



OFFICE OF THE
ATTORNEY GENERAL
STATE OF WYOMING
CHEYENNE 82001

JAMES E. BARRETT
~~JOHN BARRETT~~
ATTORNEY GENERAL

June 5, 1968

MEMORANDUM

TO: Marvin H. Cronberg
Executive Secretary
Wyoming Soil & Water Conservation Committee
BUILDING

FROM: Sterling A. Case
Assistant Attorney General

Subject: Petition for change of name from Southeastern Laramie
County Soil and Water Conservation District to East
Laramie Conservation District.

In your letter of June 3, 1968, you inquire as to whether the State Committee might legally grant the request contained in the above-mentioned petition and omit the words, "Soil and Water" from the proposed amended name.

Our answer is in the negative and for reasons as follows:

1. Our search of the legislative history of the existing "Soil and Water Conservation Districts" Act discloses that the original version of this law was enacted as the "SOIL CONSERVATION DISTRICTS" Act in 1941, which continued in effect until the 1959 legislative session when Original House Bill No. 210 was adopted by the legislature amending and re-enacting the prior law in its entirety by Chapter 193, Wyoming Session Laws, 1959. The title of Chapter 193, supra, contains the language, "and providing for a change of name which name, by legislative enactment, was changed to "Wyoming Soil And Water Conservation Districts Law." Chapter 193 of the 1959 Session laws now appears in full force and effect in the 1967 supplement as Sections 11-234 to 11-249, inclusive. The annotation appearing in the supplement states that:

"The 1959 amendment substituted the words "state soil and water conservation committee" for the words "state soil conservation committee" in subsections (A) and (C) in this section."

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It is, therefore, clear that by mandate of the legislature, such districts, if created under the provisions of the "Wyoming Soil And Water Conservation Districts Law" must be designated as such.

CONCLUSION

We are obliged to conclude that the change in name as requested in the petition of May 9, 1968, could not possibly be granted administratively but can only be accomplished through legislative process.


STERLING A. CASE,
Assistant Attorney General

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