

HOUSE BILL NO. HB0222

Colorado river advisory committee.

Sponsored by: Representative(s) Sommers

A BILL

for

1 AN ACT relating to water; creating a Wyoming Colorado River
2 advisory committee; establishing the purpose and duties of
3 the committee; providing duties of the state engineer;
4 authorizing a position; providing an appropriation; and
5 providing for an effective date.

6

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

8

9 **Section 1.** W.S. 41-11-301 through 41-11-304 are
10 created to read:

11

12

ARTICLE 3

13

WYOMING COLORADO RIVER ADVISORY COMMITTEE

14

15 **41-11-301. Short title.**

16

1 This article shall be known and may be cited as the
2 "Wyoming Colorado River Advisory Committee Act."

3

4 **41-11-302. Wyoming Colorado River advisory committee;**
5 **purpose; membership.**

6

7 (a) The Wyoming Colorado River advisory committee is
8 created within the state engineer's office. The state
9 engineer's office shall provide administrative services and
10 staffing for the committee.

11

12 (b) The purpose of the committee is to advise and
13 inform the governor, the state engineer and Wyoming's
14 commissioner to the Upper Colorado River Commission
15 regarding the beneficial use, development, protection and
16 conservation of water from the Green and Little Snake
17 rivers and their tributaries relative to Wyoming's rights
18 and obligations under the Colorado River Compact and the
19 Upper Colorado River Basin Compact.

20

21 (c) The committee may, at the request of the
22 governor, develop a management plan to ensure that Wyoming
23 can protect and develop the Colorado River system and to

1 ensure that Wyoming can operate within the state's
2 apportionment of the Colorado River system under the law of
3 the river.

4

5 (d) The committee shall meet not less than two (2)
6 times each year and shall meet additionally as necessary
7 upon the request of the state engineer, Wyoming's
8 commissioner to the Upper Colorado River Commission or the
9 majority of the members of the committee.

10

11 (e) The committee shall consist of ten (10) members
12 appointed by the governor as follows:

13

14 (i) Two (2) members representing agricultural
15 irrigation interests that divert and use water from the
16 Green River or its tributaries upstream from the Fontenelle
17 Reservoir;

18

19 (ii) One (1) member representing agricultural
20 irrigation interests that divert and use water from the
21 Green River or its tributaries downstream from the
22 Fontenelle Reservoir;

23

1 (iii) One (1) member representing agricultural
2 interests that divert and use water from the Little Snake
3 River or its tributaries;

4

5 (iv) One (1) member representing municipal water
6 users that divert and use water from the Green River or its
7 tributaries;

8

9 (v) One (1) member representing municipal water
10 users that divert and use water from the Little Snake River
11 or its tributaries;

12

13 (vi) Two (2) members representing industrial
14 water users that divert and use water in Wyoming's portion
15 of the Colorado River basin;

16

17 (vii) One (1) member representing recreational,
18 fish, wildlife and environmental interests in Wyoming's
19 portion of the Colorado River basin;

20

21 (viii) One (1) member representing conservation
22 districts in Wyoming's portion of the Colorado River basin.

23

1 (f) Committee members shall be appointed for a term
2 of four (4) years and may be reappointed for subsequent
3 terms. The governor may appoint some initial members for
4 terms of less than four (4) years to provide for staggered
5 terms. Members appointed to the committee by the governor
6 may also be removed in accordance with W.S. 9-1-202.

7

8 (g) The members of the committee shall not receive
9 any fees, salary or other compensation but are entitled to
10 receive per diem and mileage on the same basis and at the
11 same rate as state employees and reimbursement for any
12 other actual and necessary expenses incurred in the
13 performance of committee duties. Members who are government
14 employees or public officials shall be considered on
15 official business of their agency when performing duties as
16 members of the committee.

17

18 **41-11-303. State engineer duties; dissemination of**
19 **information.**

20

21 (a) The state engineer or the state engineer's
22 designated representative shall provide information and
23 data to the committee regarding potential or existing

1 programs, issues or decisions that may affect the
2 beneficial use, development and conservation of water from
3 the Green and Little Snake rivers and their tributaries.

4

5 (b) To safeguard the rights and interests of Wyoming,
6 Wyoming's agencies and Wyoming's residents related to the
7 waters of the Colorado River system, the state engineer
8 shall seek advice from the committee before exercising his
9 authority for Colorado River compact compliance.
10 Discussions under this subsection shall be held in
11 executive session.

12

13 (c) The state engineer may designate an employee to
14 assist with providing information and data to the committee
15 and to act as a liaison between the state engineer and
16 water users in Wyoming's portion of the Colorado River
17 basin.

18

19 (d) Each member of the committee may disseminate
20 information and data provided by the state engineer under
21 subsection (a) of this section to interested stakeholders
22 within the sector that the member was appointed to
23 represent.

1

2 **41-11-304. Applicability of public meetings act.**

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4 The Wyoming Colorado River advisory committee shall not be
5 considered an agency as defined in W.S. 16-4-402(a)(ii) for
6 the purposes of W.S. 16-4-401 through 16-4-408. When
7 practicable, meetings of the committee shall be advertised
8 and open to the public.

9

10 **Section 2.**

11

12 (a) The state engineer is authorized one (1)
13 additional full-time equivalent position for the purposes
14 of W.S. 41-11-303(c).

15

16 (b) There is appropriated two hundred thousand
17 dollars (\$200,000.00) from the general fund to the state
18 engineer's office. This appropriation shall only be
19 expended for the purposes of this act including for the
20 employee authorized under subsection (a) of this section
21 and for the provision of per diem and travel expenses of
22 the Wyoming Colorado River advisory committee. This
23 appropriation shall not be transferred or expended for any

1 other purpose and any unexpended, unobligated funds
2 remaining from this appropriation shall revert as provided
3 by law on June 30, 2024. It is the intent of the
4 legislature that this appropriation be included in the
5 standard budget for the state engineer's office for the
6 immediately succeeding fiscal biennium and thereafter.

7

8 **Section 3.** This act is effective July 1, 2023.

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10

(END)