

## HOUSE BILL NO. HB0082

Wyoming interstate study and safe highways investment act.

Sponsored by: Representative(s) Harshman, Brown, L,  
Clouston, Larson, JT and Nicholas and  
Senator(s) Crum 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 reports; 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. Strategic investments and projects 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, 2030.

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 but shall  
19 not exceed two and one-half percent (2.5%). The amounts  
20 invested in loans under subsection (a) of this section  
21 shall be repaid as provided by subsection (e) of this  
22 section.

23

1 (c) Amounts invested in loans under subsection (a) of  
2 this section shall be public purpose investments for  
3 purposes of W.S. 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, 2027 and on each June 30  
12 thereafter until the loans issued under this section are  
13 repaid, the state auditor shall transfer funds in the  
14 amount specified in this subsection from any unexpended,  
15 unobligated funds within the strategic investments and  
16 projects account to the permanent Wyoming mineral trust  
17 fund. The transfer required under this subsection shall be  
18 in accordance with all of the following:

19

1      unobligated,      unencumbered      balance      of      the      strategic  
2      investments and projects account;

3

4                        (ii)      In addition to the amount transferred under  
5      paragraph      (i)      of      this      subsection,      the      amount      transferred  
6      each      fiscal      year      shall      include      interest      as      determined      by  
7      the      state      treasurer      under      subsection      (b)      of      this      section;

8

9                        (iii)      The      state      auditor      shall      cease      transferring  
10     funds      under      this      subsection      when      all      loan      amounts      and  
11     interest      are      repaid.

12

13                        **Section**      2.      W.S.      9-4-715 (n) (intro)      and  
14     9-4-719 (b) (intro)      are      amended      to      read:

15

16                        **9-4-715.      Permissible investments.**

17

18                        (n)      The      state      treasurer      shall      not      invest      state      funds  
19      for      a      specific      public      purpose      authorized      or      directed      by      the  
20      legislature      in      excess      of      a      total      of      one      billion      dollars  
21      (\$1,000,000,000.00),      excluding      investments      made      pursuant      to  
22      W.S.      37-5-406      or      37-5-605.      By      November      1      of      each      calendar  
23      year,      the      state      treasurer,      in      consultation      with      the      board,

1 the Wyoming water development office, the Wyoming business  
2 council, the department of transportation and the office of  
3 state lands and investments, shall provide a report to the  
4 select committee on capital financing and investments and  
5 the investment funds committee on all state funds invested  
6 for a specific public purpose authorized or directed by the  
7 legislature. The report shall include:

8

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

11

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

1 for fiscal year 2022 and each fiscal year thereafter, to  
2 the extent funds are available, the state treasurer shall  
3 transfer unobligated funds from this account to the general  
4 fund on a quarterly, pro-rata basis as necessary to ensure  
5 that an amount equal to two and one-half percent (2.5%) of  
6 the previous five (5) year average market value of the  
7 permanent Wyoming mineral trust fund, calculated on the  
8 first day of the fiscal year, is available for expenditure  
9 during each fiscal year. As soon as possible after the end  
10 of each of the fiscal years beginning on and after July 1,  
11 2017, after making any transfer required pursuant to  
12 paragraphs (i) and (ii) of this subsection, revenues in  
13 this account in excess of two hundred forty-five percent  
14 (245%) of the spending policy amount in subsection (d) of  
15 this section shall be credited to the permanent Wyoming  
16 mineral trust fund. For fiscal year ~~2020-2027~~ and for each  
17 fiscal year thereafter:

18

19 **Section 3.**

20

21 (a) Upon approval by the transportation commission,  
22 the planning, design and construction of the following

1 projects shall be authorized and shall be paid from funds  
2 made available under W.S. 9-1-420:

3

4 (i) The creation of passing lanes on United  
5 States highway 20 between Casper, Wyoming and Waltman,  
6 Wyoming where the department of transportation determines  
7 appropriate after conducting a traffic study of this  
8 portion of highway;

9

10 (ii) The creation of passing lanes on United  
11 States highway 20 between Waltman, Wyoming and Shoshoni,  
12 Wyoming where the department of transportation determines  
13 appropriate after conducting a traffic study of this  
14 portion of highway;

15

16 (iii) The creation of passing lanes on United  
17 States highway 20 between Shoshoni, Wyoming and  
18 Thermopolis, Wyoming where the department of transportation  
19 determines appropriate after conducting a traffic study of  
20 this portion of highway;

21

22 (iv) The portion of United States highway 287  
23 between Laramie, Wyoming and the Colorado state line that

1 consists of only two (2) lanes in order to make that entire  
2 portion of the highway four (4) lanes;

3

4 (v) The portion of Wyoming Highway 59 between  
5 Wright, Wyoming and Gillette, Wyoming to make that entire  
6 portion of the highway five (5) lanes;

7

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

10

11 **Section 4.**

12

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

15

16 (i) Six (6) members of the legislature as  
17 follows:

18

19 (A) Three (3) members of the Wyoming house  
20 of representatives, appointed by the speaker of the house.

21 The speaker of the house shall designate one (1) of the  
22 members appointed under this subparagraph to be co-chairman  
23 of the task force;

1

2 (B) Three (3) members of the Wyoming  
3 senate, appointed by the president of the senate. The  
4 president of the senate shall designate one (1) of the  
5 members appointed under this subparagraph to be co-chairman  
6 of the task force.

7

10

11 (A) The governor or the governor's  
12 designee;

13

14 (B) The director of the department of  
15 transportation or the director's designee;

16

17 (C) The executive director of the office of  
18 tourism or the director's designee.

19

20 (iii) Six (6) members of the public appointed by  
21 the governor. A member representing:

22

23 (A) The trucking industry;

1

2 (B) Wyoming local governments;

3

4 (C) The mining industry;

5

6 (D) The agriculture industry;

7

8 (E) The construction industry;

9

10 (F) The railroad industry.

11

12 (b) The task force shall:

13

14 (i) Study traffic and conditions on Wyoming's  
15 interstate highways, focusing specifically on Interstate  
16 80;

17

18 (ii) Study and consider methods for reducing  
19 traffic and highway deterioration on Wyoming's interstate  
20 highways, focusing specifically on Interstate 80,  
21 including:

22

1 (A) A method that uses the railroad to  
2 transport commercial motor vehicles across areas served by  
3 interstate highways and requires commercial motor vehicles  
4 to pay a fee for the transportation;

5

6 (B) A method that creates additional lanes  
7 on interstate highways.

8

9 (iii) Study and explore funding strategies for  
10 the methods considered under paragraph (i) of this  
11 subsection;

12

13 (iv) Not later than July 1, 2027, report to the  
14 governor, management council and the joint transportation,  
15 highways and military affairs interim committee on the work  
16 of the task force, including any recommendations for  
17 legislation for consideration by an appropriate legislative  
18 committee.

19

20 (c) The task force shall be staffed by the  
21 legislative service office.

22

1                   (d) The legislative members of the task force shall  
2 receive salary, per diem and travel expenses in the manner  
3 and amount prescribed by W.S. 28-5-101. Task force members  
4 who are state employees or government officials shall be  
5 considered to be acting within the scope of regular  
6 employment when conducting the official business of the  
7 task force and shall receive their regular pay without  
8 additional compensation, except that those members shall  
9 receive mileage and per diem as provided for other members  
10 of the task force under this subsection if they are not  
11 reimbursed by their employer. Task force members who are  
12 not state employees shall receive per diem and mileage in  
13 the amount provided for members of the legislature under  
14 W.S. 28-5-101.

15

16                   (e) The task force shall terminate November 1, 2027.

17

18                   **Section 5.**

19

20                   (a) There is appropriated twenty-five thousand  
21 dollars (\$25,000.00) from the general fund to the  
22 legislative service office for purposes of providing  
23 salary, mileage and per diem to the legislative members of

1 the task force appointed under section 4(a)(i) of this act  
2 and for other expenses of the task force. This  
3 appropriation shall be for the period beginning with the  
4 effective date of this act and ending June 30, 2028. This  
5 appropriation shall not be transferred or expended for any  
6 other purpose and any unexpended, unobligated funds  
7 remaining from this appropriation shall revert as provided  
8 by law on June 30, 2028.

9

10 (b) There is appropriated twenty-five thousand  
11 dollars (\$25,000.00) from the general fund to the office of  
12 the governor for purposes of providing mileage and per diem  
13 to the members of the task force appointed under section  
14 4(a)(iii) of this act and for providing mileage and per  
15 diem for members of the task force appointed under section  
16 4(a)(ii) of this act, subject to section 4(d) of this act.  
17 This appropriation shall be for the period beginning with  
18 the effective date of this act and ending June 30, 2028.  
19 This appropriation shall not be transferred or expended for  
20 any other purpose and any unexpended, unobligated funds  
21 remaining from this appropriation shall revert as provided  
22 by law on June 30, 2028.

23

1        **Section 6.** 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.

5

6 (END)

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