

## HOUSE BILL NO. HB0107

Water state revolving funds amendments.

Sponsored by: Representative(s) Simpson, Eklund and Laursen  
and Senator(s) Boner and Hicks

A BILL

for

1 AN ACT relating to the state water pollution control  
2 revolving loan account, the state drinking water revolving  
3 loan account and the corrective action account; providing  
4 additional state match funding sources; requiring  
5 reimbursement of additional state match funding sources;  
6 authorizing the state loan and investment board to make  
7 grants; authorizing set-asides; and providing for an  
8 effective date.

9

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

11

12 **Section 1.** 16-1-201(a)(viii), 16-1-202(a) and (b),  
13 16-1-205(b)(iv), (v) by creating a new paragraph (vi) and  
14 by creating a new subsection (e), 16-1-301(a) by creating a  
15 new paragraph (xx), 16-1-302(a) and (b), 16-1-305(b)(i)(C),

1 by creating a new paragraph (iv) and by creating a new  
2 subsection (f) and 35-11-1424(a)(intro), (vi)(intro) and  
3 (vii) are amended to read:

4

5 **16-1-201. Definitions.**

6

7 (a) As used in this article:

8

9 (viii) "Title VI" means Title VI of the Federal  
10 Water Pollution Control Act, 33 U.S.C. §§ 1381 to 1387  
11 ~~(Cum. Supp. 1989)~~ as amended;

12

13 **16-1-202. Account established; state match.**

14

15 (a) There is established the state water pollution  
16 control revolving loan account. All monies received from  
17 federal capitalization grants, excluding any set-aside  
18 authorized by Title VI, and all state matching funds shall  
19 be deposited in the account and shall be used only to  
20 provide financial assistance as authorized in this article.

21

22 (b) The twenty percent (20%) state matching funds for  
23 each federal capitalization grant payment to the account

1 shall be paid from the corrective action account. If the  
2 available funds from the corrective action account are  
3 insufficient to provide the full twenty percent (20%) state  
4 match amount, the board may authorize additional match  
5 funding to be paid from the mineral royalty capital  
6 construction account created by W.S. 9-4-604. Funding  
7 received from the corrective action account and the mineral  
8 royalty capital construction account for state matching  
9 funds shall be reimbursed from eligible program funds to  
10 the account from which they were paid.

11

12 **16-1-205. Authorized projects; authorized financial**  
13 **assistance.**

14

15 (b) Financial assistance for the projects authorized  
16 in subsection (a) of this section may take the forms  
17 provided in Title VI including:

18

19 (iv) Security or a source of revenue for the  
20 payment of principal and interest on revenue or general  
21 obligation bonds issued by the state provided that the net  
22 proceeds of the sale of such bonds shall be deposited in  
23 the account; ~~and~~

1

2 (v) Loan guarantees for similar revolving  
3 accounts established by municipalities, counties or joint  
4 powers boards;~~;~~ and

5

6 (vi) Grants and other forms of financial  
7 assistance.

8

9 (e) The board may authorize the use of any amount of  
10 the allowable percentage of the capitalization grant for  
11 any set-aside authorized by Title VI.

12

13 **16-1-301. Definitions.**

14

15 (a) As used in this article:

16

17 (xx) "Corrective action account" means as  
18 defined by W.S. 35-11-1415(a)(ii).

19

20 **16-1-302. Account established; state match.**

21

22 (a) There is established the state drinking water  
23 revolving loan account. All monies received from the

1 federal capitalization grants, ~~exclusive of the four~~  
2 ~~percent (4%) administration~~ excluding any set-aside as  
3 authorized ~~under section 1452(a) of~~ by the Safe Drinking  
4 Water Act (42 U.S.C. § 300j-12), and all state matching  
5 funds shall be deposited in the account and shall only be  
6 used to provide financial assistance as authorized by this  
7 article.

8  
9 (b) The twenty percent (20%) state matching funds for  
10 each federal capitalization grant payment to the account  
11 ~~shall~~ may be paid fifty percent (50%) out of water  
12 development accounts I or II created by W.S. 41-2-124(a)  
13 and fifty percent (50%) from the federal mineral royalty  
14 capital construction account created by W.S. 9-4-604, up to  
15 the maximum amount available and authorized from those  
16 accounts. If the available and authorized funds from the  
17 federal mineral royalty capital construction account and  
18 water development accounts I or II are together  
19 insufficient to provide the full twenty percent (20%) state  
20 match amount, the board may authorize additional matching  
21 funds to be paid from the corrective action account or  
22 loaned from the mineral royalty capital construction  
23 account created by W.S. 9-4-604. Funding received from the

1 corrective action account for state matching funds and any  
2 additional monies received from the mineral royalty capital  
3 construction account shall be reimbursed from eligible  
4 program funds to the account from which they were paid.

5

6 **16-1-305. Authorized projects; authorized financial**  
7 **assistance.**

8

9 (b) Financial assistance for the projects authorized  
10 in subsection (a) of this section may be in the forms  
11 authorized by the Safe Drinking Water Act including:

12

13 (i) Loans at or below market interest rates.  
14 Loans may be awarded only if:

15

16 (C) The loan is fully amortized not later  
17 than ~~twenty (20)~~ thirty (30) years after project completion  
18 or not later than ~~thirty (30)~~ forty (40) years for  
19 disadvantaged communities providing the period of the loan  
20 does not exceed the design life of the project; and

21

22 (iv) Grants and other forms of financial  
23 assistance.

1

2 (f) The board may authorize the use of any amount of  
3 the allowable percentage of the capitalization grant for  
4 any set-aside authorized by the Safe Drinking Water Act.

5

6 **35-11-1424. Corrective action account created; use of**  
7 **monies; cost recovery.**

8

9 (a) There is created the corrective action account.  
10 This account is intended to provide for financial assurance  
11 coverage required by federal law and shall be used by the  
12 department to take corrective action in response to a  
13 release and to remediate orphan sites and solid waste  
14 landfills. The department shall use monies from the  
15 corrective action account as appropriated by the  
16 legislature for the administration of this article, W.S.  
17 35-11-533 through 35-11-537 and 35-11-1701. Interest earned  
18 by this account shall be deposited in the general fund.  
19 Monies in the corrective action account ~~shall~~may also be  
20 used for the state drinking water and water pollution  
21 control revolving loan ~~account~~accounts pursuant to W.S.  
22 16-1-201 through 16-1-207 and 16-1-301 through 16-1-308.  
23 Except as provided in subsection (p) of this section, and

1 contingent on availability of money in the corrective  
2 action account, the director shall distribute monies in the  
3 corrective action account to the solid waste landfill  
4 remediation account created by W.S. 35-11-535 and the  
5 orphan site remediation account created pursuant to W.S.  
6 35-11-1701 on July 1 of each specified year in an amount up  
7 to:

8  
9 (vi) 2024 through 2028 - provided that in no  
10 event shall monies plus net accounts receivable in the  
11 corrective action account on July 1 of any year of this  
12 period be less than two million dollars (\$2,000,000.00),  
13 the director shall:

14  
15 (vii) 2029 and each year thereafter-the director  
16 shall determine expected expenditures from the corrective  
17 action account for the underground storage tank program for  
18 the next fiscal year and retain monies equal to that amount  
19 in the corrective action account, with the remainder of the  
20 monies being divided and deposited at the director's  
21 discretion into the solid waste landfill remediation  
22 account and the orphan site remediation account, but in no  
23 event shall monies plus net accounts receivable in the



1 corrective action account on July 1 of any year be less  
2 than two million dollars (\$2,000,000.00).

3

4 **Section 2.** This act is effective July 1, 2022.

5

6 (END)