

HOUSE BILL NO. _____

State funded water and sewer program.

Sponsored by: Joint Corporations, Elections and Political Subdivisions Interim Committee

A BILL

for

1 AN ACT relating to administration of government;
2 establishing a program to provide for public sewer systems;
3 providing for administration; establishing criteria for
4 eligibility; providing an appropriation; and providing for
5 an effective date.

6

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

8

9 **Section 1.** W.S. 16-1-401 and 16-1-402 are created to
10 read:

11

12

ARTICLE 4

13

STATE WATER AND SEWER PROGRAM

14

15 **16-1-401. Definitions.**

16

1 (a) As used in this article:

2

3 (i) "Account" means the state funded water and
4 sewer program account;

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6 (ii) "Board" means the state loan and investment
7 board;

8

9 (iii) "Eligible public entity" means any city or
10 town, sanitary and improvement district established under
11 W.S. 35-3-101 through 35-3-124, or sewer district or water
12 and sewer district organized pursuant to W.S. 41-10-101
13 through 41-10-151;

14

15 (iv) "Qualifying property" means residential
16 property which:

17

18 (A) Is not using the services of a public
19 sewerage system;

20

21 (B) Contains a private septic system that
22 requires repair or replacement;

23

1 (C) Lies within an area for which a permit
2 or other authorization is required to repair or replace the
3 private septic system and for which the public entity with
4 jurisdiction is unable to issue the permit or provide
5 authorization for the repair or replacement due to a lawful
6 agreement binding the entity or due to federal or state
7 law.

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9 **16-1-402. State funded water and sewer program**
10 **created; grants authorized; program administration.**

11

12 (a) There is hereby established a state funded water
13 and sewer grant program to be administered by the office of
14 state lands and investments subject to direction of the
15 state loan and investment board. The program shall provide
16 grants to eligible public entities, to be used by the
17 entity to pay for the cost of providing sewerage system
18 service to qualifying properties.

19

20 (b) The governing body of an eligible public entity
21 may make application to the state loan and investment board
22 for grants under the program. The office of state lands
23 and investments in consultation with the department of
24 environmental quality shall review each application

1 submitted and make a recommendation to the board regarding
2 approval or disapproval of the application. The
3 application shall meet requirements of rules promulgated by
4 the board, which shall at a minimum require the
5 identification of each qualifying property, the estimated
6 cost of providing sewerage system service to the property
7 and proof that the public entity has reached agreement with
8 the owner of the qualifying property to pay the costs of
9 expanding the sewerage system to the boundaries of the
10 qualifying property, as limited by subsection (c) of this
11 section, and to pay the sewer tap fee established by the
12 public entity at a rate which will be adequate to finance
13 continued operation and maintenance of the system.

14

15 (c) An owner of qualifying property shall agree to
16 and pay in exchange for the provision of public sewerage
17 system services under this section, the amount which would
18 have otherwise been expended by the owner to reconstruct or
19 repair the septic system and appurtenant facilities. The
20 owner shall further agree to pay the sewer tap fee at the
21 rate established by the eligible public entity and the
22 property shall be subject to assessments to enforce payment
23 and subsequent proceedings to enforce assessments as are
24 otherwise provided by law.

1

2 (d) Grant amounts shall not exceed the estimated cost
3 of the project minus the amount owners of qualifying
4 properties are to pay for access to services under this
5 section. Grants approved by the state loan and investment
6 board shall be payable to the eligible public entity from
7 the account and shall be used by the public entity only for
8 purposes of the approved project. Any grant funds
9 remaining shall be paid to the state treasurer within one
10 hundred twenty (120) days after completion of the project
11 for deposit to the account.

12

13 (e) Whenever public sewerage system service has been
14 provided to a qualifying property all existing septic tanks
15 on the property shall be dispensed with and no new septic
16 tank shall be authorized.

17

18 (f) The state loan and investment board is authorized
19 to adopt rules to implement this article.

20

21 **Section 2.** There is appropriated ten million dollars
22 (\$10,000,000.00) to the state funded water and sewer
23 program account created under this act.

24

1 **Section 3.** This act is effective July 1, 2005.

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3

(END)