

SF0069

Water development program.

Sponsored By: Senator(s) Driskill, Agar, Boner, Hicks and Moniz and
Representative(s) Clausen, Greear, Hunt, Lindholm,
Sommers and Walters

AN ACT relating to water; specifying a process for determining financing recommendations for projects in the Wyoming water development program; and providing for an effective date.

1/8/2019 Bill Number Assigned
1/9/2019 S Received for Introduction
1/10/2019 S Introduced and Referred to S05 - Agriculture
1/23/2019 S05 - Agriculture:Recommend Amend and Do Pass 5-0-0-0-0

ROLL CALL

Ayes: Senator(s) Boner, Bouchard, Kost, Moniz, Steinmetz
Ayes 5 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

1/23/2019 S Placed on General File

SF0069SS001/ADOPTED

Page 1-line 1 Delete "entities that are".
Page 1-line 2 Delete "eligible to participate" and insert "a process for determining financing recommendations for projects".

Page 1-lines 12 through 14 Delete entirely.

Page 2-lines 1 through 11 Delete entirely and insert:

"(c) The commission may recommend financing be provided to an eligible public entity for an otherwise eligible water project whether or not the public entity owns the proposed project. If the public entity does not own all or a portion of the proposed project, and any private benefit that may be derived from the proposed project is more than incidental, the commission shall not disqualify the proposed project from consideration without providing the public entity the opportunity to substantiate the public benefit that will be derived from the proposed project." BONER, CHAIRMAN

1/24/2019 S COW:Passed

SF0069S2001/WITHDRAWN

1/25/2019 S 2nd Reading:Passed

**SF0069S3001.01/ADOPTED [DIVIDED AMENDMENT]
(CORRECTED COPY)**

Page 2-lines 1 through 11 Delete entirely including the Senate standing committee amendment (SF0069SS001/A) to these lines and insert:

"(c) The commission may recommend financing be provided to an eligible public entity for an otherwise eligible water project whether or not the public entity owns the proposed project or holds an easement or fee title to all lands upon which the project would be situated. The commission shall not disqualify a proposed project from consideration based upon a public entity's failure to own a proposed project, or to hold an easement or title to all lands upon which a project would be situated, without providing the public entity an opportunity to establish the portion of the project funding anticipated to be expended on

project components on private lands or which are anticipated to benefit private interest and the anticipated public benefit resulting from the project. The commission shall not recommend financing for a project subject to this paragraph if:

(i) It finds the primary object of the project is to promote private interests;

(ii) It finds in light of the amount of project funds that would be expended on project components on private land or which would benefit private interests, that the public benefit of the project is insufficient to support the expenditure of public funds; or

(iii) The public benefit is too speculative in light of the project costs.". ANSELMI-DALTON

SF0069S3001.02/FAILED

[DIVIDED AMENDMENT]
(CORRECTED COPY)

Page 1-line 7 Delete "a new subsection".

Page 1-line 8 Delete "(c)" and insert "new subsections (c) and (d)".

Page 2-after line 11 Insert:

"(d) If a water project is recommended for funding and an eligible public entity does not own the proposed project or does not hold an easement or fee title to all lands upon which the project would be situated, the commission shall include in the recommendation:

(i) A listing of all private persons who are anticipated to directly benefit from the project;

(ii) For each person listed pursuant to paragraph (i) of this subsection, the estimated expenditures to be made on the project on lands owned by that person;

(iii) An estimate of the dollar value of the public benefit and private benefits provided by the project to the extent the benefits are reasonably quantifiable.". ANSELMI-DALTON

1/28/2019 S 3rd Reading:Passed 24-6-0-0-0

ROLL CALL

Ayes: Senator(s) Agar, Anderson, Baldwin, Bebout, Biteman, Boner, Case, Coe, Dockstader, Driskill, Gierau, Hicks, Hutchings, Kinskey, Kost, Landen, Moniz, Nethercott, Pappas, Perkins, Schuler, Scott, Steinmetz, Wasserburger

Nays: Senator(s) Anselmi-Dalton, Bouchard, Ellis, James, Rothfuss, Von Flatern

Ayes 24 **Nays** 6 **Excused** 0 **Absent** 0 **Conflicts** 0

1/29/2019 H Received for Introduction

2/7/2019 H Introduced and Referred to H05 - Agriculture

2/21/2019 H No report prior to COW Cutoff

2/27/2019 H:Died in Committee Returned Bill Pursuant to HR 5-4