

ORIGINAL HOUSE
BILL NO. HB0009

ENROLLED ACT NO. 1, HOUSE OF REPRESENTATIVES

SIXTY-SIXTH LEGISLATURE OF THE STATE OF WYOMING
2022 BUDGET SESSION

AN ACT relating to the Eastern Shoshone and Northern Arapaho Tribes; clarifying that the Eastern Shoshone and Northern Arapaho Tribes may participate in specified economic development programs; omitting separate cooperative agreements for participation; specifying the definition and rule of construction for the cooperative tribal governing body; making conforming amendments; and providing for an effective date.

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

Section 1. W.S. 8-1-103(a) by creating a new paragraph (x), 9-12-601(a) and (b), 9-12-602, 9-12-801(c), (e)(ii) and (f), 9-12-803(e), 9-12-804, 9-12-902(a), 9-12-903(a) and 9-12-905(a) are amended to read:

8-1-103. Rules of construction for statutes.

(a) The construction of all statutes of this state shall be by the following rules, unless that construction is plainly contrary to the intent of the legislature:

(x) Reference to the "cooperative tribal governing body" means the inter-tribal council of the Eastern Shoshone and Northern Arapaho tribes or its official successor joint governing body. If the cooperative tribal governing body is a party to a cooperative agreement or contract with the state or a political subdivision under the laws of this state, a successor joint tribal governing body shall remain a party to the agreement or contract unless specified otherwise in the agreement or contract.

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

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(a) It is the purpose of this article to promote economic development at the city, town and county ~~level in order~~ levels and on the Wind River Indian Reservation to create additional economic health and a stronger state economy.

(b) The council shall establish and administer a Wyoming business ready community program as provided by this article. Any city, town, ~~or~~ county or the Eastern Shoshone or Northern Arapaho tribe, or the cooperative tribal governing body, may submit an application to the council for a grant or loan under the program on forms prescribed by and subject to rules promulgated by the council. Grants or loans may be applied for by a joint powers board with the approval of all participating agencies to the joint powers agreement. Grants and loans may be made by the council for economic or educational development, planning or infrastructure projects, including the purchase of land, buildings, facilities, telecommunications infrastructure, rights of way, airports, sewer and water projects, roads, landscaping, recreational and convention facilities or other infrastructure determined by the council to be consistent with the purposes of this article. In adopting rules and making grants and loans under this article the council shall require all projects to be related to economic or educational development, planning or infrastructure, which shall not include rehabilitation or expansion of existing infrastructure unless the council determines the rehabilitation or expansion is necessary to meet the purposes of this article. Planning grants and loans shall be limited as provided in subsection (m) of this section. All grants, ~~or~~ loans ~~or cooperative agreements~~ made under this article shall be referred by the council to the state loan and investment board for final approval or

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disapproval. The state loan and investment board may adopt rules as necessary to implement its duties under this article.

9-12-602. Wyoming business ready community program account.

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

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

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

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

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(ii) The purchase of an interest in ~~or cooperative agreements for~~ the expansion, renovation or conversion of school facilities to the extent the facilities exceed statewide school building and facility adequacy standards established by the school facilities commission under W.S. 21-15-115. No ownership interest to the project or facility under a project shall remain with the school district upon expenditure of any funds under this program for any project.

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

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

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

9-12-804. Wyoming community facilities program account.

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

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

(a) The council shall establish and administer a Wyoming workforce housing infrastructure program as provided by this article. Any city, town, county, ~~or~~ special improvement district or the Eastern Shoshone or Northern Arapaho tribe, or the cooperative tribal governing body, may submit an application to the council for a loan under the program on forms prescribed by and subject to rules promulgated by the council. Loans may be applied for by a joint powers board with the approval of all participating agencies to the joint powers agreement. Loans may be made by the council for workforce housing infrastructure projects and community land trust projects. In adopting rules and making loans under this article the council shall require all projects to be related to workforce housing infrastructure or community land trusts.

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

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

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9-12-905. Wyoming workforce housing infrastructure program account.

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

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

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

(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