

HOUSE BILL NO. HB0009

Economic development programs-tribal inclusion.

Sponsored by: Select Committee on Tribal Relations

A BILL

for

1 AN ACT relating to the Eastern Shoshone and Northern
2 Arapaho Tribes; clarifying that the Eastern Shoshone and
3 Northern Arapaho Tribes may participate in specified
4 economic development programs; omitting separate
5 cooperative agreements for participation; specifying the
6 definition and rule of construction for the cooperative
7 tribal governing body; making conforming amendments; 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. 8-1-103(a) by creating a new
13 paragraph (x), 9-12-601(a) and (b), 9-12-602, 9-12-801(c),
14 (e)(ii) and (f), 9-12-803(e), 9-12-804, 9-12-902(a),
15 9-12-903(a) and 9-12-905(a) are amended to read:

16

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

19

20 (a) It is the purpose of this article to promote
21 economic development at the city, town and county ~~level in~~
22 ~~order~~ levels and on the Wind River Indian Reservation to

1 create additional economic health and a stronger state
2 economy.

3
4 (b) The council shall establish and administer a
5 Wyoming business ready community program as provided by
6 this article. Any city, town, ~~or~~ county or the Eastern
7 Shoshone or Northern Arapaho tribe, or the cooperative
8 tribal governing body, may submit an application to the
9 council for a grant or loan under the program on forms
10 prescribed by and subject to rules promulgated by the
11 council. Grants or loans may be applied for by a joint
12 powers board with the approval of all participating
13 agencies to the joint powers agreement. Grants and loans
14 may be made by the council for economic or educational
15 development, planning or infrastructure projects, including
16 the purchase of land, buildings, facilities,
17 telecommunications infrastructure, rights of way, airports,
18 sewer and water projects, roads, landscaping, recreational
19 and convention facilities or other infrastructure
20 determined by the council to be consistent with the
21 purposes of this article. In adopting rules and making
22 grants and loans under this article the council shall
23 require all projects to be related to economic or

1 educational development, planning or infrastructure, which
2 shall not include rehabilitation or expansion of existing
3 infrastructure unless the council determines the
4 rehabilitation or expansion is necessary to meet the
5 purposes of this article. Planning grants and loans shall
6 be limited as provided in subsection (m) of this section.
7 All grants, or loans ~~or cooperative agreements~~ made under
8 this article shall be referred by the council to the state
9 loan and investment board for final approval or
10 disapproval. The state loan and investment board may adopt
11 rules as necessary to implement its duties under this
12 article.

13

14 **9-12-602. Wyoming business ready community program**
15 **account.**

16

17 There is created the business ready community account.
18 Funds shall be credited to the account as provided by law.
19 Funds in the account are continuously appropriated to the
20 council to be used only for ~~cooperative agreements,~~ grants
21 or loans authorized to be made under this article.

22

1 9-12-801. Wyoming community facilities program;
2 purpose; creation; administration by council; rulemaking
3 authority; eligible projects.

4
5 (c) Any qualifying community with a demonstrated need
6 for a community facility, including a city, town, county,
7 joint powers board, ~~or~~ other local governmental entity or
8 the Eastern Shoshone or Northern Arapaho tribe, or the
9 cooperative tribal governing body, may submit an
10 application to the council for a grant or loan under this
11 program on forms prescribed by and subject to rules
12 promulgated by the council. Application by a joint powers
13 board shall require the approval of all participating
14 agencies to the joint powers agreement.

15
16 (e) In adopting rules and recommending grants and
17 loans under this article, the council shall require all
18 projects to be related to economic development or
19 enhancement of quality of life in a community. Projects may
20 consist of:

21
22 (ii) The purchase of an interest in ~~or~~
23 ~~cooperative agreements for~~ the expansion, renovation or

1 conversion of school facilities to the extent the
2 facilities exceed statewide school building and facility
3 adequacy standards established by the school facilities
4 commission under W.S. 21-15-115. No ownership interest to
5 the project or facility under a project shall remain with
6 the school district upon expenditure of any funds under
7 this program for any project.

8

9 (f) All grants, or loans ~~or cooperative agreements~~
10 recommended by the council shall be referred by the council
11 to the state loan and investment board for final approval
12 or disapproval in accordance with this article.

13

14 **9-12-803. Community facility grant and loan; approval**
15 **by state loan and investment board.**

16

17 (e) The council shall prioritize proposed ~~cooperative~~
18 ~~agreements,~~ grants and loans it recommends to the state
19 loan and investment board in accordance with rules it
20 adopts under this article.

21

22 **9-12-804. Wyoming community facilities program**
23 **account.**

1

2 The community facilities program account is created within
3 the special revenue fund and shall consist of funds
4 credited to the account as provided by law. Funds in the
5 account are continuously appropriated to the council to be
6 used only for ~~cooperative agreements,~~ grants or loans
7 authorized by the state loan and investment board under
8 this article.

9

10 **9-12-902. Wyoming workforce housing infrastructure**
11 **program; creation; rulemaking.**

12

13 (a) The council shall establish and administer a
14 Wyoming workforce housing infrastructure program as
15 provided by this article. Any city, town, county, ~~or~~
16 special improvement district or the Eastern Shoshone or
17 Northern Arapaho tribe, or the cooperative tribal governing
18 body, may submit an application to the council for a loan
19 under the program on forms prescribed by and subject to
20 rules promulgated by the council. Loans may be applied for
21 by a joint powers board with the approval of all
22 participating agencies to the joint powers agreement. Loans
23 may be made by the council for workforce housing

1 infrastructure projects and community land trust projects.
2 In adopting rules and making loans under this article the
3 council shall require all projects to be related to
4 workforce housing infrastructure or community land trusts.

5

6 **9-12-903. Council duties; actions on loan**
7 **applications.**

8

9 (a) All complete applications to participate in the
10 program established under this article, which conform with
11 the criteria established by law and rules promulgated under
12 this article and which are submitted to the council, shall
13 be considered by the council. The council shall approve or
14 disapprove each application considered in accordance with
15 this article and rules promulgated by the council. All
16 loans ~~or cooperative agreements~~ made under this article
17 shall be referred by the council to the state loan and
18 investment board for final approval or disapproval. The
19 state loan and investment board may adopt rules as
20 necessary to implement its duties under this article.

21

22 **9-12-905. Wyoming workforce housing infrastructure**
23 **program account.**

1

2 (a) There is created the workforce housing
3 infrastructure program account. Funds shall be credited to
4 the account as provided by law. Funds in the account shall
5 be used only upon legislative appropriation for ~~cooperative~~
6 ~~agreements and~~ loans authorized to be made under this
7 article. Except for any repayments of principal on loans,
8 all funds including any earned interest in the account
9 shall revert to the general fund on April 1, 2011. Any
10 repayments of principal on loans under this article
11 remaining in the workforce housing infrastructure program
12 account at the end of a biennium shall not lapse and shall
13 not revert as provided in W.S. 9-4-207 but shall remain in
14 the account to implement the purposes of this section.

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16 **Section 2.** W.S. 9-12-601(h), 9-12-805 and 9-12-902(j)
17 are repealed.

18

19 **Section 3.** This act is effective July 1, 2022.

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21

(END)