

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO.

Integrated test center-governance.

Sponsored by: Joint Minerals, Business & Economic
Development Interim Committee

A BILL

for

1 AN ACT relating to the administration of the government;
2 codifying and continuing the integrated test center;
3 specifying oversight and powers of the integrated test
4 center; requiring reports; specifying budget procedures for
5 the center; creating an account; making conforming
6 amendments; providing for the transfer and assumption of
7 obligations, funds and duties; and providing for effective
8 dates.

9

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

11

12 **Section 1.**

1

2 (a) The integrated test center established in 2014
3 Wyoming session laws, chapter 26, section 334(h)(ii) and
4 (n), as amended by 2015 Wyoming session laws, chapter 142,
5 section 334(h)(ii) and (o), shall be transferred to the
6 University of Wyoming school of energy resources on July 1,
7 2025. Except as provided in section 4 of this act, all
8 property, equipment, obligations and unexpended funds of
9 the integrated test center shall be transferred to the
10 University of Wyoming school of energy resources on July 1,
11 2025.

12

13 (b) Not later than May 1, 2025, the director of the
14 school of energy resources shall prepare a plan for the
15 transfer of the integrated test center and its programs,
16 assets, obligations and functions to the school of energy
17 resources. The director shall submit the plan to the joint
18 minerals, business and economic development interim
19 committee upon completion of the plan.

20

21 (c) Not later than October 1, 2025 and again on
22 February 1, 2026, the school of energy resources and the
23 integrated test center shall report to the joint minerals,

1 business and economic development interim committee on the
2 status of the transfer of duties, property, obligations and
3 responsibilities of the integrated test center to the
4 school of energy resources. The center and the school of
5 energy resources shall recommend to the committee any
6 legislation necessary to correct or improve the outcome of
7 any issue identified in the codification and the transfer
8 of the integrated test center as provided for by this act.

9

10 (e) Beginning with the effective date of this
11 subsection until July 1, 2025, the integrated test center
12 shall consult with the school of energy resources, the
13 energy resources council and the governor regarding any
14 agreement, contract, lease or other obligation the
15 integrated test center seeks to enter into on behalf of the
16 center.

17

18 **Section 2.** W.S. 21-17-117.1 is created to read:

19

20 **21-17-117.1. Integrated test center; governance;**
21 **duties; powers.**

22

1 (a) The integrated test center established in 2014
2 Wyoming session laws, chapter 26, section 334(h)(ii) and
3 (n), as amended by 2015 Wyoming session laws, chapter 142,
4 section 334(h)(ii) and (o), is hereby codified and
5 continued as the integrated test center.

6

7 (b) The school of energy resources, under direction
8 from the energy resources council, shall oversee and
9 operate the integrated test center.

10

11 (c) The school of energy resources, under direction
12 from the energy resources council, shall establish the
13 structure and policies for the operation of the integrated
14 test center consistent with the objectives of this section
15 and W.S. 21-17-117, and shall engage as many academic
16 departments and colleges as possible in support of the
17 center.

18

19 (d) In operating the center, the school of energy
20 resources shall:

21

22 (i) Design, construct and operate a research
23 facility to study the capture, sequestration, utilization

1 and management of carbon dioxide emissions or other
2 emissions, improvements in electricity generation
3 technologies and other research projects. For purposes of
4 this paragraph, a center designed and constructed under
5 2014 Wyoming session laws, chapter 26, section 334(n) shall
6 be deemed to satisfy the requirements of this paragraph;

7

8 (ii) Provide opportunities for testing and
9 research projects at the research facility specified in
10 paragraph (i) of this subsection;

11

12 (iii) Enter into leases in accordance with the
13 following:

14

15 (A) The school of energy resources shall
16 enter into leases with owners of real property where the
17 research facility specified in paragraph (i) of this
18 subsection is located. Any lease entered into under this
19 subparagraph shall offer the owner of the real property the
20 right of first refusal to purchase the research facility
21 and all fixtures at fair market value after conclusion of
22 all center activities at the research facility;

23

1 (B) The school of energy resources shall
2 enter into leases with persons and entities who wish to
3 perform research or other projects at the research facility
4 before those persons or entities become tenants and begin
5 work at the research facility.

6

7 (iv) Establish relationships and work with the
8 Wyoming energy authority, the office of the governor and
9 any other relevant entity or state agency to ensure
10 coordination of the center's activities and to communicate
11 appropriate opportunities for collaboration;

12

13 (v) Prioritize research space at the facility
14 established under paragraph (i) of this subsection and
15 resources to research projects that the school of energy
16 resources and the energy resources council determine would:

17

18 (A) Have a high likelihood for commercial
19 success and are at the correct developmental stage for
20 testing at the center;

21

22 (B) Increase the knowledge base within the
23 state of Wyoming on the capture, sequestration, utilization

1 and management of carbon dioxide emissions or other
2 emissions with the potential benefit of improving the
3 future marketability of Wyoming energy sources;

4

5 (C) Increase the national and international
6 exposure of the state of Wyoming and its agencies,
7 instrumentalities and political subdivisions as
8 participants and locations for innovation in energy;

9

10 (D) Add ancillary or supplemental value to
11 Wyoming products or byproducts; or

12

13 (E) Lead to the development of methods or
14 products that may advance the future use of Wyoming's
15 natural resources.

16

17 (e) The school of energy resources shall establish
18 and collect fees and prepare a schedule of fees, rentals
19 and other charges for the use of the integrated test
20 center's research facility and any other facilities of the
21 center, as the school of energy resources may determine.

22

1 (f) Any fees or charges collected under subsection
2 (e) of this section shall be deposited into the integrated
3 test center account, which is hereby created. Funds in the
4 account shall be invested by the state treasurer in
5 accordance with law, and all earnings shall be deposited
6 into the account. Funds in the account shall only be
7 expended upon legislative appropriation for purposes of
8 operating, managing and improving the integrated test
9 center.

10

11 *****

12 *****

13 **STAFF COMMENT**

14
15 **The Committee may wish to consider whether a separate**
16 **account for the Integrated Test Center is necessary (or**
17 **whether the School of Energy Resources should account for**
18 **these funds just as they do with other projects and**
19 **programs).**

20

21 *****

22 *****

23

24 (g) Not later than October 1 of each year, the school
25 of energy resources shall report to the joint minerals,
26 business and economic development interim committee and the
27 joint appropriations committee on:

28

1 (i) The work of the integrated test center in
2 the past fiscal year, including the work and use of the
3 research facility established under paragraph (d)(i) of
4 this section;

5

6 (ii) All accomplishments of the integrated test
7 center in the past fiscal year and benefits accruing to
8 Wyoming's economy as a result of the center's work;

9

10 (iii) The current occupancy of the integrated
11 test center, including lessees and the projects lessees are
12 conducting at the center;

13

14 (iv) The amount of fees and charges collected by
15 the school of energy resources and the current balance of
16 the integrated test center account created under subsection
17 (f) of this section.

18

19 **Section 3.** W.S. 21-17-117(c)(iv) and by creating a
20 new paragraph (v) is amended to read:

21

1 21-17-117. School of energy resources; creation
2 authorized; University of Wyoming energy resources council
3 established; reports; budget submittal.

4
5 (c) The school of energy resources shall:

6
7 (iv) Notwithstanding any other provision of this
8 chapter, develop and submit a budget for the school for
9 approval by the energy resources council and then shall
10 submit the budget for review in accordance with W.S.
11 9-2-1010 through 9-2-1014. The school of energy resources
12 shall include in the budget submitted under this paragraph
13 a budget for the integrated test center specified in W.S.
14 21-17-117.1. The school of energy resources shall submit
15 its budget to the governor after approval by the energy
16 resources council created in subsection (e) of this
17 section. The school of energy resources shall submit a copy
18 of its budget for informational purposes to the
19 university's board of trustees; ~~;~~

20
21 (v) Oversee and manage the integrated test
22 center in accordance with W.S. 21-17-117.1.

23

1 **Section 4.**

2

3 (a) On July 1, 2025, the integrated test center
4 designed and constructed under 2014 Wyoming session laws,
5 chapter 26, section 334(n) shall be transferred to the
6 authority of the University of Wyoming school of energy
7 resources. Subject to the requirements of this section, all
8 property, equipment, unexpended funds and obligations
9 associated with the integrated test center, including any
10 unexpended funds from funds appropriated in 2014 Wyoming
11 session laws, chapter 26, section 334(h)(ii) and (n)(intro)
12 shall be transferred to the school of energy resources on
13 July 1, 2025, except as otherwise provided in this section.
14 For purposes of this subsection, any funds appropriated for
15 purposes of or to the integrated test center during the
16 2025 general session of the legislature shall be
17 transferred to the school of energy resources on July 1,
18 2025, subject to the requirements of this section and
19 subject to any limitations or conditions established in any
20 appropriation.

21

22 (b) Nothing in this act shall be construed to impair
23 existing agreements, contracts or other obligations of the

1 integrated test center that were entered into by the
2 integrated test center or on the integrated test center's
3 behalf before July 1, 2025. Except as otherwise provided in
4 this subsection, agreements, contracts or other obligations
5 entered into by the integrated test center or on the
6 integrated test center's behalf before July 1, 2025 shall
7 be treated as if entered by the school of energy resources.
8 The school of energy resources shall, to the greatest
9 extent authorized by law and upon assuming responsibility
10 for the integrated test center, fulfill existing
11 agreements, contracts and other obligations of the
12 integrated test center entered into before July 1, 2025.
13 For any existing agreement, contract or other obligation
14 that the school of energy resources cannot assume lawfully,
15 the entity or agency originally entering into, assuming or
16 holding the agreement, contract or obligation shall retain
17 and fulfill those agreements, contracts and other
18 obligations.

19

20 (c) If any funds appropriated to or for the purpose
21 of the integrated test center before July 1, 2025 cannot be
22 lawfully transferred to the school of energy resources, the
23 entity or agency to whom those funds were appropriated

1 shall retain those funds and expend those funds for the
2 integrated test center in accordance with the terms of the
3 appropriation. Funds retained by an entity or agency under
4 this subsection shall remain subject to all applicable
5 provisions of law pertaining to appropriations,
6 expenditures and reversions.

7

8 **Section 5.**

9

10 (a) Except as provided in subsection (b) of this
11 section, this act is effective July 1, 2025.

12

13 (b) Section 1(b) through (e) and Section 5 of this
14 act are effective immediately upon completion of all acts
15 necessary for a bill to become law as provided by Article
16 4, Section 8 of the Wyoming Constitution.

17

18 (END)