

ORIGINAL HOUSE
BILL NO. 0114

ENROLLED ACT NO. 50, HOUSE OF REPRESENTATIVES

FIFTY-SEVENTH LEGISLATURE OF THE STATE OF WYOMING
2003 GENERAL SESSION

AN ACT relating to relations between the joint business council of the Eastern Shoshone and Northern Arapaho Indian Tribes and the state of Wyoming; authorizing the joint business council to participate in joint powers boards and to serve as sponsors for water development projects in the same manner as local governments; providing a statement of purpose; providing for a study; and providing for effective dates.

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

Section 1. W.S. 16-1-103(a)(i), 16-1-104(a), 41-2-114(a)(intro), (iv)(F) and (v)(D) and 41-2-1101 are amended to read:

16-1-103. Definitions.

(a) As used in this act:

(i) "Agencies" means Wyoming counties, municipal corporations, school districts, community college districts, the joint business council of the Eastern Shoshone and Northern Arapaho Indian tribes, joint powers boards formed pursuant to this act or special districts specifically involved in providing facilities or functions enumerated in W.S. 16-1-104(c);

16-1-104. Joint powers, functions and facilities; city-county airport board; eligible senior citizen centers.

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

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which will be in excess of limits prescribed by law. If the joint business council of the Eastern Shoshone and Northern Arapaho Indian tribes participates in a joint powers board under this act with political subdivisions and special districts of Wyoming, the powers of the joint business council, Wyoming political subdivisions and Wyoming special districts are neither increased or decreased by that participation. Rather the participation of the joint business council is intended to facilitate implementation of programs and projects designed to more effectively benefit Wyoming's citizens.

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

(a) The commission shall, on the basis of the state water plan or as otherwise directed by the legislature and after consultation with and advice from state agencies and officials, other appropriate agencies and officials, the joint business council of the Eastern Shoshone and Northern Arapaho Indian tribes and members of the public, identify and select potential projects to be studied for inclusion in the Wyoming water development program pursuant to the following schedule:

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

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(F) Contract with, contribute to or receive contributions from any legal subdivision of the state, special district, the joint business council of the Eastern Shoshone and Northern Arapaho Indian tribes, private corporation or person for the construction, operation, management and maintenance of any project or any interest in any facility or function of a project.

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

(D) May contract with, contribute to or receive contributions from any legal subdivision of the state, special district, the joint business council of the Eastern Shoshone and Northern Arapaho Indian tribes, private corporation or person for the operation, management and maintenance of any project or any interest in any facility or function of a project.

41-2-1101. Projects.

(a) The joint ~~tribal-business~~ council of the Eastern Shoshone and Arapahoe-Northern Arapaho Indian tribes may apply to the Wyoming state engineer for a grant or grants totaling not more than one million three hundred thousand dollars (\$1,300,000.00) for rehabilitation or expansion of existing water delivery systems or for water storage projects within the Wind River Indian Reservation as defined, budgeted and prioritized by the tribes in consultation with the state engineer. The state engineer shall review any proposal submitted and shall grant the amount necessary to complete the proposal to the joint ~~tribal-business~~ council when each proposed project is initiated, provided that the state engineer shall determine that the requirements of this section have been met by the joint ~~tribal-business~~ council.

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(b) The joint business council of the Eastern Shoshone and Northern Arapaho Indian tribes may apply for assistance from the state and serve as a sponsor for water development programs and projects in the same manner as political subdivisions and special districts.

Section 2.

(a) The state of Wyoming recognizes that members of the Eastern Shoshone and Northern Arapaho Indian tribes are citizens both of the tribal government and of Wyoming, as well as several of its political subdivisions. Those citizens can best be served if the joint business council, the state of Wyoming, and the state's political subdivisions work cooperatively at every possible opportunity.

(b) Not later than October 1, 2003, the tribal relations select committee shall report its findings regarding the success of water development pursuant to this act and recommendations for future water development and possible legislation to the joint judiciary interim committee, the joint agriculture, public lands and water resources interim committee, the governor and the joint business council.

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Section 3.

(a) Section 1 of this act is effective July 1, 2003.

(b) Except as provided in subsection (a) of this section, this act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk