

SENATE FILE NO. SF0069

Water development program.

Sponsored by: Senator(s) Driskill, Agar, Boner, Hicks and  
Moniz and Representative(s) Clausen, Greear,  
Hunt, Lindholm, Sommers and Walters

A BILL

for

1 AN ACT relating to water; specifying a process for determining  
2 financing recommendations for projects in the Wyoming water  
3 development program; and providing for an effective date.

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

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7 **Section 1.** W.S. 41-2-112 by creating a new subsection  
8 (c) is amended to read:

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10 **41-2-112. Wyoming water development program.**

11

12 (c) The commission may recommend financing be provided  
13 to an eligible public entity for an otherwise eligible water  
14 project whether or not the public entity owns the proposed  
15 project or holds an easement or fee title to all lands upon

1 which the project would be situated. The commission shall not  
2 disqualify a proposed project from consideration based upon  
3 a public entity's failure to own a proposed project, or to  
4 hold an easement or title to all lands upon which a project  
5 would be situated, without providing the public entity an  
6 opportunity to establish the portion of the project funding  
7 anticipated to be expended on project components on private  
8 lands or which are anticipated to benefit private interest  
9 and the anticipated public benefit resulting from the  
10 project. The commission shall not recommend financing for a  
11 project subject to this paragraph if:

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13 (i) It finds the primary object of the project is  
14 to promote private interests;

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16 (ii) It finds in light of the amount of project  
17 funds that would be expended on project components on private  
18 land or which would benefit private interests, that the public  
19 benefit of the project is insufficient to support the  
20 expenditure of public funds; or

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22 (iii) The public benefit is too speculative in  
23 light of the project costs.

1           **Section 2.** This act is effective July 1, 2019.

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(END)