of Wyoming reclamation and restoration challenge account; and providing for an effective date.

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

[FUTURE AML FUNDING]

Section 1.

(a) No application to the federal office of surface mining for grants from the state of Wyoming's share of abandoned mine land funds from the Surface Mining Control and Reclamation Act Amendments of 2006, Section 411(h)(1), pursuant to 2006 H.R. 6111, as amended by 2015 H.R. 22, Section 43001, shall be made except as expressly authorized by the legislature. Unless otherwise specified, grant funds received for the purposes authorized in this act shall be deposited into the state abandoned mine land funds reserve account pursuant to W.S. 35-11-1210. All funds received from the authorized grants which are deposited in the state abandoned mine land funds reserve account are appropriated to the department of environmental quality in the amounts specified in this section to be expended for the purposes set forth in this section.

(b) The legislature authorizes the department of environmental quality to submit grant applications to the federal office of surface mining for distribution of a

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portion of funds specified in subsection (a) of this section, including funds previously deposited in the reserve account created by W.S. 35-11-1210(a), for the period ending June 30, 2018 as follows:

(i) Seventy-six million five hundred thousand dollars (\$76,500,000.00) to the department of environmental quality to implement the abandoned mine reclamation program pursuant to the state implementation plan created by W.S. 35-11-1202. These funds shall be deposited in the abandoned mine reclamation account created by W.S. 35-11-1203;

(ii) One hundred sixty-two million three hundred thousand dollars (\$162,300,000.00) to the highway fund for highway projects, with priority given for addressing the impacts of mineral development;

(iii) One million three hundred thousand dollars (\$1,300,000.00) to the department of environmental quality, air quality division; and

(iv) One million eight hundred thousand dollars (\$1,800,000.00) to the department of environmental quality, solid waste management division.

[AML FUNDING - REAPPROPRIATION OF PRIOR
AUTHORIZATIONS]

Section 2.

(a) The legislature authorizes the department of environmental quality to submit new grant applications or modify existing grant applications to the federal office of surface mining to reappropriate previously authorized funds as follows:

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(i) One million four hundred ninety thousand seven hundred twenty-four dollars (\$1,490,724.00), or as much thereof as remains available, to the department of environmental quality air quality division from funds appropriated in 2009 Wyoming Session Laws, Chapter 159, Section 339(b)(v) to address statewide energy impacts;

(ii) One million four hundred four thousand ninety dollars (\$1,404,090.00), or as much thereof as remains available, to the department of environmental quality from funds appropriated in 2010 Wyoming Session Laws, Chapter 39, Section 320(b)(ii) for the solid waste orphan sites program;

(iii) One million five hundred thousand dollars (\$1,500,000.00), or as much thereof as remains available to, the department of administration and information from funds appropriated in 2011 Wyoming Session Laws, Chapter 88, Section 346(c)(iii) for the Michael B. Enzi science, technology, engineering and mathematics (STEM) undergraduate teaching laboratory to be located on the University of Wyoming campus in Laramie;

(iv) Five hundred thousand dollars (\$500,000.00), or as much thereof as remains available, to the department of environmental quality, air quality division from funds appropriated in 2012 Wyoming Session Laws, Chapter 27, Section 1(b)(iii) for expenditure on operations and maintenance of ambient air monitors;

(v) Four hundred seventy-two thousand five hundred forty-five dollars (\$472,545.00), or as much thereof as remains available to the department of environmental quality, air quality division from funds

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appropriated in 2012 Wyoming Session Laws, Chapter 27, Section 1(b)(ii) for addressing statewide energy impacts.

[AML FUNDING - REDIRECTION OF PRIOR AUTHORIZATIONS]

Section 3. The grant applications submitted by the department to the federal office of surface mining shall seek authority to redirect up to one million seven hundred twenty-nine thousand eight hundred forty-nine dollars (\$1,729,849.00) of previously appropriated and reverted funds to the highway fund for highway projects, with priority given to projects addressing the impacts of mineral development.

[AML FUNDING - EXTENSION OF UNIVERSITY OF WYOMING
RECLAMATION AND RESTORATION CHALLENGE ACCOUNT]

Section 4. W.S. 21-16-1601(a)(ii) and 21-16-1602(b) are amended to read:

21-16-1601. Definitions.

(a) As used in this article:

(ii) "Qualifying contribution" means a transfer of money or other property of a value of not less than one hundred thousand dollars (\$100,000.00) to the University of Wyoming foundation to be expended by the university exclusively for the Wyoming reclamation and restoration center. The commitment for a qualifying contribution or the contribution itself shall be made in the period beginning July 1, 2011 and ending June 30, ~~2016~~2018. The contribution shall be actually received by the University of Wyoming foundation on or before June 30, ~~2018~~2020.

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21-16-1602. University reclamation and restoration challenge account.

(b) All investment earnings from funds in the account shall be credited to the account. Notwithstanding W.S. 9-2-1008, 9-2-1012(e) or 9-4-207, funds within the account shall not lapse or revert until June 30, ~~2020~~2022. Until reverted, funds within the account are continuously appropriated and shall remain available for distribution as provided in this article.

[AML FUNDING - EXTENSION OF PRIOR AUTHORIZATIONS]

Section 5.

(a) 2014 Wyoming Session Laws, Chapter 26, Section 331(k) is amended to read:

[SOLID WASTE ORPHANED SITE PROGRAM]

(k) Notwithstanding W.S. 9-2-1008, 9-2-1012(e) and 9-4-207, up to one million eight hundred thousand dollars (\$1,800,000.00) of unexpended, unobligated monies authorized to the department of environmental quality for the solid waste orphaned site program under 2012 Wyoming Session Laws, Chapter 27, Section 1(b)(i) shall not revert and the legislature authorizes the department of environmental quality to submit new applications or modify existing applications to the federal office of surface mining to redirect those funds to the department of environmental quality, air quality division for the period beginning July 1, 2014 and ending June 30, ~~2016~~2018.

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(b) 2012 Wyoming Session Laws, Chapter 27, Section 2(b)(vii) and (c)(intro) and (v) are amended to read:

(b) The grant applications submitted by the department to the federal office of surface mining shall seek authority to redirect the funds for the following projects:

(vii) Two million dollars (\$2,000,000.00) to the ~~Wyoming pipeline authority~~ office of the governor to begin to develop and implement a permitting process to further a carbon dioxide pipeline network across federal lands in Wyoming. The Wyoming pipeline authority shall perform this work under the direction of the governor's office and in coordination with the University of Wyoming school of energy resources and the enhanced oil recovery institute;

(c) Except for funds specified in this subsection, funds appropriated under this section shall be for the period beginning with the effective date of this section and ending June 30, 2014. Notwithstanding W.S. 9-2-1008, 9-2-1012(e) and ~~9-4-207(a)~~ 9-4-207, any unexpended, unobligated funds subject to:

(v) Paragraph (b)(vii) of this section shall not revert until June 30, ~~2016~~ 2018; and

[AML FUNDING - REVERSION OF PRIOR AUTHORIZATIONS]

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Section 6. 2013 Wyoming Session Laws, Chapter 156, Section 2(c)(intro), (iii) and (v) is amended to read:

(c) Except for funds specified in this subsection, funds appropriated under this section shall be for the period beginning with the effective date of this section and ending June 30, 2014. Notwithstanding W.S. 9-2-1008, 9-2-1012(e) and ~~9-4-207(a)~~ 9-4-207, any unexpended, unobligated funds subject to:

(iii) Paragraph (b)(iii) of this section, including any substitute general funds, shall ~~not~~ revert ~~until June 30~~ no later than March 15, 2016;

(v) Subparagraph (b)(vi)(C) of this section, including any substitute general funds, shall ~~not~~ revert ~~until June 30~~ no later than March 15, 2016;

Section 7.

(a) The department of environmental quality shall provide assistance to the City of Rock Springs, Sweetwater County or any other appropriate governmental entity for development and submittal of applications to the federal office of surface mining for the Bitter Creek restoration project to receive funding under the abandoned mine reclamation program pursuant to the state implementation plan created by W.S. 35-11-1202.

(b) The department of environmental quality shall provide assistance to the City of Rock Springs, Sweetwater County or any other appropriate governmental entity for

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development and submittal of applications for the governor's consideration for funding of the Bitter Creek restoration project as provided by W.S. 35-11-1202(c).

(c) The department of environmental quality is authorized to submit a new grant application to the federal office of surface mining in an amount not to exceed one million five hundred thousand dollars (\$1,500,000.00) from any unexpended, unobligated funds reverted from appropriations in section 2(a)(ii) and (iii) and section 4(a) of this act for the planning and design of segments two (2), three (3) and four (4) of the Bitter Creek restoration project near Rock Springs and for the construction segment one (1) of the Bitter Creek restoration project near Rock Springs. Any unexpended, unobligated funds from appropriations in section 2(a)(ii) and (iii) and section 4(a) of this act shall be reverted by notifying the department of environmental quality of the unexpended, unobligated funds upon completion of the project or purposes for which the appropriations were made.

Section 8. Except for funds specified in this section, funds appropriated in this act shall be for the period beginning with the effective date of this act and ending June 30, 2018. Notwithstanding W.S. 9-2-1008, 9-2-1012(e) and 9-4-207, any unexpended, unobligated funds subject to section 1 of this act shall remain in effect until the projects are completed.

ORIGINAL SENATE
FILE NO. SF0040

ENGROSSED

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Section 9. 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 Senate.

Chief Clerk