

SENATE FILE NO. SF0057

Tribal entities.

Sponsored by: Select Water Committee

A BILL

for

1 AN ACT relating to the business council of the Eastern
2 Shoshone Indian Tribe and the business council of the
3 Northern Arapaho Indian Tribe and the state of Wyoming;
4 authorizing the two (2) business councils to participate in
5 joint powers boards and to serve as sponsors for water
6 development projects in the same manner as local
7 governments; providing a statement of purpose; and
8 providing for an effective date.

9

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

11

12 **Section 1.** W.S. 16-1-103(a)(i), 16-1-104(a),
13 41-2-114(a)(intro), (iv)(F), (v)(D) and 41-2-1101(b) are
14 amended to read:

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

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1 (a) As used in this act:

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

12

13 **16-1-104. Joint powers, functions and facilities;**
14 **city-county airport board; eligible senior citizen centers.**

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16 (a) Any power, privilege or authority exercised or
17 capable of being exercised by an agency may be exercised
18 and enjoyed jointly with any other agency having a similar
19 power, privilege or authority. No cost shall be incurred,
20 debt accrued, nor money expended by any contracting party,
21 which will be in excess of limits prescribed by law. If the
22 joint business council of the Eastern Shoshone and Northern
23 Arapaho Indian tribes, the business council of the Eastern
24 Shoshone Indian tribe or the business council of the

1 Northern Arapaho Indian tribe participates in a joint
2 powers board under this act with political subdivisions and
3 special districts of Wyoming, the powers of the joint
4 business council, the powers of the business council of the
5 Eastern Shoshone Indian tribe, the powers of the business
6 council of the Northern Arapaho Indian tribe, Wyoming
7 political subdivisions and Wyoming special districts are
8 neither increased or decreased by that participation.
9 Rather the participation of the joint business council, the
10 business council of the Eastern Shoshone Indian tribe or
11 the business council of the Northern Arapaho Indian tribe
12 is intended to facilitate implementation of programs and
13 projects designed to more effectively benefit Wyoming's
14 citizens.

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16 **41-2-114. Development of water projects;**
17 **rehabilitation of water projects.**

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

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

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

17
18 (F) Contract with, contribute to or receive
19 contributions from any legal subdivision of the state,
20 special district, the joint business council of the Eastern
21 Shoshone and Northern Arapaho Indian tribes, the business
22 council of the Eastern Shoshone Indian tribe, the business
23 council of the Northern Arapaho Indian tribe, private
24 corporation or person for the construction, operation,

1 management and maintenance of any project or any interest
2 in any facility or function of a project.

3

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

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

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17 **41-2-1101. Projects.**

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19 (b) The joint business council of the Eastern
20 Shoshone and Northern Arapaho Indian tribes, the business
21 council of the Eastern Shoshone Indian tribe or the
22 business council of the Northern Arapaho Indian tribe may
23 apply for assistance from the state and serve as a sponsor

1 for water development programs and projects in the same
2 manner as political subdivisions and special districts.

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4 **Section 2.** W. S. 41-2-1101(a) is repealed.

5

6 **Section 3.** The state of Wyoming recognizes members of
7 the Eastern Shoshone and Northern Arapaho Indian tribes are
8 citizens of both their tribal governments and of Wyoming,
9 as well as several of its political subdivisions. Those
10 citizens can best be served if the business councils of
11 both tribes, in addition to the joint business council, are
12 allowed to work cooperatively with the state of Wyoming and
13 the state's political subdivisions.

14

15 **Section 4.** This act is effective immediately upon
16 completion of all acts necessary for a bill to become law
17 as provided by Article 4, Section 8 of the Wyoming
18 Constitution.

19

20

(END)