

HOUSE BILL NO. HB0230

Wyoming interstate study and safe highways investment act.

Sponsored by: Representative(s) Harshman, Brown, L,
Clouston, Geringer, Larson, JT, Nicholas and
Wyllie and Senator(s) Barlow and Pappas

A BILL

for

1 AN ACT relating to highways; creating the interstate
2 highways traffic study task force; specifying members and
3 duties of the task force; providing a termination date for
4 the task force; requiring a report; providing for the
5 planning, design and construction of highways as specified;
6 authorizing investment of state funds in transportation
7 construction loans; providing a funding guarantee by
8 modifying the distribution of revenues; providing
9 appropriations; providing for the transfer of funds; and
10 providing for an effective date.

11

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

13

14 **Section 1.** W.S. 9-1-420 is created to read:

15

1 **9-1-420. Legislative stabilization reserve account**
2 **highway construction loans; maximum amount; repayment.**

3

4 (a) With the approval of the state loan and
5 investment board, the state treasurer shall be authorized
6 to invest not more than two hundred fifty million dollars
7 (\$250,000,000.00) from the permanent Wyoming mineral trust
8 fund to provide loans to the department of transportation
9 for purposes of funding the construction of one (1) or more
10 highways approved by the transportation commission. The
11 authority to invest funds under this subsection shall
12 remain in effect until June 30, 2029.

13

14 (b) The interest rates on the loans authorized under
15 subsection (a) of this section shall be at a fixed interest
16 rate determined by the state treasurer to be reasonably
17 commensurate with the rates of return of the asset class
18 for which the monies would be otherwise invested. The
19 amounts invested in loans under subsection (a) of this
20 section shall be repaid as provided by subsection (e) of
21 this section.

22

1 (c) Amounts invested in loans under subsection (a) of
2 this section shall be public purpose investments under W.S.
3 9-4-715(n).

4

5 (d) In addition to the amounts invested in loans
6 specified in subsection (a) of this section, the
7 transportation commission shall direct any available
8 federal highway safety funds to the construction of one (1)
9 or more highways approved by the transportation commission.

10

11 (e) Beginning on June 30, 2026 and June 30 of each
12 fiscal year thereafter until the amounts invested in loans
13 under this section are repaid, the state auditor shall
14 transfer fifty million dollars (\$50,000,000.00) or as much
15 thereof as is available and required to repay the
16 outstanding amounts invested in loans this section, plus
17 any interest as determined by the state treasurer under
18 subsection (b) of this section and certified to the state
19 auditor, from the legislative stabilization reserve account
20 to the permanent Wyoming mineral trust fund for purposes of
21 repaying the amounts invested in loans under this section.
22 The state treasurer shall cease transferring funds to the
23 permanent Wyoming mineral trust fund when the amounts due

1 under this section are repaid. The transfer under this
2 subsection may be in an amount less than fifty million
3 dollars (\$50,000,000.00).

4

5 **Section 2.** W.S. 9-4-719(b)(intro) and (i) is amended
6 to read:

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8 **9-4-719. Investment earnings; spending policy;**
9 **permanent funds.**

10

11 (b) There is created the permanent Wyoming mineral
12 trust fund reserve account. All funds within the account
13 shall be invested by the state treasurer as authorized
14 under W.S. 9-4-715(a), (d), (e) and (r) and all investment
15 earnings from the account shall be credited to the account.
16 Except for funds specified by the legislature that
17 guarantee the obligations of permanent Wyoming mineral
18 trust fund investment earnings and funds to be transferred
19 into the permanent Wyoming mineral trust fund, funds
20 deposited into the reserve account created by this
21 subsection are intended to be inviolate and constitute a
22 permanent or perpetual trust fund. Beginning July 1, 2021
23 for fiscal year 2022 and each fiscal year thereafter, to

1 the extent funds are available, the state treasurer shall
2 transfer unobligated funds from this account to the general
3 fund on a quarterly, pro-rata basis as necessary to ensure
4 that an amount equal to two and one-half percent (2.5%) of
5 the previous five (5) year average market value of the
6 permanent Wyoming mineral trust fund, calculated on the
7 first day of the fiscal year, is available for expenditure
8 during each fiscal year. As soon as possible after the end
9 of each of the fiscal years beginning on and after July 1,
10 2017, after making any transfer required pursuant to
11 paragraphs (i) and (ii) of this subsection, revenues in
12 this account in excess of two hundred forty-five percent
13 (245%) of the spending policy amount in subsection (d) of
14 this section shall be credited to the permanent Wyoming
15 mineral trust fund. For fiscal year ~~2020~~2025 and for each
16 fiscal year thereafter:

17

18 (i) As soon as practicable after the end of the
19 fiscal year, after making any other transfers provided by
20 law from the permanent Wyoming mineral trust fund reserve
21 account, but prior to calculating the balance of the
22 account under this subsection, the state treasurer shall
23 transfer from the account:

1

2 (A) An amount equal to the difference
3 between the maximum amount which may be credited to the
4 strategic investments and projects account pursuant to
5 subsection (q) of this section and the amount actually
6 credited to that account in the applicable fiscal year;

7

8 (B) An amount equal to the difference
9 between the maximum amount that may be credited to the
10 legislative stabilization reserve account under subsection
11 (q) of this section and the amount actually credited to
12 that account in the applicable fiscal year.

13

14 **Section 3.**

15

16 (a) Upon approval by the transportation commission,
17 the planning, design and construction of the following
18 projects shall be authorized for the funds made available
19 under W.S. 9-1-420:

20

21 (i) The creation of passing lanes, where
22 appropriate, on the portion of United States highway 20
23 between Casper, Wyoming and Waltman, Wyoming;

1

2 (ii) The creation of passing lanes, where
3 appropriate, on the portion of United States highway 20
4 between Waltman, Wyoming and Shoshoni, Wyoming;

5

6 (iii) The creation of passing lanes, where
7 appropriate, on the portion of the United States highway 20
8 between Shoshoni, Wyoming and Thermopolis, Wyoming;

9

10 (iv) The portion of United States highway 287
11 between Laramie, Wyoming and the Colorado state line that
12 consists of only two (2) lanes in order to make that
13 portion of the highway four (4) lanes;

14

15 (v) The portion of Wyoming Highway 59 between
16 Wright, Wyoming and Gillette, Wyoming to make that portion
17 of the highway five (5) lanes;

18

19 (vi) An alternative paved highway from Rock
20 Springs to Green River on the north side of Interstate 80.

21

22 **Section 4.**

23

1 (a) There is created the interstate highways traffic
2 study task force to consist of the following members:

3

4 (i) Members of the legislature as follows:

5

6 (A) Three (3) members of the Wyoming house
7 of representatives, appointed by the speaker of the house.
8 The speaker of the house shall designate one (1) of the
9 members appointed under this subparagraph to be co-chairman
10 of the task force;

11

12 (B) Three (3) members of the Wyoming
13 senate, appointed by the president of the senate. The
14 president of the senate shall designate one (1) of the
15 members appointed under this subparagraph to be co-chairman
16 of the task force.

17

18 (ii) Members of the Wyoming state government, as
19 follows:

20

21 (A) The governor or his designee;

22

1 (B) The director of the department of
2 transportation or the director's designee;

3

4 (C) The director of the department of
5 tourism or the director's designee.

6

7 (iii) Members of the public appointed by the
8 governor, as follows:

9

10 (A) A member representing the trucking
11 industry;

12

13 (B) A member representing Wyoming local
14 governments;

15

16 (C) A member representing the mining
17 industry;

18

19 (D) A member representing the agriculture
20 industry;

21

22 (E) A member representing the construction
23 industry;

1

2 (F) A member representing the railroad
3 industry.

4

5 (b) The task force shall:

6

7 (i) Study traffic and conditions on Wyoming's
8 interstate highways, focusing specifically on Interstate
9 80;

10

11 (ii) Study and consider methods for reducing
12 traffic and highway deterioration on Wyoming's interstate
13 highways, focusing specifically on Interstate 80,
14 including:

15

16 (A) A method that uses the railroad to
17 transport commercial motor vehicles across areas served by
18 interstate highways and requires commercial motor vehicles
19 to pay a fee for the transportation;

20

21 (B) A method that creates additional lanes
22 on interstate highways.

23

1 (iii) Study and explore funding strategies for
2 the methods considered under paragraph (ii) of this
3 subsection;

4
5 (iv) Not later than July 1, 2026 report to the
6 governor, management council and the joint transportation,
7 highways and military affairs interim committee on the work
8 of the task force, including any recommendations for
9 legislation for consideration by an appropriate legislative
10 committee.

11
12 (c) The task force shall be staffed by the
13 legislative service office.

14
15 (d) The legislative members of the task force shall
16 receive salary, per diem and travel expenses in the manner
17 and amount prescribed by W.S. 28-5-101. Task force members
18 who are state employees or government officials shall be
19 considered to be acting within the scope of regular
20 employment when conducting the official business of the
21 task force and shall receive their regular pay without
22 additional compensation, except that those members shall
23 receive mileage and per diem as provided for other members

1 of the task force under this subsection if they are not
2 reimbursed by their employer. Task force members who are
3 not state employees shall receive per diem and mileage in
4 the amount provided for members of the legislature under
5 W.S. 28-5-101.

6

7 (e) The task force shall terminate December 31, 2026.

8

9 **Section 5.**

10

11 (a) There is appropriated twenty-five thousand
12 dollars (\$25,000.00) from the general fund to the
13 legislative service office for purposes of providing
14 salary, mileage and per diem to the legislative members of
15 the task force appointed under section 1(a)(i) of this act
16 and for other expenses of the task force. This
17 appropriation shall be for the period beginning with the
18 effective date of this act and ending June 30, 2027. This
19 appropriation shall not be transferred or expended for any
20 other purpose and any unexpended, unobligated funds
21 remaining from this appropriation shall revert as provided
22 by law on June 30, 2027.

23

1 (b) There is appropriated twenty-five thousand
2 dollars (\$25,000.00) from the general fund to the office of
3 the governor for purposes of providing mileage and per diem
4 to the members of the task force appointed under section
5 1(a)(iii) of this act and for providing mileage and per
6 diem for members of the task force appointed under section
7 1(a)(ii) of this act, subject to section 1(d) of this act.
8 This appropriation shall be for the period beginning with
9 the effective date of this act and ending June 30, 2027.
10 This appropriation shall not be transferred or expended for
11 any other purpose and any unexpended, unobligated funds
12 remaining from this appropriation shall revert as provided
13 by law on June 30, 2027.

14

15 **Section 6.** This act is effective immediately upon
16 completion of all acts necessary for a bill to become law
17 as provided by Article 4, Section 8 of the Wyoming
18 Constitution.

19

20

(END)