

Resolution No. 2016 – 015

A Resolution of the Board of County Commissioners of Albany County, Wyoming,

A RESOLUTION TO THE WYOMING LEGISLATURE'S INTERIM JOINT REVENUE COMMITTEE ADVOCATING FOR THE SUPPORT OF THE PRESERVATION OF THE EXCISE TAX ON ELECTRICITY PRODUCED BY WIND AT ITS CURRENT LEVEL AND OPPOSING ANY INCREASE IN SUCH EXCISE TAX, IN ORDER TO ENCOURAGE WIND DEVELOPMENT AND TO REALIZE THE RESULTING FUTURE DIRECT AND INDIRECT REVENUES TO THE STATE OF WYOMING, WYOMING COUNTIES AND WYOMING MUNICIPALITIES FROM WIND DEVELOPMENT AND ANCILLARY WIND DEVELOPMENT BUSINESSES, THEREBY PROVIDING LONG TERM AND SUSTAINABLE BENEFITS TO LOCAL COMMUNITIES.

WHEREAS, currently wind energy development in Wyoming provides economic benefits including job creation, fostering development of ancillary businesses and services, and contributing to state and local governments through three forms of tax revenues: sales and use tax, property tax and an excise tax on electricity produced by wind; and

WHEREAS, in 2009, the Wyoming Legislature repealed the sales and use tax exemption for wind energy as of January 1, 2012, and the revenues yielded from these taxes, up to 6% of taxable sales, will be distributed to the State General Fund, all 23 counties in Wyoming, as well as incorporated municipalities making significant revenues available to address local funding requirements; and

WHEREAS, wind energy projects pay significant property taxes at the standard 11.5% industrial property rate based upon the assessed value of the land and the multi-million dollar improvements. This results in a substantial tax revenue stream over the economic life of the project. These property taxes are distributed directly to the Wyoming State Foundation, the county where the project is located, as well as local community organizations like schools, libraries and hospitals; and

WHEREAS, the Wyoming Legislature's 2009 Wind Task Force, after comprehensively studying taxation of the wind energy industry recommended that any proposed new tax be imposed in a way so as to encourage the diversification of Wyoming's economy and so as not to force the wind energy industry out of Wyoming. The Task Force recommended that any tax burden proposed be calculated to maintain some competitive advantage for Wyoming's wind energy producers as they deliver electricity to the market; and

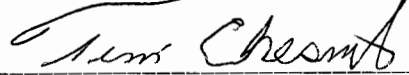
WHEREAS, with the passage of House Bill 101-HEA0018 in 2010, the Wyoming Legislature imposed an excise tax of \$1.00 to be paid on every megawatt-hour of electricity generated by wind, after a turbine has been operating three years. The tax revenues are distributed sixty percent (60%) to all of the counties where wind energy projects are located and forty percent (40%) to the state general fund. Wyoming is the only state that imposes an excise tax on electricity generated by wind; and

WHEREAS, sharing tax revenues from wind power development and production with Wyoming municipalities and counties helps to further diversify our economy and provide a new sustainable and predictable revenue stream for Wyoming; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ALBANY COUNTY, WYOMING, we request that the Wyoming Legislature's Interim Joint Revenue Committee preserve the excise tax on electricity produced by wind at its current level and cease consideration of any bills that would increase the excise tax in order to encourage wind development and to realize the resulting future direct and indirect revenues to the state of Wyoming, Wyoming counties and Wyoming municipalities from wind development and ancillary wind development businesses, thereby providing economic diversity, long term and sustainable benefits to all Wyoming cities and towns.

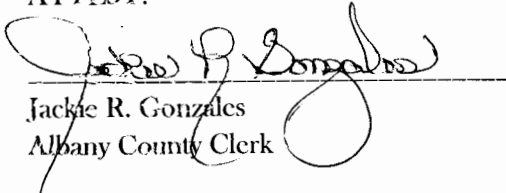
PASSED, APPROVED, AND ADOPTED this 2nd day of August, 2016.

**BOARD OF COUNTY COMMISSIONERS OF
ALBANY COUNTY, WYOMING**



for Tim Sullivan, Chairperson

ATTEST:



Jackie R. Gonzales
Albany County Clerk