

HOUSE BILL NO. HB0010

Tribal reference amendments.

Sponsored by: Select Committee on Tribal Relations

A BILL

for

1 AN ACT relating to the tribes of the Wind River Indian
2 Reservation; specifying the definition and rule of
3 construction for the cooperative tribal governing body;
4 clarifying statutory references to either or both tribes;
5 correcting references from the obsolete joint business
6 council to the cooperative tribal governing body;
7 standardizing references to either tribe or the cooperative
8 tribal governing body; modifying foreign language
9 references in title 21 to include indigenous languages;
10 correcting references to the Wind River Indian Reservation;
11 repealing the obsolete Wyoming Indian Affairs Council; and
12 providing for an effective date.

13

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

15

1 **Section 1.** W.S. 5-1-111(a)(intro), 8-1-103(a) by
2 creating a new paragraph (x), 8-7-101, 9-12-1201(a)(i),
3 9-12-1501(c)(ii)(B), 14-3-107(a), 14-3-108(a), 16-1-101,
4 16-1-103(a)(i), 16-1-104(a), 21-2-802(a)(ii)(A),
5 21-3-110(a)(ii)(A), 21-4-601(a), (b), (c)(ii), (iii) and
6 (d), 21-7-601(b)(i)(A) and (e), 21-9-101(b)(i)(K) and (g),
7 21-16-1307(b)(vii)(C), (d)(vi)(A) and (e)(iii)(A),
8 21-22-106(a)(i), 22-1-102(a)(xliv), 24-12-102(c)(i)(intro)
9 and (A), 35-25-205(a)(iii), 35-25-301(b)(iii), 36-8-301,
10 36-8-302, 36-8-307(a), 41-2-114(a)(intro), (iv)(F) and
11 (v)(D) and 41-2-117(a)(i)(intro) are amended to read:

12

13 **5-1-111. Full faith and credit for tribal acts and**
14 **records.**

15

16 (a) The judicial records, orders and judgments of the
17 courts of the Eastern Shoshone and Northern Arapaho Tribes
18 of the Wind River Indian Reservation shall have the same
19 full faith and credit in the courts of this state as do the
20 judicial records, orders and judgments of any other
21 governmental entity, unless at least one (1) of the
22 following conditions is shown not to be met:

23

1 **8-1-103. Rules of construction for statutes.**

2

3 (a) The construction of all statutes of this state
4 shall be by the following rules, unless that construction
5 is plainly contrary to the intent of the legislature:

6

7 (x) Reference to the "cooperative tribal
8 governing body" means the inter-tribal council of the
9 Eastern Shoshone and Northern Arapaho tribes or its
10 official successor joint governing body. If the cooperative
11 tribal governing body is a party to a cooperative agreement
12 or contract with the state or a political subdivision under
13 the laws of this state, a successor joint tribal governing
14 body shall remain a party to the agreement or contract
15 unless specified otherwise in the agreement or contract.

16

17 **8-7-101. Tribal identification cards.**

18

19 An identification card issued by the governing body of the
20 Eastern Shoshone Tribe of Wyoming or Northern Arapahoe
21 Arapaho Tribe of Wyoming that includes the requirements of
22 W.S. 31-8-102(a)(i) through (vi) and (ix) shall be
23 considered a valid form of identification for all purposes

1 for which an identification card issued under W.S. 31-8-101
2 may be used.

3

4 **9-12-1201. Definitions.**

5

6 (a) As used in this article:

7

8 (i) "Agency" means a branch, agency, department,
9 board, instrumentality or institution of the state of
10 Wyoming, a county, a municipal corporation, a school
11 district, a community college district, the University of
12 Wyoming, the ~~joint business council of the Eastern Shoshone~~
13 ~~and Northern Arapaho Indian tribes~~ cooperative tribal
14 governing body, the ~~business council of the~~ Eastern
15 Shoshone ~~Indian~~ Tribe, the ~~business council of the~~ Northern
16 Arapaho ~~Indian~~ Tribe, a joint powers board formed pursuant
17 to this act or a special district specifically involved in
18 providing facilities or functions enumerated in W.S.
19 16-1-104(c);

20

21 **9-12-1501. Broadband development program established;**
22 **purposes; eligibility; definitions.**

23

1 (c) Except as provided in subsection (d) of this
2 section, eligible applicants for funding awarded under this
3 article are public private partnerships which include:

4
5 (ii) A government entity specified in the
6 following:

7
8 (B) A tribal government of either the
9 Eastern Shoshone or Northern Arapaho ~~or Eastern Shoshone~~
10 tribes of the Wind River Indian Reservation or the
11 cooperative tribal governing body; or

12
13 **14-3-107. Performing body-art on persons who have not**
14 **reached the age of majority; penalties; definition.**

15
16 (a) No person shall knowingly perform body-art upon
17 or under the skin of a person who has not reached the age
18 of majority, except with the consent of the person's parent
19 or legal guardian who is present at the time the body-art
20 procedure is performed upon the person. The person
21 performing the body-art procedure shall demand proof of age
22 prior to administering the body-art procedure upon the
23 person. A motor vehicle driver's license, a registration

1 card issued under the federal Selective Service Act, an
2 identification card issued to a member of the armed forces,
3 a valid United States passport, a tribal identification
4 card issued by the governing body of the Eastern Shoshone
5 Tribe of Wyoming or the Northern ~~Arapahoe~~ Arapaho Tribe of
6 Wyoming or an identification card issued by the department
7 of transportation is prima facie evidence of the age and
8 identity of the person. Proof that the person performing
9 the body-art procedure demanded, was shown and acted in
10 reasonable reliance upon the information contained in any
11 one (1) of the above documents as identification and proof
12 of age is a defense to any criminal prosecution under this
13 section.

14

15 **14-3-108. Use of ultraviolet tanning devices by**
16 **persons who have not reached the age of majority; presence**
17 **required; consent required; penalty.**

18

19 (a) No person other than the minor's parent or legal
20 guardian shall knowingly allow a minor who has not reached
21 fifteen (15) years of age to use an ultraviolet tanning
22 device, unless the minor's parent or legal guardian
23 consents in writing to the use and is present the entire

1 time of use. No person shall knowingly allow a minor age
2 fifteen (15) years to the age of majority to use an
3 ultraviolet tanning device, except with written consent
4 obtained from the minor's parent or legal guardian. Any
5 person other than the minor's parent or legal guardian
6 allowing the use of an ultraviolet tanning device by a
7 minor shall demand proof of age prior to allowing the use
8 of an ultraviolet tanning device. A motor vehicle driver's
9 license, a registration card issued under the federal
10 Selective Service Act, an identification card issued to a
11 member of the armed forces, a valid United States passport,
12 a tribal identification card issued by the governing body
13 of the Eastern Shoshone Tribe of Wyoming or the Northern
14 ~~Arapahoe~~-Arapaho Tribe of Wyoming or an identification card
15 issued by the department of transportation is prima facie
16 evidence of the age and identity under this section. Proof
17 that the person allowing the use of the ultraviolet tanning
18 device demanded, was shown and acted in reasonable reliance
19 upon the information contained in any one (1) of the above
20 documents as identification and proof of age is a defense
21 to any criminal prosecution under this section.

22

23 **16-1-101. Authority to cooperate.**

1

2 In exercising, performing or carrying out any power,
3 privilege, authority, duty or function legally vested in
4 any one (1) or more of them by Wyoming law, the state of
5 Wyoming, and any one (1) or more of its counties, municipal
6 corporations, school districts, special districts, public
7 institutions, agencies, boards, commissions and political
8 subdivisions, and any officer or legal representative of
9 any one (1) or more of them, may cooperate with and assist
10 each other, and like entities or authorities of other
11 states, the United States and the Eastern Shoshone and
12 Northern Arapaho tribes of the Wind River Indian
13 Reservation. Cooperation may be informal or subject to
14 resolution, ordinance or other appropriate action, and may
15 be embodied in a written agreement specifying purposes,
16 duration, means of financing, methods of operations,
17 termination, acquisition and disposition of property,
18 employment of executive and subordinate agents,
19 reciprocation of governmental immunity protections or other
20 limitations of liability pursuant to W.S. 16-1-104(f) and
21 other appropriate provisions.

22

23 **16-1-103. Definitions.**

1

2 (a) As used in this act:

3

4 (i) "Agencies" means Wyoming counties, municipal
5 corporations, school districts, community college
6 districts, the ~~joint business council of the Eastern~~
7 ~~Shoshone and Northern Arapaho Indian tribes~~ cooperative
8 tribal governing body, the business council of the Eastern
9 Shoshone ~~Indian~~-Tribe, the business council of the Northern
10 Arapaho ~~Indian~~-Tribe, joint powers boards formed pursuant
11 to this act or special districts specifically involved in
12 providing facilities or functions enumerated in W.S.
13 16-1-104(c);

14

15 **16-1-104. Joint powers, functions and facilities;**
16 **city-county airport board; eligible senior citizen centers;**
17 **cooperative public transportation programs.**

18

19 (a) Any power, privilege or authority exercised or
20 capable of being exercised by an agency may be exercised
21 and enjoyed jointly with any other agency having a similar
22 power, privilege or authority. No cost shall be incurred,
23 debt accrued, nor money expended by any contracting party,

1 which will be in excess of limits prescribed by law. If the
2 ~~joint business council of the Eastern Shoshone and Northern~~
3 ~~Arapaho Indian tribes~~ cooperative tribal governing body,
4 the business council of the Eastern Shoshone ~~Indian~~-Tribe
5 or the business council of the Northern Arapaho ~~Indian~~
6 ~~Tribe~~ participates in a joint powers board under this act
7 with political subdivisions and special districts of
8 Wyoming, the powers of the ~~joint business council~~
9 cooperative tribal governing body, the powers of the
10 business council of the Eastern Shoshone ~~Indian~~-Tribe, the
11 powers of the business council of the Northern Arapaho
12 ~~Indian~~-Tribe, Wyoming political subdivisions and Wyoming
13 special districts are neither increased ~~or~~ nor decreased by
14 that participation. Rather the participation of the ~~joint~~
15 ~~business council~~ cooperative tribal governing body, the
16 business council of the Eastern Shoshone ~~Indian~~-Tribe or
17 the business council of the Northern Arapaho ~~Indian~~-Tribe
18 is intended to facilitate implementation of programs and
19 projects designed to more effectively benefit Wyoming's
20 citizens.

21

22 **21-2-802. Powers and duties; teacher certification;**
23 **suspension and revocation; certification fees; disposition**

1 of collected fees; required data submissions to department
2 of education.

3

4 (a) The board shall promulgate rules and regulations:

5

6 (ii) In addition to paragraph (a)(i) of this
7 section, the board shall by rule and regulation provide
8 for:

9

10 (A) Certification of teachers of the
11 ~~Arapahoe and Shoshoni language~~ Arapaho, Shoshone, or both,
12 languages and in its discretion, the board may make other
13 exceptions as to both teachers and administrators it
14 determines necessary and proper in special circumstances;

15

16 **21-3-110. Duties of boards of trustees.**

17

18 (a) The board of trustees in each school district
19 shall:

20

21 (ii) Keep minutes of all meetings at which
22 official action is taken and a record of all official acts
23 including a record of all warrants issued against the

1 monies belonging to the school district. The minutes and
2 records shall be public records. A list of each warrant
3 over five hundred dollars (\$500.00) shall be published one
4 (1) time in a legal newspaper of general circulation within
5 the respective county within thirty (30) days of the date
6 of the meeting. Individual yearly gross salary payments
7 need be published only once in March of each year:

8
9 (A) Each individual annual gross salary
10 shall be identified by category and each individual salary
11 shall be published as a gross dollar amount without
12 identification other than by category. Categories shall
13 include superintendent, assistant superintendent, high
14 school principal, assistant high school principal, junior
15 high principal, junior high assistant principals,
16 elementary principals, elementary assistant principals,
17 first grade teachers, second grade teachers, third grade
18 teachers, fourth grade teachers, fifth grade teachers,
19 sixth grade teachers, kindergarten teachers, high school
20 departmental teachers (business, language arts, foreign or
21 indigenous languages, science, social studies, mathematics,
22 or other), vocal music, instrumental music, elementary
23 music, secondary art, elementary art, secondary physical

1 education, elementary physical education, career and
2 technical education, secondary guidance counselors,
3 secondary librarians, elementary librarians, driver
4 education, special education teachers, remedial teachers,
5 nurses, teacher's aides, head coaches, assistant coaches,
6 dramatics, secondary secretarial, junior high secretarial,
7 elementary secretarial, business managers, janitorial, bus
8 drivers, and other categories which may be selected so that
9 every individual salary may be categorized. Each category
10 shall show a cumulative subtotal and there shall be a grand
11 total of all categories. At the end of the salary
12 publication there shall be printed the district salary
13 schedule;

14

15 **21-4-601. Education programs on the Wind River Indian**
16 **Reservation.**

17

18 (a) The legislature finds that, through education
19 programs provided by the Eastern Shoshone ~~and Tribe,~~ the
20 Northern Arapaho ~~Indian Tribes Tribe, or the cooperative~~
21 tribal governing body to school age Indian children
22 residing on the Wind River Indian Reservation, the state
23 can address conditions of unemployment, poverty and lack of

1 adequate job skills which exist on the reservation.
2 Maintenance of these education programs unique to Indian
3 students is of mutual benefit to the tribes and the state,
4 reducing future financial needs of those students as tribal
5 members and as Wyoming residents for public education, job
6 services, substance abuse services and income supplements.

7

8 (b) Subject to amounts appropriated by the
9 legislature, the state superintendent of public instruction
10 shall enter into negotiations with the individual ~~or joint~~
11 business councils of the Eastern Shoshone and Northern
12 Arapaho ~~Indian tribes~~ or the cooperative tribal governing
13 body to determine the appropriate contractual arrangements
14 for the provision of education programs and services
15 addressing Indian students at risk of failure in school and
16 other programs and services essential to the success and
17 welfare of these students as specified under subsection (a)
18 of this section. Contractual arrangements entered into
19 under this subsection shall include a requirement that the
20 expenditure of contractual amounts, as verified annually in
21 writing, is for programs tied to improvement of student
22 performance on the statewide assessment. For purposes of
23 this section, the state superintendent shall include an

1 amount within his biennial budget request which is computed
2 in accordance with subsection (c) of this section to
3 provide a per student amount that when nonstate funding
4 sources are considered, is comparable to per student
5 amounts provided for public schools under the Wyoming
6 education resource block grant model.

7

8 (c) To arrive at a biennial funding amount for
9 purposes of subsection (b) of this section, an estimate
10 shall be computed as follows:

11

12 (ii) Multiply the per student amount determined
13 under paragraph (i) of this subsection by the number of
14 students enrolled in education programs and services
15 provided by the ~~joint business council~~ cooperative tribal
16 governing body or each individual tribe pursuant to
17 subsection (a) of this section;

18

19 (iii) Subtract from the amount computed under
20 paragraph (ii) of this subsection all Federal Bureau of
21 Indian Affairs funds for K-12 programs received by the
22 ~~joint business council~~ cooperative tribal governing body or

1 each individual tribe for education programs and services
2 provided under subsection (a) of this section.

3

4 (d) The ~~joint~~cooperative tribal governing body or
5 each individual business council ~~of the Eastern Shoshone~~
6 ~~and the Northern Arapaho Indian Tribes~~ shall annually
7 report to the governor and the state superintendent of
8 public instruction on the expenditure of contractual
9 amounts as required under subsection (b) of this section.

10

11 **21-7-601. Wyoming teacher shortage loan repayment**
12 **program; eligibility criteria; procedures; program**
13 **reporting.**

14

15 (b) To qualify for a loan under this section, the
16 applicant shall first:

17

18 (i) Be enrolled in good standing in a teacher
19 education program at the University of Wyoming leading to:

20

21 (A) Certification as a special education,
22 math, science or foreign or indigenous language teacher; or

23

1 (e) A recipient of a loan under this section may
2 repay the loan without cash payment by teaching at least
3 fifty percent (50%) of his working hours as a teacher in
4 special education, math, science, foreign or indigenous
5 language, reading or English as a second language as a
6 certified teacher in a Wyoming public school as provided in
7 subsection (f) of this section. To qualify as repayment
8 under this subsection, work shall be performed within the
9 minimum amount of time necessary to repay the loan, plus
10 two (2) years, which shall begin with the calendar month
11 following the month in which the student completed the
12 academic program.

13

14 **21-9-101. Educational programs for schools;**
15 **standards; core of knowledge and skills; special needs**
16 **programs; class size requirements; cocurricular activities.**

17

18 (b) Each school district within the state shall
19 provide educational programs sufficient to meet uniform
20 student content and performance standards at the level
21 established by the state board of education in the
22 following areas of knowledge and skills:

23

1 (i) Common core of knowledge:

2

3 (K) Foreign or indigenous cultures and
4 languages;

5

6 (g) Not later than the 2002-2003 school year, all
7 school districts shall provide instruction in foreign or
8 indigenous languages to students in kindergarten through
9 grade 2 in accordance with standards promulgated by the
10 state board.

11

12 **21-16-1307. Success curriculum; test standards.**

13

14 (b) Except as otherwise provided for by law, the
15 success curriculum required to qualify for honor or
16 performance scholarship eligibility under this article for
17 students graduating from high school in the 2019-2020
18 school year and each school year thereafter shall be as
19 follows:

20

21 (vii) Elective pathway - four (4) years,
22 including at least two (2) years of related courses taken
23 in sequence, of any of the following:

1

2 (C) Foreign or indigenous language -
3 instruction in foreign or indigenous language, which shall
4 be taken in grades nine (9) through twelve (12).
5 Instruction in the native language of the Eastern Shoshone
6 or the Northern Arapaho ~~Indian~~ tribes, or instruction in
7 American sign language may be taken in fulfillment of this
8 subparagraph.

9

10 (d) The success curriculum required to qualify for
11 opportunity scholarship eligibility under this article for
12 students graduating from high school in the 2010-2011
13 school year and each school year thereafter shall be as
14 follows:

15

16 (vi) Effective school year 2015-2016 and each
17 school year thereafter, and in lieu of paragraph (v) of
18 this subsection, one (1) of the following:

19

20 (A) Foreign or indigenous language - two
21 (2) sequenced years of the same foreign or indigenous
22 language which need not be taken consecutively, at least
23 one (1) of which shall be taken in grades nine (9) through

1 twelve (12), or two (2) sequenced years of instruction in
2 the ~~native language of the Eastern~~ Shoshone or ~~the Northern~~
3 ~~Arapahoe~~ Arapaho languages, or two (2) sequenced years of
4 instruction in American sign language, either of which need
5 not be taken consecutively but at least one (1) year of
6 which is taken in grades nine (9) through twelve (12); or

7
8 (e) The success curriculum required to qualify for
9 provisional opportunity scholarship eligibility under this
10 article for students graduating from high school in the
11 2010-2011 school year and each school year thereafter shall
12 be the curriculum required for high school graduation under
13 W.S. 21-2-304(a)(iii) subject to the following:

14
15 (iii) Effective school year 2015-2016 and each
16 school year thereafter, and in lieu of paragraph (ii) of
17 this subsection, instruction in one (1) of the following:

18
19 (A) Foreign or indigenous language - two
20 (2) sequenced years of the same foreign or indigenous
21 language which need not be taken consecutively, at least
22 one (1) of which shall be taken in grades nine (9) through
23 twelve (12), or two (2) sequenced years of instruction in

1 the ~~native language of the Eastern~~ Shoshone or ~~the Northern~~
2 ~~Arapahoe~~ Arapaho languages, or two (2) sequenced years of
3 instruction in American sign language, either of which need
4 not be taken consecutively but at least one (1) year of
5 which is taken in grades nine (9) through twelve (12); or

6

7 **21-22-106. Distribution of trust funds available to**
8 **public schools; innovative program grants; criteria.**

9

10 (a) Revenues available to the department of education
11 from the separate account under W.S. 21-22-102 shall be
12 annually distributed to school districts as innovative
13 program grants to fund programs providing innovation in or
14 improvement to public education through the creation of
15 new, different and improved educational opportunities in
16 elementary or secondary schools, including:

17

18 (i) Curriculum development activities such as
19 initiatives in foreign or indigenous languages,
20 mathematics, social studies, English and the sciences,
21 programs to develop critical or creative thinking, programs
22 involving the private sector and programs providing
23 parental and family training;

1

2 **22-1-102. Definitions.**

3

4 (a) The definitions contained in this chapter apply
5 to words and phrases used in this Election Code and govern
6 the construction of those words and phrases unless they are
7 specifically modified by the context in which they appear.
8 As used in this Election Code:

9

10 (xliv) "Tribal clerk" means an official
11 designated by the Eastern Shoshone Tribe and an official
12 designated by the Northern Arapaho Tribe or an official
13 designated by the cooperative tribal governing body of the
14 Wind River Indian Reservation acting pursuant to a
15 cooperative agreement entered into by a county and the
16 respective tribe pursuant to W.S. 16-1-101, which agreement
17 provides for the official to provide services as a registry
18 agent under the direct supervision and control of the
19 county clerk;

20

21 **24-12-102. Duties generally; emergencies;**
22 **coordination.**

23

1 (c) The state highway patrol shall coordinate with
2 local, tribal, state and federal law enforcement agencies,
3 the Wyoming office of homeland security and any other
4 appropriate entity to operate an alert system under the
5 integrated public alert and warning system or successor
6 system, adhering to the United States department of justice
7 criteria. The state highway patrol shall report annually to
8 the division of criminal investigation the number of times
9 and dates that the alert system was used, the age, race and
10 gender of the abducted person, whether the abduction was
11 thwarted and whether the alert system assisted in resolving
12 the abduction. In addition:

13

14 (i) If the Northern Arapaho and Eastern Shoshone
15 tribes:

16

17 (A) Operate or seek to operate an alert
18 system under the integrated public alert and warning system
19 or successor system on the Wind River Indian Reservation,
20 adhering to the United States department of justice
21 criteria, the Wyoming office of homeland security and state
22 highway patrol shall assist and coordinate with any tribal
23 agency in establishing or operating that system;

1

2 **35-25-205. Breast and cervical cancer programs.**

3

4 (a) The breast and cervical cancer program within the
5 department is authorized to obtain private and federal
6 grant funds and to seek appropriations for:

7

8 (iii) Implementation of the program known as the
9 native sisters program for outreach to members of the
10 Eastern Shoshone and Northern Arapaho tribes, provided that
11 any grants or contracts entered into pursuant to this
12 paragraph shall contain any restrictions necessary to
13 comply with Article 16, Section 6 of the Wyoming
14 Constitution.

15

16 **35-25-301. Diabetes care planning; reports to the**
17 **legislature.**

18

19 (b) The department of health shall track for
20 statistical and trending analysis the following:

21

22 (iii) A description of the level of coordination
23 existing between the department, other agencies and Eastern

1 Shoshone and Northern Arapaho tribes on activities,
2 programmatic activities and messaging on managing, treating
3 or preventing all forms of diabetes and its complications;
4

5 **36-8-301. Acceptance of Big Horn Hot Springs.**

6
7 The state of Wyoming hereby accepts the lands granted by
8 the act of congress of 1897 ceding to the state one (1)
9 square mile in the northeast portion of the historic
10 Shoshone Indian Reservation upon which is located the Big
11 Horn Hot Springs and assents to all of the provisions of
12 said act ceding the same.
13

14 **36-8-302. Name of park.**

15
16 From and after the passage of this act, the land managed by
17 the department as of July 1, 2010 in the northeast portion
18 of the historic Shoshone Indian Reservation, upon which is
19 located the Big Horn Hot Springs, is hereby declared to be
20 and shall hereafter be known as the "Hot Springs State
21 Park". The department shall by rule specify the legal
22 description of the state park.
23

1 **36-8-307. Control of use of lands; transfer of**
2 **control to the Wyoming department of state parks and**
3 **cultural resources.**

4
5 (a) The lands granted by the act of congress approved
6 on the seventh day of June, A.D. 1897, ceding to the state
7 of Wyoming certain lands in the northeastern portion of the
8 historic Shoshone Indian Reservation upon which are located
9 the Big Horn Hot Springs, are placed under control of the
10 state board of charities and reform or its successor and
11 are forever set aside for the treatment and care of
12 diseases and for sanitary and charitable purposes.

13

14 **41-2-114. Development of water projects;**
15 **rehabilitation of water projects.**

16

17 (a) The commission shall, on the basis of the state
18 water plan or as otherwise directed by the legislature and
19 after consultation with and advice from state agencies and
20 officials, other appropriate agencies and officials, the
21 ~~joint business council of the Eastern Shoshone and Northern~~
22 ~~Arapaho Indian tribes~~ cooperative tribal governing body,
23 the business council of the Eastern Shoshone ~~Indian~~-Tribe,

1 the business council of the Northern Arapaho ~~Indian~~-Tribe
2 and members of the public, identify and select potential
3 projects to be studied for inclusion in the Wyoming water
4 development program pursuant to the following schedule:

5

6 (iv) Level III construction and operation plans
7 shall proceed as authorized and approved by the legislature
8 under the immediate direction and control of the
9 commission. Preference in the marketing of hydroelectric
10 power from any such project shall be given to utilities
11 serving Wyoming municipalities and to rural electric
12 cooperatives where economical and permissible under federal
13 law. Pursuant to legislative authorization for water
14 development projects and prior to completion of Level III
15 construction the commission may:

16

17 (F) Contract with, contribute to or receive
18 contributions from any legal subdivision of the state,
19 special district, the ~~joint business council of the Eastern~~
20 ~~Shoshone and Northern Arapaho Indian tribes cooperative~~
21 ~~tribal governing body~~, the business council of the Eastern
22 Shoshone ~~Indian~~-Tribe, the business council of the Northern
23 Arapaho ~~Indian~~-Tribe, private corporation or person for the

1 construction, operation, management and maintenance of any
2 project or any interest in any facility or function of a
3 project.

4

5 (v) After completion of Level III construction,
6 the commission:

7

8 (D) May contract with, contribute to or
9 receive contributions from any legal subdivision of the
10 state, special district, the ~~joint business council of the~~
11 ~~Eastern Shoshone and Northern Arapaho Indian tribes~~
12 cooperative tribal governing body, the business council of
13 the Eastern Shoshone ~~Indian~~Tribe, the business council of
14 the Northern Arapaho ~~Indian~~Tribe, private corporation or
15 person for the operation, management and maintenance of any
16 project or any interest in any facility or function of a
17 project.

18

19 **41-2-117. Wyoming water development commission;**
20 **membership; removal; terms.**

21

1 (a) The Wyoming water development commission is
2 created to consist of ten (10) members. The membership
3 shall include:

4
5 (i) Nine (9) persons, two (2) shall be residents
6 appointed from each water division of the state as defined
7 in W.S. 41-3-501, at least one (1) will be a person having
8 an adjudicated water right. One (1) resident of Wyoming
9 shall be appointed at large and one (1) shall be an
10 enrolled member of the ~~Arapahoe or Eastern~~ Shoshone ~~Indian~~
11 ~~or Northern Arapaho~~ tribes who is resident on the Wind
12 River Indian Reservation:

13

14 **Section 2.** W.S. 9-12-601(h), 9-12-805 and 9-12-902(j)
15 are amended to read:

16

17 **9-12-601. Wyoming business ready community program;**
18 **purpose; creation; rulemaking.**

19

20 (h) The council may also enter into cooperative
21 agreements with the Eastern Shoshone Tribe, ~~and~~ the
22 Northern Arapaho Tribe ~~in order~~ or the cooperative tribal
23 governing body to promote the purposes of this article.

1

2 **9-12-805. Tribal participation in community**
3 **facilities program.**

4

5 The council may enter into cooperative agreements with the
6 ~~business council of the~~ Eastern Shoshone ~~Indian~~ Tribe, the
7 ~~business council of the~~ Northern Arapaho ~~Indian~~ Tribe or
8 the ~~joint business council of the Eastern Shoshone and~~
9 ~~Northern Arapaho Indian tribes~~ cooperative tribal governing
10 body to promote the purposes of the community facilities
11 program and to allow those entities to participate in the
12 program.

13

14 **9-12-902. Wyoming workforce housing infrastructure**
15 **program; creation; rulemaking.**

16

17 (j) The council may also enter into cooperative
18 agreements with the Eastern Shoshone Tribe, ~~and~~ the
19 Northern Arapaho Tribe ~~in order~~ or the cooperative tribal
20 governing body to promote the purposes of this article.

21

22 **Section 3.** Section 2 of this act shall not be
23 effective if 2022 House Bill 0009 (22LSO-0098), which

1 repeals W.S. 9-12-601(h), 9-12-805 and 9-12-902(j), is
2 enacted into law.

3

4 **Section 4.** W.S. 9-2-1901 through 9-2-1905 are
5 repealed.

6

7 **Section 5.** This act is effective July 1, 2022.

8

9

(END)