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9

75LSO - 252

# HOUSE BILL 114

HOUSE BILL 114

Title: AN ACT to create W.S. 18-330.30 through 18-330.34 relating to solid waste disposal districts; providing county commissioners may establish districts; granting rulemaking authority; providing for a penalty for violation of rules or regulations; and providing for the imposition of a tax.

Sponsored by: *Bruce M. Mullan* *Russell W. Janner*  
*Greg Janner*

DATE	ACTION	DATE	ACTION
JAN 15 1975	INTRODUCED READ FIRST TIME REFERRED TO COM. NO. <u>3</u> DELIVERED TO COM. NO. <u>3</u>	FEB 26 1975	READ THIRD TIME
FEB 12 1975	RETURNED Recommended Amend and Do Pass <i>yes 8</i> PLACED ON GENERAL FILE <i>yes 1</i>		PASSED Ayes <u>30</u> Noes <u>0</u> Excused <u>0</u> Absent <u>0</u> SENT TO SENATE
FEB 15 1975	CONSIDERED IN COM. OF WHOLE Standing Com. Amendment <i>HB 114 9/26/1A</i> <b>ADOPTED</b> RECOMMENDED DO.....PASS	FEB 28 1975	Received Amended House did concur on Senate Amendments Ayes <u>19</u> Noes <u>1</u> Excused <u>0</u> Absent <u>2</u> RECEIVED FROM SENATE
FEB 17 1975	READ SECOND TIME		SENT TO LSO FOR ENROLLING
FEB 18 1975	Read Third Time		RECEIVED FROM LSO ENROLLED
	PASSED Ayes <u>19</u> Noes <u>1</u> Excused <u>1</u> Absent <u>1</u> Sent to Senate		HEA NO. <u>109</u>
FEB 18 1975	RECEIVED FROM HOUSE	3-1-75	SPONSORED BY SPEAKER
FEB 18 1975	SENT TO LSO FOR ENGROSSING	3-1-75	BY PRESIDENT
2-18-75	<b>ENGROSSED</b>	3-5-75	APPROVED BY GOVERNOR
2-19-75	<i>Sent to Senate</i>		CHAPTER NO. <u>27</u> SESSION LAWS OF WYOMING <i>HB 114D</i>
FEB 19 1975	READ FIRST TIME		
	REFERRED TO COM. NO. <u>3</u>		
	DELIVERED TO COM. NO. <u>3</u>		
FEB 20 1975	RE-REFER TO COM. NO. <u>7</u>		
FEB 22 1975	COM. RECOMMENDATION AND DO PASS		
FEB 26 1975	CONSIDERED IN COM OF WHOLE AMENDED AS FOLLOWS <i>HB 114551-A</i> DO-PASS		
FEB 27 1975	READ SECOND TIME		

CONTINUED ON BACK

# 103114

3

Date 28/2

# Roll Call of the Senate

## of the FORTY-THIRD LEGISLATURE

### Of Wyoming

	EXCUSED	ABSENT	AYES	NOES
31 BOYLE			✓	
30 CHRISTENSEN			✓	
29 CUNDALL			✓	
28 DAILY			✓	
27 DAVIS			✓	
26 GEIS			✓	
25 HITCHCOCK			✓	
24 JOHNSON			✓	
23 KENDIG			✓	
22 KIMBALL			✓	
21 LEIMBACK			✓	
20 MADSEN			✓	
19 MAJHANOVICH			✓	
18 MOORE			✓	
17 MYERS				
16 NICHOLS			✓	
15 NORRIS			✓	
14 NORTHRUP			✓	
13 NOTT			✓	
12 NOVOTNY			✓	
11 OSTLUND			✓	
10 RECTOR			✓	
9 ROGERS			✓	
8 SADLER			✓	
7 SEARL			✓	
6 SEDAR			✓	
5 STAFFORD			✓	
4 TAGGART			✓	
3 TURNER			✓	
2 WALLOP			✓	
1 MR. PRESIDENT			✓	

PRESENT .....	AYES .....	30
	NOES .....	0
	EXCUSED .....	0
	ABSENT .....	0
	TOTAL .....	30
	LESS .....	

# 210 114Third Reading  
**Roll Call of the House**Date 2-18-75**of the  
FORTY-THIRD LEGISLATURE  
Of Wyoming**

	Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent
63 ARNEY	✓			✓	28 McMILLAN	✓			
62 BOUCHER	✓				27 MEENAN	✓			
61 BUCK	✓				26 MOCKLER	✓			
60 BURNETT	✓				25 MORTON	✓			
59 BUTTERFIELD	✓				24 O'NEIL	✓			
58 CHASTEEN	✓				23 ORRISON	✓			
57 COFFMAN	✓				22 OSLUND	✓			
56 COPENHAVER	✓				21 PARKS	✓			
55 CRANFILL	✓				20 PETERAL	✓			
54 CREWS	✓				19 PROFFIT	✓			
53 CROSS	✓				18 PROSSER	✓			
52 CURRY	✓				17 ROTH	✓			
51 DONLEY	✓				16 SALISBURY	✓			
50 DOWNING 12			✓		15 SCHWOPE	✓			
49 EDWARDS	✓				14 SCOTT	✓			
48 ENGEN		✓			13 SIDI	✓			
47 ESKENS	✓				12 SIMPSON	✓			
46 FLEISCHLI	✓				11 SMITH	✓			
45 FRISBY	✓				10 SMYTH	✓			
44 GEESEY	✓				9 STEWART	✓			
43 A. GRAHAM	✓				8 TRUE	✓			
42 L. GRAHAM	✓			✓	7 URBIGKIT	✓			
41 HANSEN	✓				6 VAN VELZOR	✓			
40 HELLBAUM					5 VINICH	✓			
39 HOLLAND	✓				4 WILKINS	✓			
38 HUNTER	✓				3 ZIMMER	✓			
37 HURSH	✓				2 ZUMBRUNNEN	✓			
36 JENNINGS	✓				1 MR. SPEAKER	✓			
35 JENSEN	✓				<div>PRESENT.....</div> <div>AYES ..... 39</div> <div>NOES ..... 1</div> <div>EXCUSED ..... 1</div> <div>ABSENT ..... 1</div> <div>TOTAL ..... 42</div> <div>LESS .....</div>				
34 JOHNSON	✓								
33 JONES	✓								
32 KINNAMAN	✓								
31 LEEDY	✓								
30 McCARTHY	✓								
29 McDANIEL	✓								

# HB 114TO CONCUR IN SENATE  
AMENDMENTS TO HB 114Date 2-28-75

# Roll Call of the House

of the  
FORTY-THIRD LEGISLATURE  
Of Wyoming

	Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent
63 ARNEY	✓			✓	28 McMILLAN	✓			
62 BOUCHER	✓				27 MEENAN	✓			
61 BUCK	✓				26 MOCKLER	✓			✓
60 BURNETT	✓				25 MORTON	✓			
59 BUTTERFIELD	✓				24 O'NEIL	✓			
58 CHASTEEN	✓				23 ORRISON	✓			
57 COFFMAN	✓				22 OSLUND	✓			✓
56 COPENHAVER	✓				21 PARKS	✓			
55 CRANFILL	✓				20 PETERAL	✓			
54 CREWS	✓				19 PROFFIT	✓			
53 CROSS	✓				18 PROSSER	✓			
52 CURRY	✓				17 ROTH	✓			
51 DONLEY	✓				16 SALISBURY	✓			
50 DOWNING	✓				15 SCHWOPE	✓			
49 EDWARDS	✓				14 SCOTT	✓			✓
48 ENGEN	✓	✓		✓	13 SIDI	✓			
47 ESKENS	✓				12 SIMPSON	✓			
46 FLEISCHLI	✓				11 SMITH	✓			
45 FRISBY	✓				10 SMYTH	✓			
44 GEESEY	✓				9 STEWART	✓			
43 A. GRAHAM	✓				8 TRUE	✓			
42 L. GRAHAM	✓				7 URBIGKIT	✓			
41 HANSEN	✓				6 VAN VELZOR	✓			
40 HELLBAUM					5 VINICH	✓	✓		
39 HOLLAND	✓				4 WILKINS	✓			
38 HUNTER	✓				3 ZIMMER	✓			
37 HURSH	✓				2 ZUMBRUNNEN	✓			
36 JENNINGS	✓				1 MR. SPEAKER	✓			
35 JENSEN	✓				PRESENT..... AYES .....57 NOES .....1 EXCUSED .....2 ABSENT .....2 TOTAL ..... LESS .....				
34 JOHNSON	✓								
33 JONES	✓								
32 KINNAMAN	✓								
31 LEEDY	✓								
30 McCARTHY	✓								
29 McDANIEL	✓								

# HB 114 Senate Amendments

HB114SS1/A

- ✓ Page 1, line 4 After "authority;" insert "providing for a penalty for violation of rules or regulations;".
- ✓ Page 2, line 1 After "rates" change the period to a semicolon and insert "penalty for violation of rules.".
- Page 2, line 14 After "misdemeanor" change the period to a comma and insert "punishable upon conviction of a fine not to exceed one hundred dollars (\$100.00) or imprisonment of not exceeding six (6) months, or both."
- insert*  
**(A)**
- Davis.

HB114HS1/A

2/12/75  
dist

✓ Page 1, line 13 Delete "unincorporated".

✓ Page 1, line 14 Delete "areas of the".

✓ Page 2, line 3 After "commissioners" insert "shall appoint not less than three (3) nor more than nine (9) residents of the district to constitute the governing board of the district. Appointees shall serve a term of three (3) years and may be reappointed for one (1) additional term. Terms of office shall be staggered. The governing board".

✓ Page 2, line 6 After "period" insert: *insert #2*

Violation of a rule or regulation of the governing board requiring disposal of solid wastes in designated sites constitutes a misdemeanor. A governing board may also enforce its rules and regulations by appropriate legal proceedings and expend and generate revenue relative to the purpose of a solid waste disposal district."

✓ Page 2, line 6 Delete "The board of county" insert "The governing board".

✓ Page 2, line 7 Delete "commissioners".

✓ Page 2, line 9 After "the" insert "governing".

✓ Page 2, line 12 After "limitation." insert: *insert #3*

"(a) A solid waste disposal district board may submit to the qualified electors of the district the question of whether or not the district shall annually levy, not to exceed three (3) mills on the dollar of assessed valuation of the district, to operate the district. The question may be submitted by the county clerk at any primary or general election upon resolution of the district governing board.

(b)".

✓ Page 2, line 16 After "district." insert: *insert #4*

"These monies shall be placed in an account certified by the solid waste disposal district governing board if the mill levy authorization has been approved pursuant to subsection (a) of this section".

✓ Page 2, line 16 Delete language after "period".

✓ Page 2, lines 17 and 18 delete. -- PROSSER

JBR

# ENGROSSED

1975

STATE OF WYOMING

75LSO-252/eng

HOUSE BILL NO. 114

County solid waste disposal districts.

Sponsored by: Representatives McMILLAN, JENNINGS and ZIMMER

A BILL

for

1 AN ACT to create W.S. 18-330.30 through 18-330.34 relating  
2 to solid waste disposal districts; providing county  
3 commissioners may establish districts; granting rulemaking  
4 authority; and providing for the imposition of a tax.

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

6 Section 1. W.S. 18-330.30 through 18-330.34 are  
7 created to read:

8 CHAPTER 10.3

9 SOLID WASTE DISPOSAL DISTRICTS

10 18-330.30. Solid waste disposal districts; creation.

11 The board of county commissioners of any county may estab-  
12 lish by resolution one (1) or more solid waste disposal  
13 districts composed of any portion of the county. Areas  
14 may be added to or subtracted from an existing district in  
15 the same manner.

*Am passed by House*

1       18-330.31. Powers; management; rates. Following the  
2 creation of a solid waste disposal district, the board of  
3 county commissioners shall appoint not less than three (3)  
4 nor more than nine (9) residents of the district to con-  
5 stitute the governing board of the district. Appointees  
6 shall serve a term of three (3) years and may be reap-  
7 pointed for one (1) additional term. Terms of office  
8 shall be staggered. The governing board may exercise all  
9 powers granted to cities and towns by W.S. 15.1-3(19) and  
10 (39) and shall adopt rules and regulations in managing the  
11 disposal of solid wastes within the district. Violation  
12 of a rule or regulation of the governing board requiring  
13 disposal of solid wastes in designated sites constitutes a  
14 misdemeanor. A governing board may also enforce its rules  
15 and regulations by appropriate legal proceedings and  
16 expend and generate revenue relative to the purpose of a  
17 solid waste disposal district. The governing board may  
18 permit persons or entities not included within the dis-  
19 trict to utilize the facilities of the district at rates  
20 established by the governing board and any revenue gener-  
21 ated in this manner shall only be used to operate the dis-  
22 trict.

23       18-330.32. Taxation; limitation.



1           (a) A solid waste disposal district board may submit  
2 to the qualified electors of the district the question of  
3 whether or not the district shall annually levy, not to  
4 exceed three (3) mills on the dollar of assessed valuation  
5 of the district, to operate the district. The question  
6 may be submitted by the county clerk at any primary or  
7 general election upon resolution of the district governing  
8 board.

9           (b) The board of county commissioners at the time of  
10 making the levy for county purposes shall levy a tax upon  
11 the taxable property within a solid waste disposal dis-  
12 trict to be used solely to operate the district. These  
13 monies shall be placed in an account certified by the  
14 solid waste disposal district governing board if the mill  
15 levy authorization has been approved pursuant to subsec-  
16 tion (a) of this section.

17           18-330.33. Operation of disposal system. Any  
18 requirements or exceptions pertaining to the operation of  
19 solid waste disposal systems by cities and towns are also  
20 applicable to county solid waste disposal districts.

21           18-330.34. Procedures. The Wyoming Administrative  
22 Procedure Act is applicable to all proceedings under W.S.  
23 18-330.30 through 18-330.34 except establishing or chang-

1     ing the boundaries of a solid waste disposal district.

2             Section 2. This act is effective ninety (90) days  
3     after adjournment of the session of the legislature at  
4     which it was enacted.

5                             (END)

# ENGROSSED

1975

STATE OF WYOMING

75LSO-252/eng

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County solid waste disposal districts.

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12 lish by resolution one (1) or more solid waste disposal  
13 districts composed of any portion of the county. Areas  
14 may be added to or subtracted from an existing district in  
15 the same manner.

*As passed by House*

1        18-330.31. Powers; management; rates. Following the  
2        creation of a solid waste disposal district, the board of  
3        county commissioners shall appoint not less than three (3)  
4        nor more than nine (9) residents of the district to con-  
5        stitute the governing board of the district. Appointees  
6        shall serve a term of three (3) years and may be reap-  
7        pointed for one (1) additional term. Terms of office  
8        shall be staggered. The governing board may exercise all  
9        powers granted to cities and towns by W.S. 15.1-3(19) and  
10       (39) and shall adopt rules and regulations in managing the  
11       disposal of solid wastes within the district. Violation  
12       of a rule or regulation of the governing board requiring  
13       disposal of solid wastes in designated sites constitutes a  
14       misdemeanor. A governing board may also enforce its rules  
15       and regulations by appropriate legal proceedings and  
16       expend and generate revenue relative to the purpose of a  
17       solid waste disposal district. The governing board may  
18       permit persons or entities not included within the dis-  
19       trict to utilize the facilities of the district at rates  
20       established by the governing board and any revenue gener-  
21       ated in this manner shall only be used to operate the dis-  
22       trict.

23       18-330.32. Taxation; limitation.

# ENGROSSED

1975

STATE OF WYOMING

75LSO-252/eng

HOUSE BILL NO. 114

County solid waste disposal districts.

Sponsored by: Representatives McMILLAN, JENNINGS and ZIMMER

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12 lish by resolution one (1) or more solid waste disposal  
13 districts composed of any portion of the county. Areas  
14 may be added to or subtracted from an existing district in  
15 the same manner.

*As passed by House*

1           (a) A solid waste disposal district board may submit  
2           to the qualified electors of the district the question of  
3           whether or not the district shall annually levy, not to  
4           exceed three (3) ~~mills on the dollar of assessed valuation~~  
5           of the district, to operate the district. The question  
6           may be submitted by the county clerk at any primary or  
7           general election upon resolution of the district governing  
8           board.

9           (b) The board of county commissioners at the time of  
10          making the levy for county purposes shall levy a tax upon  
11          the taxable property within a solid waste disposal dis-  
12          trict to be used solely to operate the district. These  
13          monies shall be placed in an account certified by the  
14          solid waste disposal district governing board if the mill  
15          levy authorization has been approved pursuant to subsec-  
16          tion (a) of this section.

17          18-330.33. Operation of disposal system. Any  
18          requirements or exceptions pertaining to the operation of  
19          solid waste disposal systems by cities and towns are also  
20          applicable to county solid waste disposal districts.

21          18-330.34. Procedures. The Wyoming Administrative  
22          Procedure Act is applicable to all proceedings under W.S.  
23          18-330.30 through 18-330.34 except establishing or chang-

1 ing the boundaries of a solid waste disposal district.

2 Section 2. This act is effective ninety (90) days  
3 after adjournment of the session of the legislature at  
4 which it was enacted.

5 (END)

Page 1, line 13 Delete "unincorporated".

Page 1, line 14 Delete "areas of the".

Page 2, line 3 After "commissioners" insert "shall appoint not less than three (3) nor more than nine (9) residents of the district to constitute the governing board of the district. Appointees shall serve a term of three (3) years and may be reappointed for one (1) additional term. Terms of office shall be staggered. The governing board".

Page 2, line 6 After "period" insert:

Violation of a rule or regulation of the governing board requiring disposal of solid wastes in designated sites constitutes a misdemeanor. A governing board may also enforce its rules and regulations by appropriate legal proceedings and expend and generate revenue relative to the purpose of a solid waste disposal district."

Page 2, line 6 Delete "The board of county" insert "The governing board".

Page 2, line 7 Delete "commissioners".

Page 2, line 9 After "the" insert "governing".

Page 2, line 12 After "limitation." insert:

"(a) A solid waste disposal district board may submit to the qualified electors of the district the question of whether or not the district shall annually levy, not to exceed three (3) mills on the dollar of assessed valuation of the district, to operate the district. The question may be submitted by the county clerk at any primary or general election upon resolution of the district governing board.

(b)".

Page 2, line 16 After "district." insert: "These monies shall be placed in an account certified by the solid waste disposal district governing board if the mill levy authorization has been approved pursuant to subsection (a) of this section".

Page 2, line 16 Delete language after "period".

Page 2, lines 17 and 18 delete. -- PROSSER



# INTRODUCED

1975

STATE OF WYOMING

75LSO-252.01

HOUSE BILL NO. 114

County solid waste disposal districts.

Sponsored by: Representative McMILLAN

*Bruce McMILLAN*  
*Gary Jennings*

*Russell W. Zimmerman*

A BILL

for

1 AN ACT to create W.S. 18-330.30 through 18-330.34 relating  
2 to solid waste disposal districts; providing county  
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4 authority; and providing for the imposition of a tax.

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8 CHAPTER 10.3

9 SOLID WASTE DISPOSAL DISTRICTS

10 18-330.30. Solid waste disposal districts; creation.

11 The board of county commissioners of any county may estab-  
12 lish by resolution one (1) or more solid waste disposal  
13 districts composed of any portion of the unincorporated  
14 areas of the county. Areas may be added to or subtracted  
15 from an existing district in the same manner.

1        18-330.31. Powers; management; rates. Following the  
2 creation of a solid waste disposal district, the board of  
3 county commissioners may exercise all powers granted to  
4 cities and towns by W.S. 15.1-3(19) and (39) and shall  
5 adopt rules and regulations in managing the disposal of  
6 solid wastes within the district. The board of county  
7 commissioners may permit persons or entities not included  
8 within the district to utilize the facilities of the dis-  
9 trict at rates established by the board and any revenue  
10 generated in this manner shall only be used to operate the  
11 district.

12        18-330.32. Taxation; limitation. The board of  
13 county commissioners at the time of making the levy for  
14 county purposes shall levy a tax upon the taxable property  
15 within a solid waste disposal district to be used solely  
16 to operate the district. The mill levy shall not exceed  
17 three (3) mills. The tax levied under this section is not  
18 part of the general county twelve (12) mill levy.

19        18-330.33. Operation of disposal system. Any  
20 requirements or exceptions pertaining to the operation of  
21 solid waste disposal systems by cities and towns are also  
22 applicable to county solid waste disposal districts.

23        18-330.34. Procedures. The Wyoming Administrative

1 Procedure Act is applicable to all proceedings under W.S.  
2 18-330.30 through 18-330.34 except establishing or chang-  
3 ing the boundaries of a solid waste disposal district.

4 Section 2. This act is effective ninety (90) days  
5 after adjournment of the session of the legislature at  
6 which it was enacted.

7 (END)