

## 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 world 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 or each tribe as an individual sovereign shall remain  
15 a party to the agreement or contract unless specified  
16 otherwise in the agreement or contract.

17

18           **8-7-101. Tribal identification cards.**

19

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

1 considered a valid form of identification for all purposes  
2 for which an identification card issued under W.S. 31-8-101  
3 may be used.

4  
5 **9-12-1201. Definitions.**

6  
7 (a) As used in this article:

8  
9 (i) "Agency" means a branch, agency, department,  
10 board, instrumentality or institution of the state of  
11 Wyoming, a county, a municipal corporation, a school  
12 district, a community college district, the University of  
13 Wyoming, the ~~joint business council of the Eastern Shoshone~~  
14 ~~and Northern Arapaho Indian tribes~~ cooperative tribal  
15 governing body, the ~~business council of the~~ Eastern  
16 Shoshone ~~Indian~~ Tribe, the ~~business council of the~~ Northern  
17 Arapaho ~~Indian~~ Tribe, a joint powers board formed pursuant  
18 to this act or a special district specifically involved in  
19 providing facilities or functions enumerated in W.S.  
20 16-1-104(c);

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

1

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

5

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

8

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

13

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

16

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

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

15

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

19

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

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

23

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

2

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

23



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

2

3           (a) As used in this act:

4

5                   (i) "Agencies" means Wyoming counties, municipal  
6 corporations, school districts, community college  
7 districts, the ~~joint business council of the Eastern~~  
8 ~~Shoshone and Northern Arapaho Indian tribes~~ cooperative  
9 tribal governing body, the business council of the Eastern  
10 Shoshone ~~Indian~~ Tribe, the business council of the Northern  
11 Arapaho ~~Indian~~ Tribe, joint powers boards formed pursuant  
12 to this act or special districts specifically involved in  
13 providing facilities or functions enumerated in W.S.  
14 16-1-104(c);

15

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

19

20           (a) Any power, privilege or authority exercised or  
21 capable of being exercised by an agency may be exercised  
22 and enjoyed jointly with any other agency having a similar  
23 power, privilege or authority. No cost shall be incurred,

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

22

1           **21-2-802. Powers and duties; teacher certification;**  
2   **suspension and revocation; certification fees; disposition**  
3   **of collected fees; required data submissions to department**  
4   **of education.**

5  
6           (a) The board shall promulgate rules and regulations:

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

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

17  
18           **21-3-110. Duties of boards of trustees.**

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

1           (ii) Keep minutes of all meetings at which  
2 official action is taken and a record of all official acts  
3 including a record of all warrants issued against the  
4 monies belonging to the school district. The minutes and  
5 records shall be public records. A list of each warrant  
6 over five hundred dollars (\$500.00) shall be published one  
7 (1) time in a legal newspaper of general circulation within  
8 the respective county within thirty (30) days of the date  
9 of the meeting. Individual yearly gross salary payments  
10 need be published only once in March of each year:

11

12           (A) Each individual annual gross salary  
13 shall be identified by category and each individual salary  
14 shall be published as a gross dollar amount without  
15 identification other than by category. Categories shall  
16 include superintendent, assistant superintendent, high  
17 school principal, assistant high school principal, junior  
18 high principal, junior high assistant principals,  
19 elementary principals, elementary assistant principals,  
20 first grade teachers, second grade teachers, third grade  
21 teachers, fourth grade teachers, fifth grade teachers,  
22 sixth grade teachers, kindergarten teachers, high school  
23 departmental teachers (business, language arts, foreign

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

17

18 **21-4-601. Education programs on the Wind River Indian**  
19 **Reservation.**

20

21 (a) The legislature finds that, through education  
22 programs provided by the Eastern Shoshone ~~and~~ Tribe, the  
23 Northern Arapaho ~~Indian Tribes~~ Tribe, or the cooperative

1 tribal governing body to school age Indian children  
2 residing on the Wind River Indian Reservation, the state  
3 can address conditions of unemployment, poverty and lack of  
4 adequate job skills which exist on the reservation.  
5 Maintenance of these education programs unique to Indian  
6 students is of mutual benefit to the tribes and the state,  
7 reducing future financial needs of those students as tribal  
8 members and as Wyoming residents for public education, job  
9 services, substance abuse services and income supplements.

10

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

1 writing, is for programs tied to improvement of student  
2 performance on the statewide assessment. For purposes of  
3 this section, the state superintendent shall include an  
4 amount within his biennial budget request which is computed  
5 in accordance with subsection (c) of this section to  
6 provide a per student amount that when nonstate funding  
7 sources are considered, is comparable to per student  
8 amounts provided for public schools under the Wyoming  
9 education resource block grant model.

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

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

21  
22 (iii) Subtract from the amount computed under  
23 paragraph (ii) of this subsection all Federal Bureau of

1 Indian Affairs funds for K-12 programs received by the  
2 ~~joint business council~~ cooperative tribal governing body or  
3 each individual tribe for education programs and services  
4 provided under subsection (a) of this section.

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

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

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

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

22



1                   (A) Certification as a special education,  
2 math, science or ~~foreign~~world language teacher; or

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

16

17           **21-9-101. Educational programs for schools;**  
18 **standards; core of knowledge and skills; special needs**  
19 **programs; class size requirements; cocurricular activities.**

20

21           (b) Each school district within the state shall  
22 provide educational programs sufficient to meet uniform  
23 student content and performance standards at the level

1 established by the state board of education in the  
2 following areas of knowledge and skills:

3

4 (i) Common core of knowledge:

5

6 (K) ~~Foreign-World~~ cultures and languages;

7

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

12

13 **21-16-1307. Success curriculum; test standards.**

14

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

21

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

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

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

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

21  
22          (A) ~~Foreign-World~~ language - two (2)  
23 sequenced years of the same ~~foreign-world~~ language which

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

10 (e) The success curriculum required to qualify for  
11 provisional opportunity scholarship eligibility under this  
12 article for students graduating from high school in the  
13 2010-2011 school year and each school year thereafter shall  
14 be the curriculum required for high school graduation under  
15 W.S. 21-2-304(a)(iii) subject to the following:  
16

17 (iii) Effective school year 2015-2016 and each  
18 school year thereafter, and in lieu of paragraph (ii) of  
19 this subsection, instruction in one (1) of the following:  
20

21 (A) ~~Foreign~~World language - two (2)  
22 sequenced years of the same ~~foreign~~world language which  
23 need not be taken consecutively, at least one (1) of which

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

8

9 **21-22-106. Distribution of trust funds available to**  
10 **public schools; innovative program grants; criteria.**

11

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

19

20 (i) Curriculum development activities such as  
21 initiatives in ~~foreign~~world languages, mathematics, social  
22 studies, English and the sciences, programs to develop  
23 critical or creative thinking, programs involving the

1 private sector and programs providing parental and family  
2 training;

3

4 **22-1-102. Definitions.**

5

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

10 As used in this Election Code:

11

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

22

1           **24-12-102. Duties           generally;           emergencies;**  
2 **coordination.**

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

16  
17           (i) If the Northern Arapaho and Eastern Shoshone  
18 tribes:

19  
20           (A) Operate or seek to operate an alert  
21 system under the integrated public alert and warning system  
22 or successor system on the Wind River Indian Reservation,  
23 adhering to the United States department of justice

1 criteria, the Wyoming office of homeland security and state  
2 highway patrol shall assist and coordinate with any tribal  
3 agency in establishing or operating that system;

4  
5 **35-25-205. Breast and cervical cancer programs.**

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

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

18  
19 **35-25-301. Diabetes care planning; reports to the**  
20 **legislature.**

21  
22 (b) The department of health shall track for  
23 statistical and trending analysis the following:



1

2 (iii) A description of the level of coordination  
3 existing between the department, other agencies and Eastern  
4 Shoshone and Northern Arapaho tribes on activities,  
5 programmatic activities and messaging on managing, treating  
6 or preventing all forms of diabetes and its complications;

7

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

9

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

16

17 **36-8-302. Name of park.**

18

19 From and after the passage of this act, the land managed by  
20 the department as of July 1, 2010 in the northeast portion  
21 of the historic Shoshone Indian Reservation, upon which is  
22 located the Big Horn Hot Springs, is hereby declared to be  
23 and shall hereafter be known as the "Hot Springs State

1 Park". The department shall by rule specify the legal  
2 description of the state park.

3

4 **36-8-307. Control of use of lands; transfer of**  
5 **control to the Wyoming department of state parks and**  
6 **cultural resources.**

7

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

16

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

19

20 (a) The commission shall, on the basis of the state  
21 water plan or as otherwise directed by the legislature and  
22 after consultation with and advice from state agencies and  
23 officials, other appropriate agencies and officials, the

1 ~~joint business council of the Eastern Shoshone and Northern~~  
2 ~~Arapaho Indian tribes~~ cooperative tribal governing body,  
3 the business council of the Eastern Shoshone ~~Indian~~-Tribe,  
4 the business council of the Northern Arapaho ~~Indian~~-Tribe  
5 and members of the public, identify and select potential  
6 projects to be studied for inclusion in the Wyoming water  
7 development program pursuant to the following schedule:

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

19  
20 (F) Contract with, contribute to or receive  
21 contributions from any legal subdivision of the state,  
22 special district, the ~~joint business council of the Eastern~~  
23 ~~Shoshone and Northern Arapaho Indian tribes~~ cooperative

1 tribal governing body, the business council of the Eastern  
2 Shoshone ~~Indian~~-Tribe, the business council of the Northern  
3 Arapaho ~~Indian~~-Tribe, private corporation or person for the  
4 construction, operation, management and maintenance of any  
5 project or any interest in any facility or function of a  
6 project.

7

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

10

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

21

22 41-2-117. Wyoming water development commission;  
23 membership; removal; terms.

1

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

5

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

14

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

17

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

20

21 (h) The council may also enter into cooperative  
22 agreements with the Eastern Shoshone Tribe, ~~and~~ the

1 Northern Arapaho Tribe ~~in order or the cooperative tribal~~  
2 ~~governing body~~ to promote the purposes of this article.

3

4 9-12-805. Tribal participation in community  
5 facilities program.

6

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

15

16 9-12-902. Wyoming workforce housing infrastructure  
17 program; creation; rulemaking.

18

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

23

1           **Section 3.** Section 2 of this act shall not be  
2 effective if 2022 House Bill 0009 (22LSO-0098), which  
3 repeals W.S. 9-12-601(h), 9-12-805 and 9-12-902(j), is  
4 enacted into law.

5

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

8

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

10

11 ( END )