

HOUSE BILL NO. HB0117

Exportation of mineral resources.

Sponsored by: Representative(s) Harshman, Burkhart, Duncan,
Eyre, Larsen, MacGuire and Sommers and
Senator(s) Bebout, Driskill and Wasserburger

A BILL

for

1 AN ACT relating to exporting mineral resources; creating an
2 account to support the exportation of mineral resources;
3 continuously appropriating funds from the account for
4 specified uses; depositing a portion of severance taxes on
5 coal to the account; providing for reports; and providing
6 for an effective date.

7

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

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10 **Section 1.** W.S. 9-4-225 is created to read:

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12 **9-4-225. Wyoming mineral resources exportation**
13 **account created; purposes.**

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1 (a) There is created an account known as the "Wyoming
2 mineral resources exportation account." Funds in the
3 account are continuously appropriated to the office of the
4 governor and may be expended by the governor to take
5 actions specified in this section to increase or stabilize
6 the exportation of Wyoming's mineral resources in a manner
7 that supports the tax base of the state. The governor may
8 expend funds from the account to:

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10 (i) Negotiate and enter into agreements with
11 other states, tribal entities, the federal government or
12 local governments on matters that affect the exportation of
13 Wyoming mineral resources;

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15 (ii) Investigate, initiate, intervene or
16 otherwise participate in litigation, or take any other
17 action by the state, that directly or indirectly furthers
18 the exportation of Wyoming mineral resources, including
19 representing the state in forums other than courts with the
20 federal government, tribal entities or other state or local
21 governments to prevent or resolve issues affecting the
22 exportation of Wyoming mineral resources.

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1 (b) Any attorneys' fees and court costs recovered
2 from actions funded with monies in the account and interest
3 earned on funds in the account shall be deposited to the
4 account and shall remain in the account at the end of each
5 fiscal period to implement the purposes of this section,
6 until specified by legislative act.

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8 (c) The governor shall report in the governor's
9 office budget request submitted pursuant to W.S. 9-2-1013:

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11 (i) All actions taken pursuant to this section
12 in each of the immediately preceding two (2) fiscal years;

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14 (ii) All expenditures from the account in each
15 of the immediately preceding two (2) fiscal years;

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17 (iii) The purpose of each expenditure.

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19 **Section 2.** W.S. 39-14-111(a) is amended to read:

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21 **39-14-111. Distribution.**

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1 (a) As provided by W.S. 39-14-104(a), the total
2 severance tax rate for surface coal shall be seven percent
3 (7%). As provided by W.S. 39-14-104(b), the total severance
4 tax rate for underground coal shall be three and
5 three-quarters percent (3.75%). A one and one-half percent
6 (1.5%) tax imposed by W.S. 39-14-104(a)(i) and a one and
7 one-half percent (1.5%) tax imposed by W.S. 39-14-104(b)(i)
8 shall be deposited into the permanent Wyoming mineral trust
9 fund. The one-half percent (.5%) tax imposed by W.S.
10 39-14-104(a)(vi) and one-half (1/2) of the one percent (1%)
11 tax imposed by W.S. 39-14-104(b)(iii) shall be distributed
12 to the Wyoming mineral resources exportation account
13 created by W.S. 9-4-225. All other taxes imposed by W.S.
14 39-14-104(a) and (b) shall be deposited into the severance
15 tax distribution account.

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17 **Section 3.** In addition to the reports required under
18 W.S. 9-4-225 as created in section 1 of this act, the
19 office of the governor shall report to the legislature not
20 later than November 1, 2020 regarding efforts undertaken by
21 the office pursuant to W.S. 9-4-225.

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1 **Section 4.** This act is effective immediately upon
2 completion of all acts necessary for a bill to become law
3 as provided by Article 4, Section 8 of the Wyoming
4 Constitution.

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6

(END)