

SENATE FILE NO. SF0107

Energy impacted county roads program.

Sponsored by: Senator(s) Meier, Martin and Perkins and
Representative(s) Buchanan, Childers,
Eklund, Pedersen, Teeters and Throne

A BILL

for

1 AN ACT relating to counties; creating a program to assist
2 counties impacted by energy development; providing
3 authority to the state loan and investment board to issue
4 grants to counties to reconstruct or replace roads impacted
5 by energy development; creating the energy impacted county
6 roads program account; providing for distributions from the
7 account as specified; providing definitions; granting
8 rulemaking authority; providing an appropriation; and
9 providing for an effective date.

10

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

12

13 **Section 1.** W.S. 9-16-101 through 9-16-103 are created
14 to read:

15

16

CHAPTER 16

1 ENERGY IMPACTED COUNTY ROADS PROGRAM

2

3 9-16-101. Energy impacted county roads program;
4 definitions.

5

6 (a) As used in this chapter:

7

8 (i) "Board" means the state loan and investment
9 board;

10

11 (ii) "Energy impacted counties" means counties
12 which are eligible for funding under this chapter as
13 determined in accordance with W.S. 9-16-102;

14

15 (iii) "Energy impacted county road" means a
16 county dedicated and maintained road serving a site or
17 sites, on which energy development has occurred, which
18 requires construction, reconstruction, rehabilitation or
19 expansion as a result of energy development as determined.

20

21 (iv) "Road" includes:

22

23 (A) Bridges and culverts;

24

1 (B) Rights of way; and

2

3 (C) Purchase of land to complete a county
4 road and bridge project.

5

6 (v) "Program" means the energy impacted county
7 road program created by W.S. 9-16-102.

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9 **9-16-102. Energy impacted county roads program;**
10 **creation, rulemaking.**

11

12 (a) The board shall establish and administer the
13 energy impacted county roads program as provided by this
14 chapter. Applications for a grant under the program shall
15 be made on forms prescribed by and subject to rules
16 promulgated by the board. Grants may be made by the board
17 for energy impacted county road projects.

18

19 (b) The board may award grants to stockpile material
20 for energy impacted county roads.

21

22 (c) In awarding grants, the board shall consider the
23 following:

24

1 (i) Whether the county's total proposed energy
2 impacted road projects exceed fifteen percent (15%) of the
3 average total annual county expenditures for its road and
4 bridge maintenance and construction expenditures for the
5 preceding five (5) years;

6

7 (ii) Whether the county has demonstrated that it
8 has pursued alternative methods of funding including cost
9 sharing from private sources;

10

11 (iii) That the funds will not supplant existing
12 funding levels from traditional sources.

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14 (d) After review of the applications the board shall
15 as soon as practical notify the counties of its
16 determination. Energy impacted counties shall remain
17 eligible for grants under the program until the county no
18 longer qualifies under subsection (c) of this section.

19

20 (e) Each application submitted to the board under the
21 program shall contain only one (1) proposed energy impacted
22 county road project.

23

24

1 (f) No one county may be eligible to receive an
2 amount in excess of forty percent (40%) of the total funds
3 available at the beginning of the state's fiscal year,
4 without unanimous approval of the board.

5

6 (g) A county which knowingly and intentionally
7 provides false information on its application under the
8 program shall not be eligible to receive a grant under the
9 program for not less the two (2) years.

10

11 (h) Upon completion of the projects, the county shall
12 report the expenditures of all funds.

13

14 (j) The legislature may define, specify, authorize or
15 limit the counties or areas within the state eligible for
16 this program and the amounts of distribution.

17

18 **9-16-103. Energy impacted county roads program**
19 **account.**

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21 (a) There is created the energy impacted county roads
22 program account within the office of the treasurer. Funds
23 in the account shall be continually distributed to energy
24 impacted counties to further the purposes of the program at

1 the direction of the board. Funds shall not revert to the
2 general fund until directed by the legislature.

3

4 (b) The board shall submit an annual report of grants
5 to the joint appropriations interim committee.

6

7 **Section 2.** There is appropriated six million dollars
8 (\$6,000,000.00) from the general fund to the energy
9 impacted county roads program account for the grants to
10 address the impacts of the Niobrara oil shale development.
11 Notwithstanding any other provision of law, any unexpended
12 funds appropriated under this section shall not revert
13 until further act of the legislature to revert the funds.

14

15 **Section 3.** This act is effective immediately upon
16 completion of all acts necessary for a bill to become law
17 as provided by Chapter 4, Section 8 of the Wyoming
18 Constitution.

19

20

(END)