

SENATE FILE NO. SF0154

Tribal solid waste disposal district.

Sponsored by: Senator(s) Case

A BILL

for

1 AN ACT relating to counties; providing for the establishment
2 of solid waste disposal districts at the request of tribal
3 governments; providing for the nomination and appointment of
4 the governing board of those solid waste disposal districts;
5 and providing for an effective date.

6

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

8

9 **Section 1.** W.S. 18-11-101(b) and by creating a new
10 subsection (c) and 18-11-102(a) are amended to read:

11

12 **18-11-101. Solid waste disposal districts; creation.**

13

14 (b) Not less than sixty (60) days before any resolution
15 pursuant to subsection (a) or (c) of this section is signed,
16 the board of county commissioners shall submit the proposed

1 boundaries of the district to the county assessor and the
2 department of revenue for review for any conflict, overlap,
3 gap or other boundary issue. The assessor and the department
4 may make written comments thereon to the county
5 commissioners.

6

7 (c) A tribal government of either the Northern Arapaho
8 or Eastern Shoshone tribes of the Wind River Indian
9 Reservation may request to a board of county commissioners
10 for the establishment of a solid waste disposal district to
11 serve citizens living on the reservation. The board of county
12 commissioners shall establish by resolution the requested
13 solid waste disposal district unless the board finds
14 following a public hearing held at least thirty (30) days
15 before establishing the district that establishment of the
16 district will not be in the public interest of citizens
17 residing within the proposed boundaries of the district. A
18 district formed under this subsection at the request of a
19 tribal government shall be subject to this chapter and the
20 laws of the state of Wyoming. Areas may be added to or
21 subtracted from the district in the same manner as provided
22 by subsection (a) of this section.

23

1 **18-11-102. Powers; management; rates; penalty for**
2 **violation of rules; removal.**

3
4 (a) Following the creation of a solid waste disposal
5 district the board of county commissioners shall appoint not
6 less than three (3) nor more than nine (9) residents of the
7 district to constitute the governing board of the district.

8 If the district is formed pursuant to W.S. 18-11-101(c), the
9 tribal government of either the Northern Arapaho or Eastern
10 Shoshone tribes of the Wind River Indian Reservation may
11 nominate members to the governing board of the district. The
12 board of county commissioners shall consider nominations made
13 by the tribal government and shall appoint a majority of the
14 governing board from those nominations. Appointees shall

15 serve a term of three (3) years and may be reappointed. Terms
16 of office shall be staggered. The governing board may exercise
17 all powers granted to cities and towns by W.S.
18 15-1-103(a)(xxi) and (xl) and shall adopt rules and
19 regulations in managing the disposal of solid wastes within
20 the district. Violation of a rule or regulation of the
21 governing board requiring disposal of solid wastes in
22 designated sites constitutes a misdemeanor punishable upon
23 conviction by a fine not to exceed seven hundred fifty dollars

1 (\$750.00) or imprisonment not exceeding six (6) months or
2 both. A governing board may also enforce its rules and
3 regulations by appropriate legal proceedings and expend and
4 generate revenue relative to the purpose of a solid waste
5 disposal district. The governing board may permit persons or
6 entities not included within the district to utilize the
7 facilities of the district. The governing board may impose
8 fees upon persons or entities included within or outside of
9 the district for the privilege of utilizing the facilities of
10 the district at rates established by the governing board and
11 any revenue generated in this manner shall only be used to
12 operate the district.

13

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

15

16

(END)