

HOUSE BILL NO. HB0109

Revisor's bill.

Sponsored by: Management Council

A BILL

for

1 AN ACT relating to a revision of inadvertent errors;
 2 correcting statutory references and language that were
 3 erroneously made to the statutes as a result of legislation
 4 previously adopted by the legislature; providing for
 5 application as specified; and providing for an effective
 6 date.

7

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

9

10 **Section 1.** W.S. 1-15-409(b), 1-20-109, 1-22-203(e),
 11 1-40-203(b)(ii), (xiii) and (xvii), 1-42-113(a)(iv),
 12 2-5-101(c), 2-6-109(a), 2-7-805(d) and (e), 2-15-104,
 13 2-15-105(b), 3-5-213, 5-1-106(d) and (e), 5-3-104, 5-3-211,
 14 5-9-135, 6-2-312(a)(intro), 6-3-401(a)(iii),
 15 7-1-109(g)(ii), 7-2-105(o), 7-6-112(a)(ii),
 16 7-11-403(a)(intro), 7-11-407, 7-15-102(a)(ii),
 17 9-1-618(b)(ii), 9-2-1016(c)(i) and (v), 9-3-301(a)(ix),
 18 9-4-210, 9-4-601(a)(vi), 9-4-604(k)(iii), 9-4-701(q)(intro)
 19 and (ii)(B), 9-4-1201(a)(xi), 11-2-204(a), 11-7-301(a)(v),
 20 11-19-304, 11-20-101(a)(vii), 11-24-108(a),
 21 13-6-304(a)(iii), 14-3-308(b), 14-4-113(a), 14-6-233(a),
 22 14-6-301(a)(iii), 14-8-103(a)(intro), 15-1-103(a)(xxix)(C)
 23 and (xli), 15-1-108(a)(vi)(C), 15-1-701(a)(ii), 15-4-229,
 24 15-4-244(b), 15-6-401, 15-6-433, 16-1-104(d),
 25 16-2-101(a)(v), 16-3-101(b)(ix)(E) and (F), 16-4-103(b),
 26 16-4-123(c), 16-6-501(b) and (d), 16-6-801(a)(ii),
 27 16-6-803(b), 16-9-102(a)(x), 17-4-122(d), 17-4-124(b),
 28 17-10-118, 17-10-122, 17-16-825(e)(ii), 17-16-1103(j),
 29 17-16-1801(b), 17-17-114(c), 17-18-106(b)(intro),
 30 17-18-116(f), 17-19-1630(a), 18-3-304, 18-3-402(a)(vi)(B)
 31 and (xxiv), 18-3-516(b)(i), 18-3-520, 18-3-812,
 32 18-4-201(b)(iii), 18-4-501(a)(v), 18-5-203, 18-6-313,
 33 18-8-106, 19-7-102(a)(intro), (ii) and (iii), 19-11-102(c),

1 20-4-140(a) (xxii), 20-4-153(a) (ii), 21-2-402(b) (x) (B),
 2 21-2-702, 21-2-703(a) (iii), 21-4-309(d) (i), 21-6-202(a) (i),
 3 21-12-101(a), 21-13-310(a) (ii) (B), 21-13-313(d),
 4 21-13-326(a) (ii), 21-15-108(d) (ii), 21-15-109(e),
 5 21-16-720(b), 21-17-417(a) (ii), 21-17-427(a) (xii),
 6 25-5-102(a) (iv) and (xiii), 25-10-101(a) (xiv),
 7 25-10-116(b), 25-11-101(a) (iv), 26-2-209, 26-3-114(a) (iii),
 8 26-4-102(b) (i), 26-4-103(h), 26-4-105(a), 26-7-101,
 9 26-14-102(a) (viii), 26-14-103(a) (xii), 26-17-127(a) (intro),
 10 26-19-304(a) (ii), 26-29-238(b), 26-34-102(a) (xxix),
 11 26-34-120(e) (ii), 26-34-127(a), 27-3-102(a) (xxii),
 12 27-3-103(a) (viii), (ix) and (b), 27-3-105(a) (i), (ii),
 13 (b) (xi) and (xii), 27-3-317(g) (ii), 28-1-107(a) (i),
 14 29-2-110(a), 29-3-109(a), 29-3-110, 29-6-206(a) (i) and (c),
 15 29-7-103(a), 29-7-105(b) (intro), 30-2-210(a),
 16 30-5-101(a) (i) (F) and (G), 30-5-103(b), 30-5-109(c) (iii),
 17 30-5-110(b), (c) (ii), (iii) and (t), 30-5-126, 31-2-104(f),
 18 31-2-107(a), 31-2-212, 31-2-504(c), 31-7-105(f) (iv),
 19 31-18-806, 32-1-110, 33-1-106, 33-3-103, 33-3-124,
 20 33-7-108(b), 33-7-209(a) (iii), 33-9-105, 33-9-107,
 21 33-16-111, 33-16-207, 33-16-305, 33-16-317, 33-16-318,
 22 33-21-145(b), 33-24-153(a), 33-26-103(a) (iii),
 23 33-29-139(c) (intro), 33-29-148, 33-33-104(a) (intro) and
 24 (vii), 33-43-109, 34-1-118, 34-1-126, 34-16-105,
 25 34.1-2-511(c), 34.1-2.A-307(b), 34.1-3-103(b),
 26 34.1-3-503(a), 34.1-4-503(b), 35-1-613(a) (xi), 35-4-103,
 27 35-6-107(b), 35-7-1018(b) (i), 35-8-405, 35-9-608(a),
 28 35-10-206, 35-11-110(d), 35-11-404(c) (ii), 35-11-503(c),
 29 35-11-1104(a) (iii), 35-22-101(a) (x), 37-7-109(a) (iii) (D),
 30 37-7-201, 37-7-309, 37-9-104, 37-9-501, 37-9-601,
 31 37-13-127, 40-13-105, 40-13-106, 40-14-407(b) (ii),
 32 40-17-101(a) (i) (A), 41-2-112(a), 41-2-124(c), 41-3-108(a),
 33 41-4-209, 41-7-906(a) (i), 41-9-261, 41-13-206(e) and
 34 42-2-103(e) (iv) (A) are amended to read:

35
 36 **1-15-409. Service of writ; return; copy to defendant.**

37
 38 (b) Not later than five (5) days after service is
 39 made upon the garnishee the sheriff or other person who
 40 served the writ shall mail a copy of the writ to the
 41 defendant. The ~~papers-writ~~ shall be sent by first class
 42 United States mail with the postage prepaid. The ~~envelopes~~
 43 envelope shall be furnished and properly addressed by the
 44 plaintiff.

45
 46 **1-20-109. Exemptions from estates in bankruptcy.**

47

1 In accordance with ~~section 522(b)(2) of the Bankruptcy~~
 2 ~~Reform Act of 1978,~~ 11 U.S.C. § 522(b)(1), the exemptions
 3 from property of the estate in bankruptcy provided in 11
 4 U.S.C. § 522(d) are not authorized in cases where Wyoming
 5 law is applicable on the date of the filing of the petition
 6 and the debtor's domicile has been located in Wyoming for
 7 the one hundred eighty (180) days immediately preceding the
 8 date of the filing of the petition or for a longer portion
 9 of the one hundred eighty (180) day period than in any
 10 other place.

11
 12 **1-22-203. Confidential intermediaries; confidential**
 13 **intermediary services.**

14
 15 (e) Any person acting as a confidential intermediary
 16 who knowingly fails to comply with the provisions of
 17 subsections (c) and (d) of this section shall be subject to
 18 citation and punishment for contempt as provided by Rule
 19 ~~41-42~~, Wyoming Rules of Criminal Procedure.

20
 21 **1-40-203. Victim and witness bill of rights.**

22
 23 (b) Crime victims, key witnesses and, upon request,
 24 other witnesses shall have the following rights:

25
 26 (ii) To be provided information about the right
 27 to receive judicially ordered restitution as provided in
 28 W.S. ~~7-9-107~~ 7-9-102;

29
 30 (xiii) To be notified about the defendant's
 31 conviction as provided in W.S. ~~7-21-102(a)(ii)~~ 7-21-102(a);

32
 33 (xvii) To be notified about the opportunity to
 34 make an impact statement at sentencing as provided in W.S.
 35 ~~7-21-102(a)(vii)~~ 7-21-102(a); and

36
 37 **1-42-113. Proposal to transfer administration of**
 38 **local government self-insurance account; transfer after**
 39 **approval; effect.**

40
 41 (a) The local government self-insurance policy board
 42 may submit to all participating local governments a
 43 proposal to transfer administration of the account and all
 44 functions under the provisions of this act to a joint
 45 powers board to operate the local government self-insurance
 46 program in accordance with W.S. 1-42-201 through 1-42-207.
 47 As of July 1, next following the approval of such a

1 proposal by two-thirds (2/3) of the participating local
2 governments:

3
4 (iv) The local government self-insurance program
5 shall be operated in accordance with the provisions of W.S.
6 1-42-201 through 1-42-207, and not in accordance with the
7 provisions of this act. The program shall be administered
8 by the risk manager under the direction of the board for up
9 to one (1) year after the transfer of the program. The
10 program shall reimburse the department of administration
11 and information for one hundred percent (100%) of the
12 direct costs and thirty percent (30%) of the budget of the
13 office costs, salaries and benefits of the self-insurance
14 program within the ~~procurement~~general services division of
15 the department during that period.

16
17 **2-5-101. Elective share of property.**

18
19 (c) If the surviving spouse of a married person
20 domiciled in this state dies or becomes incompetent within
21 three (3) months after the will is admitted to probate or
22 before being advised of the right of election as in W.S.
23 ~~2-5-201~~2-5-104 provided, a personal representative or
24 guardian of the estate of the deceased or incompetent
25 surviving spouse has the same right of election as the
26 surviving spouse would have had if living or competent.

27
28 **2-6-109. Nonademption of specific devises where sold**
29 **by conservator; exception; rights of specific devisee.**

30
31 (a) If specifically devised property is sold by a
32 conservator, or if a condemnation award or insurance
33 proceeds are paid to a conservator as a result of a
34 condemnation, fire or casualty, the specific devisee has
35 the right to a general pecuniary devise equal to the net
36 sale price, the condemnation award or the insurance
37 proceeds. This subsection does not apply if after the sale,
38 condemnation or casualty, it is adjudicated that the
39 disability of the testator has ceased and the testator
40 survives the adjudication by one (1) year. The right of the
41 specific devisee under this subsection is reduced by any
42 right he has under subsection ~~(a)~~(b) of this section.

43
44 **2-7-805. Allowance and payment of personal**
45 **representative's fees and attorney fees; limitations.**
46

1 (d) No contingent fee shall be allowed against an
2 estate or paid by an estate for legal services rendered to
3 or for or on behalf of an estate, except in a proceeding
4 for recovery for wrongful death under W.S. ~~2-14-201~~ and
5 ~~2-14-202~~ 1-38-101 and 1-38-102, unless before commencement
6 of the services a written contract is entered into by the
7 personal representative and the attorney with respect
8 thereto and the contract is submitted to the court upon
9 written, verified application of the personal
10 representative and is approved by the court. No contract
11 shall be approved if it violates any statute or rule of
12 court. No contract shall be approved unless it appears to
13 the court, upon due consideration of the size of the estate
14 and the nature and extent of the legal services to be
15 rendered, that adequate compensation of the attorney cannot
16 be assured by allowance of fees for extraordinary services
17 pursuant to W.S. 2-7-803.

18
19 (e) The provisions of W.S. 2-7-801 through ~~2-7-804(d)~~
20 ~~2-7-804~~ apply to personal representatives and attorneys
21 serving in ancillary administration in Wyoming, except as
22 the probate court in which the ancillary administration is
23 pending may otherwise determine for good cause shown.

24
25 **2-15-104. Disposition of unclaimed property.**

26
27 When real or personal property remains in the hands of the
28 agent unclaimed for one (1) year, the agent shall petition
29 the court for an order directing the sale of the property.
30 If it appears to the court that it is for the benefit of
31 all interested parties the property shall be sold under the
32 order of the court and the proceeds, after deducting the
33 expenses of the sale allowed by the court, be held by the
34 agent in a fiduciary capacity subject to the provisions of
35 the Uniform Unclaimed Property Act, W.S. 34-24-101 through
36 ~~34-24-139~~ 34-24-140.

37
38 **2-15-105. Agent to render annual account; information**
39 **to be shown; hearing; court may order sale of property.**

40
41 (b) When filed, the court may examine witnesses and
42 take proofs in regard to the account. If satisfied that it
43 will be for the benefit of the persons interested therein,
44 the court may order a sale to be made of the whole or such
45 parts of the real or personal property as appears proper
46 and the purchase money to be held by the agent in a
47 fiduciary capacity subject to the provisions of the Uniform

1 Unclaimed Property Act, W.S. 34-24-101 through ~~34-24-139~~
2 34-24-140.

3
4 **3-5-213. Presumption of principal's capacity.**

5
6 The principal of a durable power ~~of~~ attorney for health
7 care executed in accordance with this article is presumed
8 to be capable of executing a durable power ~~or~~ of attorney.
9 A person who contests the presumption must prove by clear
10 and convincing evidence the principal was incompetent at
11 the time the durable power of attorney for health care was
12 executed.

13
14 **5-1-106. Retirement of judges of the supreme court or**
15 **district courts; pension; assignment of retired judges.**

16
17 (d) This ~~act~~ section shall apply to judges who have
18 retired heretofore.

19
20 (e) Any judge who is otherwise eligible to receive a
21 pension may receive the benefits accorded by this ~~act~~
22 section if he retires on the day of attainment of the age
23 of seventy (70) years, or prior thereto, provided that if
24 he is a judge on the effective date of this act, he may
25 complete the present term for which he was elected or
26 appointed without the loss of any pension benefits accorded
27 by this ~~act~~ section.

28
29 **5-3-104. Opening day in case of legal holiday.**

30
31 Whenever the opening day of a term of any district court in
32 the state of Wyoming falls upon a day designated as a legal
33 holiday, as defined in W.S. ~~8-6-101~~ 8-4-101, it is hereby
34 provided that the day following such legal holiday shall be
35 the opening day of ~~said~~ the term of ~~said~~ the district
36 court.

37
38 **5-3-211. Books and records to be kept.**

39
40 The clerk of district ~~courts~~ court shall keep an appearance
41 docket, a trial docket, journal, record and execution
42 docket. The appearance docket, record and execution docket
43 may be kept and preserved in one (1) book.

44
45 **5-9-135. Filing fee.**

46

1 For all civil matters the circuit court shall collect from
2 the plaintiff an original filing fee of twenty dollars
3 (\$20.00), and a court automation fee of ten dollars
4 (\$10.00), excluding small claims civil actions as provided
5 in W.S. 1-21-201 through 1-21-205 which shall have a filing
6 fee of ten dollars (\$10.00). The court automation fee shall
7 be deposited into the judicial systems automation account
8 as provided by W.S. ~~5-5-152~~ 5-9-144.

9
10 **6-2-312. Evidence of victim's prior sexual conduct or**
11 **reputation; procedure for introduction.**

12
13 (a) In any prosecution under W.S. 6-2-302 through
14 ~~6-2-305~~ 6-2-304 or for any lesser included offense, if
15 evidence of the prior sexual conduct of the victim,
16 reputation evidence or opinion evidence as to the character
17 of the victim is to be offered the following procedure
18 shall be used:

19
20 **6-3-401. Definitions.**

21
22 (a) As used in this article:

23
24 (iii) "This article" means W.S. 6-3-401 through
25 ~~6-3-409~~ 6-3-411.

26
27 **7-1-109. Examination for sexually transmitted**
28 **diseases required in certain cases; health officers to**
29 **notify crime victims; results confidential.**

30
31 (g) As used in this section:

32
33 (ii) "Sex offense" means sexual assault under
34 W.S. 6-2-302 through ~~6-2-305~~ 6-2-304, attempted sexual
35 assault, conspiracy to commit sexual assault, incest under
36 W.S. 6-4-402 or indecent liberties under W.S. 14-3-105.

37
38 **7-2-105. Disposition and appraisal of property seized**
39 **or held; notice and order to show cause; judgment.**

40
41 (o) This section does not apply to property which is
42 subject to the Uniform Unclaimed Property Act, W.S.
43 34-24-101 through ~~34-24-139~~ 34-24-140.

44
45 **7-6-112. Applicability of provisions.**

46
47 (a) This act does not apply to:

1
2 (ii) Representation of an individual in
3 proceedings for hospitalization of mentally ill persons
4 under W.S. 25-10-101 through ~~25-10-126~~ 25-10-127;

5
6 **7-11-403. Applicability of rules and civil procedure**
7 **provisions.**

8
9 (a) To the extent practicable and when not otherwise
10 specifically provided, the provisions of the Wyoming Rules
11 of Civil Procedure, the Wyoming Rules of Evidence and the
12 Wyoming Code of Civil Procedure shall govern in criminal
13 cases, relative to:

14
15 **7-11-407. Procedures for taking depositions.**

16
17 Procedures for the taking of depositions in criminal cases
18 shall be governed by the Wyoming Rules of Criminal
19 Procedure. ~~and the Wyoming Rules of Criminal Procedure for~~
20 ~~County Courts.~~

21
22 **7-15-102. Additional definitions; short title.**

23
24 (a) As used in W.S. 7-15-101 through 7-15-105:

25
26 (ii) "This act" or "this agreement" means W.S.
27 7-15-101 through ~~7-15-106~~ 7-15-105.

28
29 **9-1-618. Agents to be safeguarded as peace officers;**
30 **general assistance to state, county or local authorities;**
31 **investigative duties.**

32
33 (b) The division shall investigate:

34
35 (ii) Suspected violations of the Wyoming
36 Controlled Substances Act of 1971 and shall perform all the
37 duties of a law enforcement officer under that act;

38
39 **9-2-1016. General services division.**

40
41 (c) The surplus property section within the division
42 of general services is created, which shall be the state's
43 surplus property agency pursuant to the terms of section
44 203(j) of the Federal Property and Administrative Services
45 Act of 1949, as amended. The surplus property section may:
46

1 (i) Acquire from the United States of America
2 under and in conformance with the Federal Property and
3 Administrative Services Act of 1949, as amended,
4 hereinafter referred to as the "act", property, including
5 equipment, materials, books or other supplies under the
6 control of any department or agency of the United States of
7 America which are usable and necessary for purposes of
8 education, public health or civil defense, including
9 research for any purpose authorized by federal law; to
10 warehouse the property; and to distribute the property
11 within the state to tax-supported medical institutions,
12 hospitals, clinics, health centers, school systems,
13 schools, colleges and universities within the state, to
14 other nonprofit medical institutions, hospitals, clinics,
15 health centers, schools, colleges and universities which
16 have been held exempt from taxation under ~~section 501(e)(3)~~
17 ~~of the United States Internal Revenue Code of 1954-26~~
18 U.S.C. § 501(c)(3), to civil defense organizations of the
19 state, or political subdivisions and instrumentalities
20 which are established pursuant to state law, and to other
21 types of institutions or activities which are eligible
22 under federal law to acquire the property;

23
24 (v) Cooperate to the fullest extent consistent
25 with the act with the departments or agencies of the United
26 States of America, file a state plan of operation, operate
27 in accordance therewith, and take necessary action to meet
28 the minimum standards prescribed in accordance with the
29 act, make reports in the form and containing the
30 information which the United States of America or any of
31 its departments or agencies requires, and comply with the
32 laws of the United States of America and the rules and
33 regulations of any of the departments or agencies of the
34 United States of America governing the allocation,
35 transfer, use of, or accounting for, property donable or
36 donated to the state.

37
38 **9-3-301. Definitions.**

39
40 (a) As used in this act:

41
42 (ix) "This act" means W.S. 9-3-301 through
43 ~~9-3-307~~ 9-3-306.

44
45 **9-4-210. Consolidation of existing funds.**

46

1 The existing state funds as identified by number and title
2 on the accounting records of the state auditor and state
3 treasurer as stated in W.S. 1957 9-557.4 contained in
4 chapter 245, section 1, 1973 Session Laws and W.S. 1957
5 9-557.10(b) through (m) contained in chapter 16, section 1,
6 1974 Session Laws shall continue to be consolidated into
7 the funds established by W.S. 9-4-204 as fund accounts
8 where applicable.

9
10 **9-4-601. Distribution and use; funds, accounts,**
11 **cities and towns benefited; exception for bonus payments.**
12

13 (a) All monies received by the state of Wyoming from
14 the secretary of the treasury of the United States under
15 the provisions of the act of congress of February 25, 1920
16 (41 Stat. 437, 450; 30 U.S.C. §§ 181, 191), as amended, or
17 from lessees or authorized mine operators and all monies
18 received by the state from its sale of production from
19 federal mineral leases subject to the act of congress of
20 February 25, 1920 (41 Stat. 437, 450; 30 U.S.C. §§ 181,
21 191) as amended, except as provided by subsection (b) of
22 this section, shall be deposited in the trust and agency
23 fund and the first two hundred million dollars
24 (\$200,000,000.00) of revenues received in any fiscal year
25 shall be distributed by the state treasurer as provided in
26 this subsection. One percent (1%) of these revenues shall
27 be credited to the general fund as an administrative fee,
28 and the remainder shall be distributed as follows:

29
30 (vi) ~~Except as provided in subsection (c) of~~
31 ~~this section,~~ Three and seventy-five hundredths percent
32 (3.75%) to the capital construction account to be expended
33 as provided by W.S. 9-4-604(k)(i) or to fund bonds the
34 proceeds of which will be used under W.S. 9-4-604(g) and
35 one and twenty-five hundredths percent (1.25%) to the
36 highway fund;

37
38 **9-4-604. Distribution and use; capital construction**
39 **projects and bonds; municipal, county and special district**
40 **purposes.**
41

42 (k) All revenues received under W.S. 9-4-601(a)(vi)
43 and (b)(i) prior to the issuance of bonds under subsection
44 (b) of this section and all revenues in excess of those
45 required to be otherwise expended or retained pursuant to
46 subsection (j) of this section or pursuant to the
47 resolution or resolutions authorizing the issuance of bonds

1 under subsection (b) of this section shall be used or
2 distributed as follows:

3
4 (iii) Funds may be used by the state loan and
5 investment board to provide one-half (1/2) of the twenty
6 percent (20%) state matching funds for each federal
7 capitalization grant to the ~~drinking water~~ state drinking
8 water revolving ~~fund program~~ loan account created by W.S.
9 16-1-302.

10
11 **9-4-701. Permissible investments; treasurer's rules**
12 **and regulations.**

13
14 (q) The limitation on legislatively designated
15 investments under W.S. 9-4-712 applies to this investment.
16 ~~To promote economic development and in addition to the~~
17 ~~authority under paragraph (a)(iii) of this section,~~ The
18 state treasurer is authorized to invest and keep invested
19 not to exceed one hundred million dollars (\$100,000,000.00)
20 of any state permanent funds available for investment
21 through the purchase of industrial development bonds issued
22 by joint powers boards, municipalities or counties under
23 W.S. 15-1-701 through 15-1-710 subject to the terms and
24 conditions specified under this subsection. By December 31
25 of each calendar year, the state treasurer and the Wyoming
26 business council shall each provide a report to the joint
27 minerals, business and economic development committee on
28 the effectiveness of the investment program authorized by
29 this subsection. The reports shall include the costs
30 incurred by the state to the permanent mineral trust fund,
31 and the revenue received by the Wyoming business council
32 through fees and businesses who utilized the program:

33
34 (ii) No investment shall be made under this
35 subsection unless:

36
37 (B) The Wyoming business council shall
38 establish guidelines dependent upon the type of business
39 concerned in each project considered and shall set the
40 maximum amount of the investment to be made by the state of
41 Wyoming in each project. In setting the maximum amount of
42 investment the business council shall consider the number
43 of jobs created or preserved by the facility and the
44 economic impact to the state which may result from the
45 facility. The council shall review each project considered
46 with the Wyoming energy commission created pursuant to W.S.
47 ~~30-6-601~~ 30-7-101, provided the project being considered

1 involves an area over which the commission has been given
2 authority;

3
4 **9-4-1201. Definitions.**

5
6 (a) As used in this act:

7
8 (xi) "This act" means W.S. 9-4-1201 ~~and 9-4-1202~~
9 through 9-4-1204.

10
11 **11-2-204. Services of persons in employ of**
12 **university; reimbursement; applicability of provisions.**

13
14 (a) In performing duties imposed by law which require
15 technical scientific training, the director may request the
16 services of qualified members of the University of Wyoming
17 faculty, resident or extension. Faculty members shall serve
18 without additional compensation but the department shall
19 reimburse the University of Wyoming for fifty percent (50%)
20 of the salary paid by the university while the faculty
21 member is actually performing services for the ~~commissioner~~
22 director. The use of faculty members and the proportion and
23 distribution of their time shall be determined by agreement
24 between the director and the president of the university
25 and the faculty member shall be employed by the department
26 when performing duties for the director under this section.

27
28 **11-7-301. Apiaries; powers and duties of the**
29 **department.**

30
31 (a) To prevent the spread of contagious and
32 infectious disease among bees and apiaries, to protect
33 apiaries against depredation by wildlife and to assist law
34 enforcement agencies in an effort to alleviate losses due
35 to theft, the department may:

36
37 (v) Order the hives within an apiary which is
38 not legally registered with the state to be confiscated.
39 The owner of the apiary shall be notified at least seven
40 (7) days prior to the date of confiscation. Notification
41 shall be by certified mail addressed to the last known
42 address of the owner or by personal service ~~to~~ upon the
43 owner;

44
45 **11-19-304. Prohibition on importation of cattle;**
46 **penalties.**

47

1 Any person bringing cattle into any "tuberculosis modified
2 accredited area" except in compliance with the rules and
3 regulations made by the state veterinarian shall upon
4 conviction be punished by imprisonment for not more than
5 one (1) year, or by a fine of not more than one hundred
6 dollars (\$100.00), or both.

7
8 **11-20-101. Definitions.**

9
10 (a) As used in this act:

11
12 (vii) "This act" means W.S. 11-19-101 through
13 11-19-506, 11-20-101 through 11-24-115 and 11-30-101
14 through ~~11-30-112~~ 11-30-115;

15
16 **11-24-108. Stock at large or picketed on public**
17 **highways; penalties for violations; impoundment and**
18 **disposition; fees; proceeds from sale thereof; removal of**
19 **dead or injured animals.**

20
21 (a) No owner or person having custody or charge of
22 livestock shall permit the livestock to run at large in any
23 fenced public highways in Wyoming as defined in W.S.
24 31-1-101. Livestock shall not be picketed on a public
25 highway right-of-way from one (1) hour before sundown to
26 one (1) hour after sunrise. If livestock are picketed on a
27 public highway and escape, the owner or person having
28 custody or charge of the livestock is deemed to have
29 permitted the livestock to run at large in violation of
30 this section. No livestock shall be picketed on an
31 interstate or national defense highway as defined in W.S.
32 ~~31-5-1001(a)(xv)~~ 31-18-801(a)(xvi).

33
34 **13-6-304. Conversion to state association; procedure.**

35
36 (a) Any savings and loan association organized under
37 the federal laws and doing business in this state may
38 convert itself into a state savings and loan association
39 under the laws of this state by the following procedure:

40
41 (iii) The association shall then organize itself
42 as a state savings and loan association under the laws of
43 this state, including the filing of appropriate articles of
44 incorporation, adoption of bylaws and election of officers
45 and full compliance with the provisions of W.S. ~~13-6-209~~
46 ~~through 13-6-221~~ 13-2-207 through 13-2-215. Upon completion
47 of its organization, the association ceases to be a federal

1 savings and loan association and becomes a state savings
 2 and loan association subject to the supervision of the
 3 state banking commissioner, the federal deposit insurance
 4 corporation and the office of thrift supervision.

5
 6 **14-3-308. Further regulation by local ordinance.**

7
 8 (b) No governmental entity shall enact any law or
 9 ordinance which changes the standards provided by W.S.
 10 14-3-302(a) and (c), 14-3-303(a), 14-3-304(a) and
 11 14-3-305(a) ~~. and (c).~~

12
 13 **14-4-113. Commitment of uncontrollable child; refusal**
 14 **to receive.**

15
 16 (a) If a child is committed to a child caring
 17 facility by a court under the Juvenile Court Act or
 18 otherwise and the child caring facility cannot exercise
 19 proper control over the child, the child caring facility
 20 may report the facts to the court with jurisdiction for a
 21 reconsideration or rehearing on the order. If the facts
 22 warrant, the child shall then be committed to the
 23 ~~industrial institute~~ Wyoming boys' school, the Wyoming
 24 girls school, or such other privately or publicly operated
 25 facility as the court deems appropriate.

26
 27 **14-6-233. Appeal; right generally; transcript**
 28 **provided; cost thereof.**

29
 30 (a) Any party including the state may appeal any
 31 final order, judgment or decree of the juvenile court to
 32 the supreme court within the time and in the manner
 33 provided by the Wyoming Rules of ~~Civil~~ Appellate Procedure.

34
 35 **14-6-301. Definitions.**

36
 37 (a) As used in W.S. 14-6-301 through 14-6-308:

38
 39 (iii) "Institution" means the Wyoming boys'
 40 school, Wyoming girls' school and any other state
 41 institution, including a youth correctional facility
 42 operated by a private entity in which a Wyoming youth is
 43 placed pursuant to W.S. 14-6-201 through ~~14-6-243~~ 14-6-252;

44
 45 **14-8-103. Definitions.**

46
 47 (a) As used in this ~~article~~ chapter:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

15-1-103. General powers of governing bodies.

(a) The governing bodies of all cities and towns may:

(xxix) Appoint a board of health and prescribe its powers and duties and:

(C) Contract for treatment and preventive services for the mentally ill, substance abuser and developmentally disabled as provided in W.S. 35-1-611 through ~~35-1-625~~ 35-1-628;

(xli) Adopt ordinances, resolutions and regulations, including regulations not in conflict with this act and necessary for the health, safety and welfare of the city or town, necessary to give effect to the powers conferred by this act and, except as provided by paragraph (xlvi) of this subsection, enforce all ordinances by imposing fines not exceeding seven hundred fifty dollars (\$750.00), or imprisonment not exceeding six (6) months, or both. The governing body of a city or town may by ordinance impose a term of probation for battery which may exceed the maximum term of imprisonment established for the offense provided the term of probation, together with any extension thereof, shall in no case exceed one (1) year;

15-1-108. Powers and duties of mayor; appointment of mayor pro tem.

(a) Unless otherwise provided by statute, the mayor shall:

(vi) Have one (1) vote on all matters coming before the governing body upon which a vote is taken, except a vote:

(C) Pursuant to a hearing for removal or discharge as provided in W.S. ~~15-2-102(b)(iv)(B)~~ 15-2-102(b)(iv)(C) or ~~15-3-204(b)(iv)(B)~~ 15-3-204(b)(iv)(C).

15-1-701. Definitions; vesting of powers and privileges.

(a) As used in this article:

1 (ii) "Project" means any land, building,
 2 pollution control facility or other improvement and all
 3 necessary and appurtenant real and personal properties,
 4 whether or not in existence, suitable for manufacturing,
 5 industrial, commercial or business enterprises or for
 6 health care facilities. ~~having received an approved state~~
 7 ~~certificate of need for said project in accordance with~~
 8 ~~W.S. 35-2-201 through 35-2-214.~~ Project may also mean an
 9 undivided interest as a tenant in common in an electrical
 10 generating facility or in pollution control facilities in
 11 connection therewith;

12
 13 **15-4-229. Claims; appeals; exception; definition.**

14
 15 Except as provided by W.S. 1-39-101 through ~~1-39-119~~
 16 1-39-121, if any claim against the city is disallowed in
 17 whole or in part, the claimant may appeal from the decision
 18 of the governing body to the district court of the district
 19 in which the city or town is situated pursuant to Rule 12
 20 of the Wyoming Rules of Appellate Procedure. "Claim" as
 21 used in this section means claims as are presented for
 22 audit and not claims for salaries of officers and employees
 23 or other fixed charges against the city or town, nor claims
 24 covered by W.S. 1-39-101 through ~~1-39-119~~ 1-39-121.

25
 26 **15-4-244. Construction or reconstruction of sidewalks**
 27 **and curbs; landowner's duties; notice; assessment;**
 28 **establishing grade and parking width.**

29
 30 (b) If the manager considers it necessary that a
 31 sidewalk or curb be constructed, reconstructed or repaired,
 32 notice shall be served upon the owner of the land along
 33 which it is to be constructed or repaired specifying the
 34 manner in which it is to be constructed or repaired and the
 35 estimated cost which may be assessed if the city or town
 36 does the work. The notice shall be served personally upon
 37 the owner, or if he is not to be found within the city or
 38 town, it shall be sent to him by registered or certified
 39 mail, requesting a return receipt, if his address is known.
 40 Otherwise it shall be published once in the official
 41 newspaper of the city or town. Unless the owner within two
 42 (2) weeks after service, mailing or publication of the
 43 notice, begins the construction or repair and completes it
 44 without delay, the manager shall have the work done at the
 45 expense of the permanent improvement revolving fund. Upon
 46 completion of the work, the manager shall certify the cost
 47 thereof to the clerk of the city or town. The governing

1 body shall then fix a date for hearing upon the costs. The
 2 procedure for notice and hearing shall be as set forth in
 3 W.S. 15-6-405. Upon confirmation of the assessment by the
 4 governing body, the charge levied is a lien upon the
 5 property as set forth in W.S. 15-6-406. The governing body
 6 may levy and collect the assessment and provide for the
 7 manner of sale, redemption and conveyance of lands sold for
 8 nonpayment of the assessment in the manner provided in W.S.
 9 15-6-401 through ~~15-6-447~~15-6-448. When collected the
 10 assessment shall be paid into the revolving fund. The
 11 manager, upon proper showing made to him, may extend the
 12 time within which the construction or repair shall begin or
 13 be completed.

14
 15 **15-6-401. How grades established or altered; cost.**

16
 17 If the notice provided for in W.S. 15-6-202, is in whole or
 18 in part to establish or alter a grade, the governing body,
 19 after the expiration of giving the notice as provided in
 20 W.S. ~~15-6-204~~15-6-202, may establish it by ordinance or
 21 resolution. The cost of establishing or altering the grade
 22 of any streets, highway, avenue, road or alley may be paid
 23 out of the general funds of the city or town or may be
 24 specially assessed.

25
 26 **15-6-433. Bonds; action for nonpayment.**

27
 28 If the city or town fails, neglects or refuses to pay the
 29 bonds or to promptly collect any assessment when due, the
 30 owner of any bonds may proceed in his own name to collect
 31 the assessments and foreclose the lien in any court of
 32 competent jurisdiction. The bondholder shall recover five
 33 percent (5%) in addition to the amount and interest
 34 thereon, together with the cost of the suit. Any number of
 35 holders of the bonds for any single improvement may join as
 36 plaintiffs, and any number of owners of ~~the~~ property ~~on~~
 37 ~~which they are a~~ encumbered by the lien may be joined as
 38 defendants in the suit.

39
 40 **16-1-104. Joint powers, functions and facilities;**
 41 **city-county airport board; eligible senior citizen centers.**

42
 43 (d) Any city-county airport board heretofore
 44 organized and operating pursuant to W.S. ~~10-4-101 through~~
 45 ~~10-4-105~~10-5-101 through 10-5-204 shall be deemed a joint
 46 powers board, and shall not be required to reorganize as

1 provided for by W.S. 16-1-106(a) but is subject to all
2 other provisions of this act.

3
4 **16-2-101. Definitions.**

5
6 (a) As used in this act:

7
8 (v) "This act" means W.S. 16-2-101 through
9 ~~16-2-104~~ 16-2-103.

10
11 **16-3-101. Short title; definitions.**

12
13 (b) As used in this act:

14
15 (ix) "Rule" means each agency statement of
16 general applicability that implements, interprets and
17 prescribes law, policy or ordinances of cities and towns,
18 or describes the organization, procedures, or practice
19 requirements of any agency. The term includes the amendment
20 or repeal of a prior rule, but does not include:

21
22 (E) Rules concerning the use of public
23 roads or facilities which are indicated to the public by
24 means of signs and signals; or

25
26 (F) Ordinances of cities and towns; or

27
28 **16-4-103. Budget requirements.**

29
30 (b) Intragovernmental and enterprise fund municipal
31 budgets are required for adequate management control and
32 for public information including financial statements of
33 condition, work programs and any other costs as the
34 municipal governing body may request. These fund accounts
35 shall not be deemed to have spent amounts in excess of
36 those budgeted when the funds available from all sources ~~is~~
37 are sufficient to cover the additional operating
38 expenditures which have been approved by the governing
39 bodies.

40
41 **16-4-123. Examinations of audit reports; violations;**
42 **malfeasance by public officers and employees.**

43
44 (c) If it appears an auditor has knowingly issued an
45 audit report under the provisions of this act containing
46 any false or misleading statement, the director of the
47 state department of audit shall report the matter in

1 writing to the ~~state board of accountancy~~ Wyoming board of
2 certified public accountants and to the municipality.

3
4 **16-6-501. Building plans and specifications; required**
5 **facilities; elevators; curb ramps; inspections; exceptions.**

6
7 (b) Every curb or sidewalk to be constructed or
8 reconstructed in Wyoming, where both are provided and
9 intended for public use, whether constructed with public or
10 private funds, shall provide a ramp at points of
11 intersection between pedestrian and motorized lines of
12 travel and no less than two (2) curb ramps per lineal
13 block. Design for curb ramps shall take into consideration
14 the needs of all physically handicapped persons including
15 blind pedestrians. Existing design standards will be
16 available from the governor's committee for employment of
17 the handicapped. If future improvements in the curb ramp
18 design will benefit handicapped and elderly persons,
19 designs stipulated in this article may be altered after
20 full hearings on the proposed changes by the director
21 administrator of the division of vocational rehabilitation,
22 the ~~director~~ program manager of the governor's committee
23 ~~for employment of the handicapped~~ on employment of people
24 with disabilities and the state fire marshal.

25
26 (d) Exceptions may be granted by the state fire
27 marshal in consultation with the ~~director~~ administrator of
28 the division of vocational rehabilitation, the ~~director~~
29 program manager of the governor's committee ~~for employment~~
30 ~~of the handicapped~~ on employment of people with
31 disabilities, and the ~~state safety engineer~~ occupational
32 health and safety commission chairman.

33
34 **16-6-801. Definitions.**

35
36 (a) As used in this article:

37
38 (ii) "Architect" means any person licensed to
39 practice architecture pursuant to W.S. 33-4-101 through
40 ~~33-4-115~~ 33-4-117 and designated as the project architect
41 for a specific capital construction project;

42
43 **16-6-803. Department of commerce to acquire works of**
44 **art; advisory panel to consult in acquisition; procedure;**
45 **public education programs.**

46

1 (b) The acquisition of works of art from funds within
2 the separate general fund account established under W.S.
3 ~~16-6-202(b)~~ 16-6-802(b) shall not require advertisement for
4 bids.

5
6 **16-9-102. Definitions.**

7
8 (a) As used in this act:

9
10 (x) "This act" means W.S. 16-9-101 through
11 ~~16-9-106~~ 16-9-108;

12
13 **17-4-122. Civil liability of sellers violating**
14 **provisions.**

15
16 (d) Every cause of action under this ~~statute~~ act
17 survives the death of any person who might have been a
18 plaintiff or defendant.

19
20 **17-4-124. Rules, forms and orders.**

21
22 (b) No rule, form, or order may be made, amended, or
23 rescinded unless the secretary of state finds that the
24 action is necessary or appropriate in the public interest
25 or for the protection of investors and consistent with the
26 purposes fairly intended by the policy and provisions of
27 this act. In prescribing rules and forms the secretary of
28 state may cooperate with the securities administrators of
29 the other states and the securities and exchange commission
30 with a view to effectuating the policy of this ~~statute~~ act
31 to achieve maximum uniformity in the form and content of
32 registration statements, applications, and reports wherever
33 practicable.

34
35 **17-10-118. Liability of directors upon payment of**
36 **dividends or appointment when corporation insolvent;**
37 **exception.**

38
39 If the directors of any corporation organized under this
40 act shall declare and pay any dividend or apportionment of
41 earnings or profits to members or nonmembers when the
42 corporation is insolvent or when it would be rendered
43 insolvent by such payment, such directors shall be jointly
44 and severally liable for all debts of the corporation then
45 existing and for all such debts thereafter incurred while
46 they shall respectively continue in office. Any director
47 may relieve himself from such liability at any time before

1 the time fixed for the payment of such dividend or
2 apportionment by filing a certificate in writing of his
3 objection with the secretary of the corporation, and with
4 the ~~register of deeds~~ county clerk of the county in which
5 the principal office is located.
6

7 **17-10-122. Inducing breach of marketing contract or**
8 **spreading false reports of finances or management; penalty.**
9

10 Any person ~~or persons~~ who, or any corporation whose
11 officers or employees knowingly induces or attempts to
12 induce any member or stockholder of an association
13 organized hereunder to breach his marketing contract with
14 the association, or who maliciously and knowingly spreads
15 false reports about the finances or management thereof,
16 shall be guilty of a misdemeanor and subject to a fine of
17 not less than one hundred dollars (\$100.00), and not more
18 than one thousand dollars (\$1,000.00), for each such
19 offense and shall be liable to the association aggrieved in
20 a civil suit in the penal sum of five hundred dollars
21 (\$500.00) for each such offense; provided, that this
22 section shall not apply to a bona fide creditor of such
23 association, or the agent or attorney of any such bona fide
24 creditor, endeavoring to make collections of the
25 indebtedness.
26

27 **17-16-825. Committees.**
28

29 (e) A committee may not, unless specifically
30 authorized by the board of directors:
31

32 (ii) Approve or propose to shareholders action
33 that this act requires to be approved by shareholders;
34

35 **17-16-1103. Action on plan.**
36

37 (j) After a merger or share exchange is authorized,
38 and at any time before articles of merger or share exchange
39 are filed, the planned merger or share exchange may be
40 abandoned, subject to any contractual rights, without
41 further shareholder action, in accordance with the
42 procedure set forth in the plan of merger or share ~~of~~
43 exchange or, if none is set forth, in the manner determined
44 by the board of directors.
45

46 **17-16-1801. Application to existing domestic**
47 **corporations.**

1
2 (b) For corporations incorporated in Wyoming prior to
3 the effective date of this act, the cumulative voting and
4 shareholder preemptive rights provisions contained in
5 ~~former~~ W.S. 17-1-123 and 17-1-130 are continued for a
6 period of four (4) years from the effective date of this
7 act unless the corporation amends its articles of
8 incorporation to provide otherwise.

9
10 **17-17-114. Compulsory purchase of shares after death**
11 **of shareholder.**

12
13 (c) An amendment to the articles of incorporation to
14 provide for application of W.S. 17-17-115 through
15 17-17-117, or to modify or delete the provisions of these
16 sections, must be approved by the holders of at least two-
17 thirds (2/3) of the votes of each class or series ~~or~~ of
18 shares of the statutory close corporation, voting as
19 separate voting groups, whether or not otherwise entitled
20 to vote on amendments. If the corporation has no
21 shareholders when the amendment is proposed, it must be
22 approved by at least two-thirds (2/3) of the subscribers
23 for shares, if any, or, if none, by all of the
24 incorporators.

25
26 **17-18-106. Statement; consent to service of process;**
27 **filing fee; copy to target company.**

28
29 (b) If a takeover offer is subject to any federal
30 law, ~~including the Securities Exchange Act of 1934, 15~~
31 ~~U.S.C. 78 as amended as of January 1, 1989,~~ the statement
32 shall be one (1) copy of each document required to be filed
33 with the securities and exchange commission and any other
34 federal agency. If the takeover offer is not subject to
35 any requirement of federal law, the statement shall be
36 filed on forms prescribed by the secretary of state and
37 shall contain the following information:

38
39 **17-18-116. Proxies.**

40
41 (f) If the articles of incorporation permit the board
42 to impose restrictions on the use of proxies and a court
43 orders a shareholder's meeting, the board may still impose
44 the restrictions provided if it does so within ten (10)
45 days of the meeting or within half the total number of days
46 between the date of the court order and the date of the
47 meeting, whichever is less. The time periods for notice of

1 issues and mailing deadlines set forth in subsection ~~(d)~~
2 (e) of this section shall not apply to court ordered
3 meetings.

4
5 **17-19-1630. Filing of reports.**

6
7 (a) Every Wyoming nonprofit corporation organized
8 under the laws of this state and every foreign nonprofit
9 corporation which obtains the right to transact and carry
10 on its affairs within this state shall file an annual
11 report setting forth the names and addresses of its
12 officers and directors, the address of its principal
13 office, and any compensation, profit or pecuniary advantage
14 paid directly or indirectly to any officer or director.

15
16 **18-3-304. Travel allowances.**

17
18 When any county attorney is called upon to render services
19 for the county outside of his county or consolidation of
20 counties, or within his county or consolidation of counties
21 at a distance of more than ten (10) miles from the county
22 seat, or more than ten (10) miles from his own residence,
23 he may in the discretion of the board or boards of county
24 commissioners receive his actual and necessary traveling
25 expenses as provided by W.S. ~~9-1-118~~ 9-3-103 in attending
26 to such services, in addition to his salary as county
27 attorney.

28
29 **18-3-402. Duties generally.**

30
31 (a) The county clerk shall:

32
33 (vi) Have custody and keep all books, records,
34 deeds, maps, papers and copies thereof deposited or kept in
35 his office as required by law. All deeds, mortgages, and
36 other instruments in writing authorized by law to be
37 recorded or filed in his office and left in his office
38 shall be:

39
40 (B) Recorded on microfilm, microcards or
41 other permanent record retention medium. All reproduction
42 processes shall be instituted and used pursuant to W.S.
43 ~~9-212.7:1~~ 9-2-413. Maps may either be recorded as herein
44 provided or if the copying is unlikely to provide a
45 satisfactory record, the county clerk may keep the
46 originals or tracings thereof, undamaged and unfolded and
47 make prints available for public use.

1
2 (xxiv) File maps as defined in W.S. ~~33-29-111~~
3 33-29-139. The county clerk shall charge a fee of twenty-
4 five dollars (\$25.00) for filing the maps.
5

6 **18-3-516. Publication of proceedings; publication of**
7 **names, salaries and wages of certain officials and**
8 **employees.**
9

10 (b) Each board of county commissioners shall publish
11 separate from the minutes of the proceedings:
12

13 (i) During January and July of each year, the
14 name, position and gross monthly salary of each chief
15 administrative official, assistant administrative official
16 and department head including those officials and
17 department heads of boards and departments funded by the
18 board of county commissioners and elected officials. The
19 publication shall also include a list of all other full-
20 time positions employed by the county without the name of
21 the current employee, including the gross monthly salary
22 for each position. A brief statement shall accompany the
23 salary publication specifying that all salaries are listed
24 as gross monthly salaries or actual monthly wages, not
25 including any fringe benefits such as health insurance
26 costs, life insurance benefits and pension plans. The
27 statement shall also indicate that the salaries or wages do
28 not include any overtime that the employee may earn which
29 would be paid by the county; and
30

31 **18-3-520. Restrictions upon employment of attorneys.**
32

33 No attorney shall be employed by the board of county
34 commissioners except as provided by W.S. ~~18-2-107~~ 18-2-110
35 and the nature and necessity of such employment shall
36 appear in the record of the board.
37

38 **18-3-812. Settlement with state treasurer.**
39

40 Each county treasurer shall pay the state treasurer all
41 state taxes and other state monies received by him and
42 shall give the state treasurer a written statement that he
43 has paid over the same funds in kind as received by him and
44 has not exchanged or bartered any of the monies, coin, bank
45 bills, treasury notes or other currency received by him for
46 the state for any auditor's warrants, state scrip or other
47 certificates or evidences of indebtedness of the state, nor

1 permitted the same to be done, and that all state auditor's
 2 warrants or other certificates or evidences of indebtedness
 3 of the state delivered by him to the treasurer, were
 4 received in payment of state taxes or other monies due the
 5 state. Each statement shall be sworn to before any person
 6 authorized to administer oaths and shall be filed and
 7 preserved in his office. False swearing in the statement is
 8 subject to the penalty provided by W.S. ~~6-154.1~~ 6-5-303.

9
 10 **18-4-201. Election for establishment; mill levy;**
 11 **custodian; restriction on use; investment.**

12
 13 (b) If the proposal carries the board of county
 14 commissioners may levy a tax to raise money directly for
 15 the building fund, providing this levy and other county
 16 levies do not exceed the constitutional limitation in
 17 addition:

18
 19 (iii) The county commissioners may invest these
 20 funds to realize the greatest amount of interest as
 21 provided by W.S. ~~9-612~~ 9-4-831.

22
 23 **18-4-501. Issuance authorized; purpose; terms and**
 24 **conditions; provisions for payment and redemption.**

25
 26 (a) Each board of county commissioners may issue
 27 negotiable coupon bonds of their county for the purpose of
 28 paying, redeeming, funding or refunding the principal and
 29 interest of any indebtedness of their county when it can be
 30 done at a lower rate of interest to the benefit of the
 31 county. The bonds:

32
 33 (v) May be issued serially as provided by W.S.
 34 ~~9-625~~ 16-5-302.

35
 36 **18-5-203. Certificate required to locate buildings or**
 37 **use land within zoning resolution; issuance and denial;**
 38 **appeal upon denial.**

39
 40 It is unlawful to locate, erect, construct, reconstruct,
 41 enlarge, change, maintain or use any building or use any
 42 land within any area included in a zoning resolution
 43 without first obtaining a zoning certificate from the board
 44 of county commissioners and no zoning certificate shall be
 45 issued unless the plans for the proposed building,
 46 structure or use fully comply with the zoning regulations
 47 then in effect. The board of county commissioners shall act

1 promptly upon any application filed with it and shall grant
 2 certificates when the proposed construction or use complies
 3 with the requirements of the zoning resolution. If it
 4 denies the application, the board shall specify the reasons
 5 for such denial. The decision of the board of county
 6 commissioners may be reviewed by the district court and by
 7 the supreme court upon appeal in the same manner as
 8 provided in W.S. ~~15-626~~ 15-1-609, for review of decisions
 9 of boards of adjustment.

10
 11 **18-6-313. Restrictions on jail expenses.**

12
 13 Nothing in W.S. 18-6-201 or 18-6-202 or ~~18-6-301~~ 18-6-302
 14 through 18-6-305 or 18-6-307 through 18-6-312 shall be
 15 construed as authorizing any board of county commissioners
 16 to give extra compensation to the county sheriff for
 17 performing the duties specified therein, or of incurring
 18 any expense on behalf of the county without the written
 19 authority of the board of county commissioners except as
 20 specifically provided.

21
 22 **18-8-106. To be maintained as public hospitals;**
 23 **charges for services; when free services to be given;**
 24 **payment for resident indigent hospitalization.**

25
 26 Every county memorial hospital established and maintained
 27 as provided by law is a public county hospital. It may
 28 charge persons able to pay the same a reasonable price for
 29 use of the hospital and its facilities during the time
 30 required for proper treatment, and shall furnish free to
 31 residents of the county having no means to pay for the same
 32 all necessary facilities and maintenance during the time
 33 such persons are required to remain there for proper
 34 treatment. As long as a county department of public
 35 assistance and social services functions in the county as
 36 provided by law, ~~and the full taxes required under W.S.~~
 37 ~~42-3 are levied in the county,~~ the ~~resulting~~ funds in
 38 control of the board for hospitalization purposes shall be
 39 deemed "means" for payment of resident indigent
 40 hospitalization.

41
 42 **19-7-102. Creation and composition of military**
 43 **department.**

44
 45 (a) The military department of the state of Wyoming
 46 shall consist of the adjutant general and the following
 47 ~~four (4)~~ three (3) divisions:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46

(ii) Air national guard; and

(iii) State military affairs. ~~;~~ ~~and~~

19-11-102. Purpose.

(c) The provisions of this article are intended to be supplemental to any rights that persons called to military service have under any applicable federal statutes, including the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, 50 U.S.C. 501 et seq., the Uniformed Services Employment and Reemployment Rights Act, ~~43-38~~ U.S.C. 4301 et seq., and under any other applicable laws of this state.

20-4-140. Definitions.

(a) As used in this act:

(xxii) "This act" means W.S. 20-4-139 through ~~20-4-192~~ 20-4-194;

20-4-153. Application of law of this state.

(a) Except as otherwise provided by the Uniform Interstate Family Support Act, a responding tribunal of this state:

(ii) Shall determine the duty of support and the amount payable in accordance with the presumptive child support established under W.S. ~~20-6-304~~ 20-2-304.

21-2-402. Licensure; post secondary education institutions; application; fees; suspension and revocation.

(b) Post secondary education institutions specified under W.S. 21-2-401(a) shall apply to the state department of education for a license under this article. Application shall be in a manner and on a form prescribed by the department and shall include:

(x) Evidence that the institution is in compliance with admission requirements for applicants, including:

1 (B) For students whose primary written and
 2 spoken language is not English, a minimum score of five
 3 hundred (500) written ~~and~~or one hundred seventy-five (175)
 4 computer-based on the test of English as a foreign language
 5 (TOEFL), administered within two (2) years of admission or
 6 prior to receipt of a degree or certificate from the
 7 institution, whichever first occurs. This subparagraph
 8 shall not apply to any student attending class in an on-
 9 site classroom in a foreign country under a bona fide
 10 franchise agreement between a licensee and an educational
 11 institution in that country if the student has completed,
 12 with a grade equivalent to C or better, a minimum of six
 13 (6) semester credit hours or ninety (90) classroom contact
 14 hours of post secondary education instruction, taught by
 15 appropriately credentialed instructors, in the study of the
 16 English language. The requirement for an exception under
 17 this subparagraph shall be demonstrated by appropriately
 18 translated and evaluated academic transcripts or the
 19 requirement may be satisfied through instruction received
 20 concurrently with the student's course of study.

21
 22 **21-2-702. Intermediate educational unit.**

23
 24 The division is deemed an intermediate educational unit as
 25 defined in ~~20 USC § 1401(22)~~20 U.S.C. § 1401(23),
 26 Education of the Handicapped Act, as amended as of January
 27 1, 1989.

28
 29 **21-2-703. Superintendent duties; division duties.**

30
 31 (a) The state superintendent shall:

32
 33 (iii) Insure that activities under this act
 34 comply with the Education of the Handicapped Act, ~~20 USC §§~~
 35 ~~1401-1485~~20 U.S.C. §§ 1400 through 1485, as amended as of
 36 January 1, 1989.

37
 38 **21-4-309. Mandatory immunizations for children**
 39 **attending schools; exceptions.**

40
 41 (d) For purposes of this section:

42
 43 (i) "State health officer" means the person
 44 appointed by the director of the department of health
 45 pursuant to W.S. ~~9-2-101(f)~~9-2-103;

46
 47 **21-6-202. Definitions.**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

(a) As used in this article:

(i) "School district" includes unified school districts and elementary school districts ~~authorized under W.S. 21-6-224~~ pursuant to W.S. 21-3-102;

21-12-101. "State board" defined; boards of trustees authorized to establish and maintain adult education program.

(a) As used in this ~~article~~ chapter "state board" means the state board of education acting as the state board of vocational education.

21-13-310. Annual computation of district revenues.

(a) To ensure revenues available to each district are uniformly sufficient to enable compliance with the uniform standards for educational programs prescribed under W.S. 21-9-101 and 21-9-102 and to secure state board accreditation of educational programs under W.S. 21-2-304(a)(ii), the revenues specified under this subsection shall be deemed state revenues and shall be considered in determining the amount to be distributed to each district under W.S. 21-13-311. A district shall make an annual computation of the following revenues:

(ii) The required local tax effort in the current school year for the assessment and levy of school taxes by the district according to the following schedule:

(B) Any nonunified district actually and physically operating a school within the boundaries of the district offering instruction in kindergarten through grade eight (8), the amount of revenue collections to be received during the school year under the number of mills levied pursuant to W.S. 21-13-102(a)(ii)(A), ~~and (C)~~, as certified on August 10 under W.S. 39-11-102.1(c)(v) for that school year.

21-13-313. Distribution of funds from foundation account; property tax and cash reserve adjustment; regulations.

(d) On or before August 15 of the succeeding fiscal year, each school district shall report the amount of

1 revenue it received during the preceding fiscal year
2 attributable to levies provided by W.S. 21-13-102(a)(i)(A)
3 and (ii)(A) ~~and (C)~~ and 21-13-201 regardless of the
4 assessment year, but not to include assessments from years
5 prior to July 1, 1991. If those revenues reported are less
6 than the revenues estimated under W.S. 21-13-310(a)(i) and
7 (ii) for that fiscal year, as applicable, and if the
8 district's total revenues computed under W.S. 21-13-310 for
9 that fiscal year continue to be less than the total
10 foundation program amount computed under W.S. 21-13-309,
11 the school district shall be paid the difference by October
12 15 from the foundation program account. No amount in
13 excess of the total foundation program amount computed for
14 any district for that fiscal year shall be paid from the
15 foundation program account for purposes of this subsection.
16 Any amount paid under this subsection shall not thereafter
17 be relevant to or used for future foundation program
18 calculations. If those revenues reported are greater than
19 the revenues estimated under W.S. 21-13-310(a)(i) and (ii)
20 for that fiscal year, as applicable, the excess shall be
21 included as revenues of the district under W.S. 21-13-310
22 in computing the foundation entitlement for the succeeding
23 fiscal year.

24
25 **21-13-326. Routine maintenance; adjustment to**
26 **foundation program formula.**

27
28 (a) The adjustment for routine maintenance under W.S.
29 21-13-309(n)(vi), following reduction of the operations and
30 maintenance component contained within each school level
31 within the prototypical school model, as prescribed by the
32 education resource block grant model, shall be computed for
33 each district on a dollar per average daily membership
34 basis under the block grant model, subject to the
35 following:

36
37 (ii) For purposes of computations for the
38 adjustment to the block grant model under this section,
39 actual square footage of education space shall be reported
40 and computed for each district by school level. The gross
41 square footage of education space for each school level
42 shall be subject to the computations prescribed under
43 paragraphs (a)(iv) through (vi) of this section. The
44 standard education space capacity for each school level
45 shall be the gross square footage prescribed by the
46 statewide building adequacy standards promulgated under
47 W.S. ~~21-15-107~~ 21-15-115;

1
2 **21-15-108. Revenue bonds for grants and loans;**
3 **refunding revenue bonds.**

4
5 (d) Any bonds issued under this section shall:

6
7 (ii) Be fully negotiable within the meaning of
8 and for all purposes of the Uniform Commercial Code, W.S.
9 34.1-1-101 through ~~34.1-10-102~~ 34.1-10-104;

10
11 **21-15-109. Major building and facility repair and**
12 **replacement payments; computation; square footage**
13 **allowance; use of payment funds; accounting and reporting**
14 **requirements.**

15
16 (e) Amounts distributed under subsection (b) of this
17 section shall be deposited by the recipient district into a
18 separate account, the balance of which may accumulate from
19 year-to-year. Expenditures from the separate account,
20 including any interest earnings on the account, shall be
21 restricted to expenses incurred for major building and
22 facility repair and replacement as defined in subsection
23 (a) of this section and as prescribed by rule and
24 regulation of the commission, and shall be in accordance
25 with the district's facility plan approved by the
26 commission under W.S. 21-15-116. Any interest earned on the
27 account is exempt from and shall not be reported as a local
28 district revenue. ~~under W.S. 21-13-310(a)(xi).~~ Each
29 district shall annually report to the commission on the
30 expenditures made from the separate account during the
31 applicable reporting period, separating account
32 expenditures on a building-by-building basis. In addition,
33 the annual report shall include the district's five (5)
34 year plan for addressing district major building and
35 facility repair and replacement needs, updated for the
36 applicable reporting period. The report shall be in a
37 manner and form required by rule and regulation of the
38 commission. The commission shall annually review account
39 expenditures and shall report expenditures to the select
40 committee on school facilities established under W.S.
41 28-11-301. The commission shall compile reported building-
42 by-building expenditure information for each district and
43 the district five (5) year plan and include this
44 information in his annual report to the select committee
45 pursuant to W.S. 21-15-121.

46
47 **21-16-720. Annual report and budget.**

1
2 (b) The authority shall submit its budget for review
3 as provided by W.S. 9-2-1010 through ~~9-2-1015~~ 9-2-1014.1.

4
5 **21-17-417. Conditions which may be imposed by board;**
6 **interest coupons.**

7
8 (a) As the board may determine, bonds and other
9 securities issued under this act except as otherwise
10 provided shall:

11
12 (ii) Be fully negotiable within the meaning of
13 and for all purposes of the Uniform Commercial Code, W.S.
14 34.1-8-101 through ~~34.1-8-406~~ 34.1-8-603;

15
16 **21-17-427. Covenants in resolution limiting powers to**
17 **secure payment.**

18
19 (a) Any resolution providing for the issuance of any
20 bonds or other securities under this act payable from
21 pledged revenues and any indenture or other instrument or
22 proceedings appertaining thereto may contain covenants or
23 other provisions which may limit the exercise of powers
24 conferred under this act, in order to secure the payment of
25 the securities in agreement with the holders of the
26 securities, including without limitation covenants or other
27 provisions as to any of the following:

28
29 (xii) The reissuance of any outstanding bond or
30 other securities, and the terms and conditions thereof,
31 whether lost, apparently destroyed, wrongfully taken, or
32 for any other reason, as provided in the Uniform Commercial
33 Code, W.S. 34.1-8-101 through ~~34.1-8-406~~ 34.1-8-603, or
34 otherwise;

35
36 **25-5-102. Definitions.**

37
38 (a) As used in this act:

39
40 (iv) "Incompetent" means an individual for whom
41 the court has appointed a guardian pursuant to W.S. ~~3-4-101~~
42 through 3-4-109 ~~3-2-101 through 3-2-112~~;

43
44 (xiii) "This act" means W.S. 25-5-101 through
45 ~~25-5-134~~ 25-5-135;

46
47 **25-10-101. Definitions.**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46

(a) As used in this act:

(xiv) "This act" means W.S. 25-10-101 through ~~25-10-404~~ 25-10-305;

25-10-116. Periodic examinations of patients; determination of discharge or continued hospitalization; notice; hearing.

(b) When the head of a hospital determines after the examination required by subsection (a) of this section or by W.S. 25-10-113 that the conditions justifying hospitalization of involuntary patients no longer exist, he shall report his determination to the court, the county attorney, the district attorney, family members and the mental health center which were involved in the initial proceedings. Unless, within three (3) days after the notice is sent, the court upon motion orders a hearing on continuing the patient's hospitalization, the head of the hospital shall discharge the patient. The hearing shall be held as soon as practicable and shall follow the procedures in W.S. ~~25-10-117~~ 25-10-118. Notice of the hearing shall conform with W.S. 25-10-116(c).

25-11-101. Definitions.

(a) As used in this chapter:

(iv) "Legally responsible person" means the resident, a responsible relative or the conservator of the resident's property as defined by W.S. ~~3-1-101(a)(ii)~~ 3-1-101(a)(iii);

26-2-209. Deduction allowed for retaliation.

Notwithstanding any other law, if any domestic insurer is required to pay additional taxes or fees to some other jurisdiction because of this article under the color of a retaliatory statute or other similar law, the insurer may deduct the additional taxes or fees from the premium taxes otherwise payable under W.S. 26-4-103, ~~and 26-4-104.~~

26-3-114. Certificate of authority; continuation; expiration; reinstatement.

1 (a) A certificate of authority issued under this code
 2 continues in force until suspended or revoked by the
 3 commissioner or terminated at the insurer's request,
 4 subject to continuance by the insurer each year by:

5
 6 (iii) Payment by the insurer of premium taxes
 7 for the immediately preceding calendar year as required by
 8 W.S. 26-4-103. ~~and 26-4-104.~~

9
 10 **26-4-102. Record of receipts; payment to treasurer;**
 11 **credit to fund.**

12
 13 (b) The commissioner shall promptly pay all monies he
 14 receives from any charges to the state treasurer for credit
 15 to the general fund, except that:

16
 17 (i) Fees received pursuant to W.S.
 18 26-4-101(a)(v)(A)(I) and (B)(I) ~~and (xiii)~~ shall be paid
 19 and credited as provided in W.S. 26-10-107; and

20
 21 **26-4-103. Premium taxes; generally; preemption by**
 22 **state.**

23
 24 (h) The provisions of subsections ~~(e),~~ (f) and (g) of
 25 this section shall not be modified or repealed by any law
 26 of general application enacted after December 31, 1967
 27 unless expressly referred to or expressly repealed therein.

28
 29 **26-4-105. Premium taxes; commissioner to collect tax;**
 30 **failure to pay.**

31
 32 (a) The taxes imposed under W.S. 26-4-103 ~~and~~
 33 ~~26-4-104~~ shall be collected by the commissioner.

34
 35 **26-7-101. Scope of chapter.**

36
 37 Except as to W.S. ~~26-7-117~~ 26-7-116, this chapter applies
 38 to domestic insurers only.

39
 40 **26-14-102. Scope and applicability of chapter;**
 41 **liberal interpretation.**

42
 43 (a) This chapter applies to all kinds of insurance
 44 written on risks in this state by any insurer authorized to
 45 do business, except nothing in this chapter applies to:
 46

1 (viii) Worker's compensation insurance as
2 provided under title 27, chapter ~~12-14~~ of the Wyoming
3 statutes.

4
5 **26-14-103. Definitions.**

6
7 (a) As used in this chapter:

8
9 (xii) "Unfairly discriminatory" refers to rates
10 that cannot be actuarially justified. It does not refer to
11 rates that produce differences in premiums for
12 policyholders with like loss exposures but different
13 expenses, or like expenses but different loss exposures, so
14 long as the rate reflects such differences with reasonable
15 accuracy. A rate is not unfairly discriminatory if it
16 averages broadly among persons insured under a group,
17 franchise or blanket policy or a mass marketing plan. No
18 rate in a competitive market shall be considered unfairly
19 discriminatory unless it violates the provisions of W.S.
20 26-14-105(b) in that they classify in whole or in part on
21 the basis of race, color, creed or ~~natural~~-national origin.

22
23 **26-17-127. Additional groups.**

24
25 (a) Group life insurance offered to a resident under
26 a group life insurance policy issued to a group other than
27 one described in W.S. 26-17-103 through ~~26-17-107-26-17-106~~
28 and 26-17-109 is subject to the following requirements:

29
30 **26-19-304. Restrictions relating to premium rates.**

31
32 (a) Premium rates for health benefit plans subject to
33 this act shall be subject to the following provisions:

34
35 (ii) For a class of business, the premium rates
36 charged during a rating period to small employers with
37 similar case characteristics for the same or similar
38 coverage, or the rates which could be charged to employers
39 under the rating system for that class of business shall
40 not vary from the index rate by more than thirty-five
41 percent (35%) of the index rate;

42
43 **26-29-238. Exemption of certain societies.**

44
45 (b) Any society or association described in
46 ~~paragraphs~~-paragraph (a)(iii) or (iv) of this section which
47 provides for death or disability benefits for which benefit

1 certificates are issued, and any society or association
2 included in paragraph (a)(iv) of this section which has
3 more than one thousand (1,000) members, shall not be
4 exempted from the provisions of this chapter but shall
5 comply with all requirements thereof.

6
7 **26-34-102. Definitions.**

8
9 (a) As used in this chapter:

10
11 (xxix) "This act" means W.S. 26-34-101 through
12 ~~26-34-133~~ 26-34-134.

13
14 **26-34-120. Examination.**

15
16 (e) Instead of the examinations under this section
17 the commissioner or administrator may accept the report of
18 an examination made by the insurance commissioner or public
19 health commissioner of another state. A report from another
20 state's insurance commissioner shall only be accepted if:

21
22 (ii) The examination is performed under the
23 supervision of an accredited insurance department or with
24 the participation of one (1) ~~of~~ or more examiners who are
25 employed by an accredited insurance department and who,
26 after the review of the examination work papers and report,
27 state under oath that the examination was performed in a
28 manner consistent with the standards and procedures
29 required by their insurance department.

30
31 **26-34-127. Penalties and enforcement.**

32
33 (a) The commissioner, instead of suspension or
34 revocation of a certificate of authority under W.S.
35 ~~26-34-118~~ 26-34-121, may levy an administrative penalty in
36 an amount not less than one thousand dollars (\$1,000.00)
37 nor more than ten thousand dollars (\$10,000.00) if
38 reasonable notice in writing is given of the intent to levy
39 the penalty and the health maintenance organization has a
40 reasonable time within which to remedy the defect in its
41 operations which gave rise to the penalty citation. The
42 commissioner may augment this penalty by an amount equal to
43 the sum that he calculates to be the damages suffered by
44 enrollees or other members of the public.

45
46 **27-3-102. Definitions generally.**

47

1 (a) As used in this act:

2
3 (xxii) "This act" means W.S. 27-3-101 through
4 ~~27-3-704~~ 27-3-705.

5
6 **27-3-103. "Employer" defined; qualifications;**
7 **employment services in other states included.**

8
9 (a) As used in this act, "employer" means any
10 employing unit:

11
12 (viii) Employing agricultural labor defined
13 under W.S. 27-3-107; ~~or~~

14
15 (ix) Employing domestic service defined under
16 W.S. 27-3-107(g); or

17
18 (b) Domestic service shall not be considered by the
19 department in determining if an employing unit is an
20 employer under ~~paragraphs~~ paragraph (a)(i), (vi), (vii) or
21 (viii) of this section. Agricultural labor shall not be
22 considered by the department in determining if an employing
23 unit is an employer under ~~paragraphs~~ paragraph (a)(i),
24 (vi), (vii) or (ix) of this section.

25
26 **27-3-105. "Employment" defined; employment for state,**
27 **and other organizations; exceptions.**

28
29 (a) Employment under this act includes service
30 performed for:

31
32 (i) This state, any of its political
33 subdivisions, including service as an appointed official of
34 any political subdivision, or for this state and any other
35 state or its political subdivisions and this service is
36 excluded from employment under 26 U.S.C. §§ 3301 through
37 3311 solely by 26 U.S.C. § 3306(c)(7); ~~and~~

38
39 (ii) A religious, charitable, educational or
40 other organization if excluded from employment under 26
41 U.S.C. §§ 3301 through 3311 solely by 26 U.S.C. §
42 3306(c)(8) and the organization employed four (4) or more
43 individuals for part of one (1) day for twenty (20) weeks
44 within the current or preceding calendar year; and

45
46 (b) Subsection (a) of this section does not include
47 service performed:

1
2 (xi) By an individual receiving a wage as part
3 of a work experience or workfare program assisted or
4 financed by the federal government or any state or local
5 government, except for those programs employing an
6 individual in on-the-job training for which wages are
7 wholly or partially paid by the employer; ~~or~~

8
9 (xii) By an inmate of a state custodial or penal
10 institution; or

11
12 **27-3-317. Eligibility for extended benefits;**
13 **exceptions; qualifications.**

14
15 (g) An individual disqualified from benefit
16 entitlement under W.S. 27-3-311 shall be denied extended
17 benefits until requalified as follows:

18
19 (ii) If disqualified from benefit entitlement
20 under W.S. ~~27-3-311(e)~~ 27-3-311(f), the individual shall be
21 employed in an employee-employer relationship for not less
22 than four (4) weeks, whether or not consecutive, following
23 the date of disqualification and have earned wages of not
24 less than four (4) times his weekly benefit amount for this
25 employment; and

26
27 **28-1-107. Definitions.**

28
29 (a) As used in this act:

30
31 (i) "Committee" means any duly constituted
32 committee of the legislature, any standing committee of
33 either house of the legislature, joint interim committee of
34 the legislature, special investigating committee
35 established by joint resolution of the legislature and the
36 committees established by W.S. 28-11-101, ~~and~~ 28-11-201 and
37 28-11-301;

38
39 **29-2-110. Notice to owner; limitations; condition**
40 **precedent to lien.**

41
42 (a) Every prime contractor or subcontractor shall
43 give to the owner or his agent, within thirty (30) days of
44 providing any materials or services by the contractor or
45 subcontractor governed by this chapter, a written notice
46 which shall be receipted by the owner or his agent and
47 include the following language in ten point bold type:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46

NOTICE TO OWNER

FAILURE OF THIS PRIME CONTRACTOR OR SUBCONTRACTOR TO PAY THOSE PERSONS SUPPLYING MATERIALS OR SERVICES TO COMPLETE THIS CONTRACT CAN RESULT IN THE FILING OF A MECHANIC'S LIEN ON THE PROPERTY WHICH IS THE SUBJECT OF THIS CONTRACT PURSUANT TO W.S. 29-2-101 THROUGH ~~29-2-110~~ 29-2-111. TO AVOID THIS RESULT, WHEN PAYING FOR LABOR AND MATERIALS YOU MAY ASK THIS PRIME CONTRACTOR OR SUBCONTRACTOR FOR "LIEN WAIVERS" FROM ALL PERSONS SUPPLYING MATERIALS OR SERVICES FOR THE WORK DESCRIBED IN THIS CONTRACT. FAILURE TO SECURE LIEN WAIVERS MAY RESULT IN YOUR PAYING FOR LABOR AND MATERIALS TWICE.

29-3-109. Limitation of actions and duration of liens; procedure when property subject to lien removed to another county.

(a) Every person holding a lien created by this chapter may proceed to obtain a judgment for the amount claimed by civil action commenced on the account within one hundred eighty (180) days after filing of the ~~notice-lien statement~~ required by W.S. ~~29-3-108~~ 29-3-106. The lien shall continue until the case is finally determined.

29-3-110. Limitation upon owner's liability and rights.

Nothing in this ~~act~~ chapter shall be construed to fix a greater liability against the owner of the land or leasehold (or pooled or unitized lands, leases or interests, as the case may be) than the price or sum stipulated by the owner to be paid for the materials or services furnished or labor performed. The owner shall not have the right to offset obligations of the contractor unless these obligations arise out of the original contract.

29-6-206. Duties of filing officer.

(a) If a notice of federal lien, a refiling of a notice of federal lien or a notice of revocation of any certificate described in subsection (b) of this section is presented to a filing officer who is:

1 (i) The secretary of state, he shall cause the
 2 notice to be marked, held and indexed in accordance with
 3 the provisions of W.S. ~~34.1-9-403(d)~~ 34.1-9-519 of the
 4 Uniform Commercial Code as if the notice were a financing
 5 statement within the meaning of that code; or
 6

7 (c) If a refiled notice of federal lien referred to
 8 in subsection (a) of this section or any of the
 9 certificates or notices referred to in subsection (b) of
 10 this section is presented for filing to any other filing
 11 officer specified in W.S. ~~26-9-204~~ 29-6-204, he shall
 12 permanently attach the refiled notice or the certificate to
 13 the original notice of lien and enter the refiled notice or
 14 the certificate with the date of filing in any alphabetical
 15 lien index on the line where the original notice of lien is
 16 entered.
 17

18 **29-7-103. Lien statement; additional contents; county**
 19 **clerk to note lien on certificate of title.**
 20

21 (a) A lien statement under W.S. 29-7-101 through
 22 29-7-106 shall provide in addition to the requirements of
 23 W.S. ~~29-1-301(a)~~ 29-1-301(b) whether the lien claimant was
 24 in possession of the property at the time the lien
 25 statement was filed or the owner consented to the filing of
 26 the lien; and
 27

28 **29-7-105. Repossession; enforcement of lien by sale;**
 29 **notice thereof to known claimants; satisfaction by any**
 30 **claimant; title of good faith purchaser; disposition of**
 31 **proceeds; additional creditors' rights; liability for**
 32 **noncompliance with section; "commercially reasonable".**
 33

34 (b) A lien arising under W.S. 29-7-101 through
 35 29-7-106 may be enforced by public or private sale of the
 36 property ~~in~~ en bloc or in parcels at a time or place and on
 37 terms which are commercially reasonable after mailing by
 38 certified mail, return receipt requested, to their last
 39 known address a notice to all persons known to claim an
 40 interest in the property. The notification shall include:
 41

42 **30-2-210. Notice of violation; correction of**
 43 **condition constituting violation required; penalty upon**
 44 **failure to comply; continuing violations; authority to**
 45 **close operations; right of appeal.**
 46

1 (a) If the inspector or his deputy finds a violation
2 of this act or rules or regulations adopted under it
3 relating to ~~mines~~mine operating methods and conditions, he
4 shall notify in writing the person in charge of the mining
5 operation of the condition or method constituting the
6 violation and the provision being violated. The condition
7 or method shall be corrected in five (5) days or other time
8 prescribed by the inspector or his deputy as is reasonable
9 in view of the nature of the condition or method. Allowing
10 a correction period does not prevent the condition or
11 method constituting a violation of this act or a rule or
12 regulation adopted under it. Any person failing to correct
13 a condition or method in the period allowed is guilty of a
14 misdemeanor. Each day during which the condition or method
15 continues uncorrected after notice of correction has been
16 given constitutes a separate violation.

17
18 **30-5-101. Definitions.**

19
20 (a) As used in this act unless the context otherwise
21 requires:

22
23 (i) The term "waste" means and includes:

24
25 (F) Underground or aboveground waste in the
26 production or storage of oil, gas, or condensate, however
27 caused, and whether or not defined in other subdivisions
28 hereof; ~~and~~

29
30 (G) The flaring of gas from gas wells
31 except that necessary for the drilling, completing or
32 testing of the well; and

33
34 **30-5-103. Oil and gas conservation commission;
35 composition; expenses; hearings; director of oil and gas
36 conservation; legal advisors.**

37
38 (b) Each member of the commission not otherwise in
39 full time employment of the state, shall receive the same
40 allowances as other state officials and employees as set
41 forth in ~~section 9-13, Wyoming Statutes 1957~~ W.S. 9-3-102,
42 as amended while attending and traveling to and from
43 meetings of the commission, said fees and expenses to be
44 paid from the funds of the Wyoming conservation commission.

45
46 **30-5-109. Rules and regulations governing drilling
47 units.**

1
2 (c)(iii) If any of the owners specified in paragraph
3 (ii) above of this subsection (c), who have not in writing
4 consented to the exception applied for, file written
5 objections to the requested exception with the state oil
6 and gas supervisor during said fifteen (15) day period
7 following the applicant's mailing of the notice of filing,
8 or if for any other reason said supervisor fails to grant
9 such requested exception, then no well shall be drilled on
10 the drilling unit involved except at the location
11 authorized by the order establishing such unit, unless and
12 until the commission shall grant such exception after
13 notice and hearing upon the application as required by this
14 act. Provided that in addition to any other notice
15 required by ~~section 30-223(d), Wyoming Statutes 1957~~ W.S.
16 30-5-111(d) as amended, or any other provision of law or
17 the commission's rules, the commission shall cause notice
18 of any hearing before it on an application for such
19 exception to be mailed by registered or certified mail with
20 return receipt to each of the owners specified in paragraph
21 (ii) above of this subsection (c) at least ten (10) days
22 before the date of such hearing.

23
24 **30-5-110. Agreements for waterflooding or other**
25 **recovery operations, repressuring or pressure-maintenance**
26 **operations, cycling or recycling operations; operation as a**
27 **unit of 1 or more pools or parts thereof and pooling of**
28 **interests in oil and gas therein.**

29
30 (b) Except when context otherwise requires, the terms
31 used or defined in ~~section 30-216, Wyoming Statutes 1957,~~
32 ~~Compiled 1967~~ W.S. 30-5-101, shall have the same meaning
33 when used in this ~~act~~ section.

34
35 (c) Any interested person may file an application
36 with the commission requesting an order providing for the
37 operation as a unit of one (1) or more pools or parts
38 thereof and for the pooling of the interests in the oil and
39 gas in the proposed unit area for the purpose of conducting
40 such unit operation. Such application shall contain:

41
42 (ii) The names, as disclosed by the conveyance
43 records of the county or counties in which the proposed
44 unit area is situated, and the status records of the
45 district office of the bureau of land management, of (A)
46 all persons owning or having an interest in the oil and gas
47 in such unit area or the production therefrom including

1 mortgages and the owners of other liens or encumbrances,
2 (B) all owners ~~(as defined in subparagraph (e) of section~~
3 ~~30-216, Wyoming Statutes 1957, Compiled 1967)~~ of every
4 tract of land not included within but which immediately
5 adjoins the proposed unit area or a corner thereof, and (C)
6 the addresses of all such persons and owners, if known. If
7 the name or address of any such person or owner is unknown,
8 the application shall so indicate;

9
10 (iii) A statement of the type of operations
11 contemplated in order to effectuate the purposes of this
12 ~~act-section~~;

13
14 (t) If any section, subsection, sentence or clause of
15 this ~~act-section~~ is adjudged to be unconstitutional or
16 invalid, such adjudication shall not affect any other
17 portions of this ~~act-section~~ which can be given effect
18 without the unconstitutional or invalid provision, and to
19 this end the provisions of this ~~act-section~~ are severable.

20
21 **30-5-126. Purchase or taking ratably oil and gas for**
22 **transportation without discrimination in favor of any owner**
23 **or producer; oil and gas conservation commission to**
24 **administer.**

25
26 In addition to the powers and authority, either expressed
27 or implied, granted to the Wyoming oil and gas conservation
28 commission, by virtue of the statutes of the state of
29 Wyoming, the commission is hereby authorized and empowered
30 to administer and enforce the provisions of this act, in
31 the same manner and in accordance with the same procedures
32 provided by ~~sections 30-216 to 30-231, Wyoming Statutes~~
33 ~~1957~~ W.S. 30-5-101 through 30-5-119, as amended for the
34 enforcement and violations of rules, regulations and orders
35 of the commission.

36
37 **31-2-104. Transfer of ownership.**

38
39 (f) Any person knowingly providing false or
40 incomplete information on the damage disclosure statement
41 ~~required by subsection (e) of this section~~ is guilty of a
42 misdemeanor and upon conviction shall be fined not more
43 than seven hundred fifty dollars (\$750.00), imprisoned for
44 not more than six (6) months, or both.

45

1 **31-2-107. Return of certificate of title and**
2 **registration for damaged vehicle; replacement title and**
3 **registration.**
4

5 (a) When a motor vehicle is declared a total loss by
6 the insurance company or, in the event an insurance company
7 is not involved in the settlement of the claim, sustains
8 damage in an amount exceeding seventy-five percent (75%) of
9 its actual retail cash value, as set forth in any current
10 edition of a nationally recognized automotive appraisal
11 guide or other source approved by the Wyoming insurance
12 department, the owner or insurance company, if it obtains
13 ownership of the vehicle through transfer of title as a
14 result of a settlement of an insurance claim, shall forward
15 the properly endorsed certificate of title to the office of
16 the county clerk that issued the certificate of title
17 together with an application for a certificate of title
18 branded salvage and payment of the fee required under W.S.
19 ~~31-2-102(a)(vii)~~ 31-3-102(a)(vii) to obtain a properly
20 branded certificate of title. When any vehicle accident
21 report is required under chapter 5, article 11 of this
22 title, the investigating officer shall provide written
23 notice to the owner or operator of the vehicle of the
24 requirements under this section.
25

26 **31-2-212. Loss, mutilation or destruction of**
27 **registration, plates or validation stickers.**
28

29 Upon loss, mutilation or destruction of a certificate of
30 registration, license plate, or validation sticker the
31 owner of a vehicle may obtain a duplicate certificate of
32 registration, new license plates or validation stickers
33 from any county treasurer or the department if the vehicle
34 was registered or plates or stickers were issued by the
35 department upon application showing the loss, mutilation or
36 destruction, return of mutilated plates or stickers and
37 payment of the duplicate registration, plate or sticker
38 fee. For those vehicles registered under the provisions of
39 W.S. 31-2-206(b), 31-2-207 through 31-2-209, 31-2-213(h) or
40 31-2-215 through 31-2-217, replacement duplicate license
41 plates may be obtained upon application with the county
42 treasurer from which the original plates were purchased or
43 the department if applicable, accompanied by fees as
44 provided by W.S. 31-3-102(a)(vi)(A). Duplicate license
45 plates obtained under this section to replace lost or
46 stolen plates shall not be displayed on the vehicle until
47 the validation stickers on the lost or stolen plates have

1 expired. Upon loss, mutilation or destruction of a dealer
2 plate or validation sticker the dealer may obtain a
3 replacement dealer plate or validation sticker from the
4 county treasurer from which he purchased the original plate
5 in the same manner as the owner of a vehicle and upon
6 payment of the appropriate fee under W.S. 31-3-102(a)(vi).
7 Obtaining a replacement plate is not the purchase of an
8 additional plate under W.S. ~~31-2-301(f)~~31-16-125(b)(i).
9 Upon application for new license plates or stickers the
10 county treasurer shall notify the department and the county
11 sheriff as soon as possible of the loss, mutilation or
12 destruction. The department shall notify the appropriate
13 law enforcement agencies of any loss, mutilation or
14 destruction of license plates or stickers.

15
16 **31-2-504. Transfer of ownership.**
17

18 (c) In the event of a transfer by operation of law of
19 any interest in a mobile home as upon an order in
20 bankruptcy or insolvency, execution sale, repossession upon
21 default in the performance of the terms of a lease or sales
22 contract or otherwise than by voluntary act of the person
23 whose title or interest is transferred, the administrator,
24 receiver, trustee, sheriff, creditor or other
25 representative or successor in interest of the person whose
26 interest is transferred shall forward to the county clerk
27 an application for a certificate of title together with a
28 verified or certified statement of the transfer of
29 interest. The statement shall set forth the reason for the
30 involuntary transfer, the interest transferred, the name of
31 the transferee, the process or procedure effecting the
32 transfer and other information requested by the county
33 clerk. Evidence and instruments otherwise required by law
34 to effect a transfer of legal or equitable title to or an
35 interest in a mobile home in such cases shall be furnished
36 with the statement. If a transfer of title to a creditor is
37 accomplished in accordance with the provisions of this
38 subsection, a creditor retains the right to seek any
39 deficiency balance which may exist after sale, provided the
40 creditor has complied with applicable law, and the transfer
41 by itself shall not be considered a strict foreclosure or
42 an election to retain the collateral in satisfaction of an
43 obligation as provided by W.S. 34.1-9-620 and does not
44 affect the debtor's right to redeem the collateral under
45 W.S. 34.1-9-623. If from the records of the county clerk
46 there appears to be any lien on the mobile home which was
47 recorded prior to the lien of the creditor applying for

1 title and which has not been released, the certificate of
2 title shall contain a statement of the lien. The creditor
3 repossessing and applying for title to the mobile home
4 shall notify all persons holding liens on the mobile home
5 by certified mail return receipt requested at least fifteen
6 (15) days prior to filing the application for title. Any
7 proceeds from the sale, lease or other disposition of the
8 mobile home shall be distributed in accordance with the
9 provisions of W.S. ~~34.1-9-608~~ 34.1-9-610 and 34.1-9-615.

10
11 **31-7-105. Administrative hearings.**
12

13 (f) Upon receipt of a timely request, the department
14 shall conduct a review of its records and issue an order
15 granting or denying limited driving privileges. The
16 discretion to continue or modify any order of suspension or
17 denial to allow driving privileges is limited as follows:
18

19 (iv) A person whose driving privileges have been
20 suspended for nonpayment of child support may be granted
21 limited driving privileges for a period not to exceed one
22 hundred twenty (120) days upon receipt of the notice
23 required under W.S. ~~20-6-111(g)(iii)~~ 20-6-111(n)(iii). A
24 person granted limited driving privileges under this
25 paragraph shall not be granted an extension of such
26 privileges for twelve (12) months after the limited driving
27 privileges expire unless the person has subsequently made
28 full payment on his child support obligation in arrears, or
29 is in full compliance with a payment plan approved by the
30 department of family services;
31

32 **31-18-806. Adoption of greater size or weight limits**
33 **comparable to federal limits.**
34

35 If the federal highway administration or the United States
36 congress prescribes or adopts vehicle size or weight limits
37 greater than those now prescribed by the Federal-Aid
38 Highway Act of 1956 (title I of public law 627, 84th
39 congress) which exceed in full or in any part the
40 provisions of this ~~act~~ article, the department may, upon
41 determining that Wyoming highways have been constructed to
42 standards which will accommodate the additional size or
43 weight, and that the adoption of the size and weight
44 schedule will not jeopardize any federal appropriations to
45 the state, adopt size and weight provisions or schedules
46 comparable to those approved or recommended by the United
47 States congress or the federal highway administration.

1
2 **32-1-110. Failure of county clerk to perform duties**
3 **imposed by chapter.**

4
5 If any ~~register of deeds~~ county clerk shall fail or neglect
6 to fulfill and perform the duties imposed on him by this
7 chapter, such person shall be liable in the penal sum of
8 two hundred dollars (\$200.00), to be recovered and applied
9 as provided in the preceding section.

10
11 **33-1-106. Certain licenses payable to incorporated**
12 **towns.**

13
14 All licenses issued by any county in this state for the
15 sale of liquors, or for owning or keeping a billiard table,
16 or any table used for pool or bagatelle, and all licenses
17 issued by ~~said the~~ counties for any other game or games,
18 not prohibited by the laws of this state, when the licensee
19 shall be a resident of and carrying on the business for
20 which he is licensed within the corporate limits of any
21 incorporated town, city or village, the license shall be
22 collected by the city marshal or collecting officer of ~~such~~
23 the incorporated town, city or village, for the purposes
24 mentioned in this ~~act~~ section. It shall be the duty of ~~such~~
25 the collecting officer, between the first and fifteenth
26 days of each month, to pay into the treasury of such
27 incorporated town, city or village, all ~~moneys~~ monies
28 collected for ~~such the~~ licenses, which ~~moneys~~ monies shall
29 be applied to the general revenue purposes of ~~such the~~
30 incorporated town, city or village.

31
32 **33-3-103. Wyoming board of certified public**
33 **accountants; creation; members; vacancies; removal;**
34 **reappointment.**

35
36 There is created a Wyoming board of certified public
37 accountants. The board shall consist of five (5) members
38 appointed by the governor. Members of the board shall be
39 citizens of the United States and residents of Wyoming.
40 Three (3) members of the board shall be persons who hold
41 certified public ~~account~~ accountant certificates issued
42 under the laws of Wyoming and who are in active practice
43 and are in good standing as certified public accountants.
44 One (1) member of the board shall be a person who holds a
45 certified public accountant certificate issued under the
46 laws of Wyoming and who is not in active practice. One (1)
47 member of the board shall be a member of the general

1 public. The members of the board first to be appointed
2 shall hold office, one (1) for one (1) year, two (2) for
3 two (2) years and two (2) for three (3) years from July 1,
4 1975, the term of each to be designated by the governor.
5 Their successors shall be appointed for terms of three (3)
6 years. Vacancies occurring during a term shall be filled by
7 appointment for the unexpired term. Upon the expiration of
8 his term of office a member shall continue to serve until
9 his successor is appointed and qualified. The governor
10 shall remove any member from the board whose permit has
11 been revoked or suspended, and may remove any member of the
12 board as provided in W.S. 9-1-202. No person, who has
13 served two (2) successive complete terms of one (1), two
14 (2) or three (3) years is eligible for reappointment until
15 after the lapse of one (1) year. An appointment to fill an
16 unexpired term is not considered a complete term.

17
18 **33-3-124. Reinstatement of certificate or permit for**
19 **good cause shown.**

20
21 Upon written application and after hearing and for good
22 cause shown, the board may issue a new certificate to a
23 certified public accountant whose certificate has been
24 revoked or may reissue or modify the suspension of any
25 permit which has been revoked or suspended. If a license is
26 suspended or restricted under W.S. ~~33-2-121(b)~~ 33-3-121(b),
27 the license may be reissued without the hearing required
28 under this section if the department of family services
29 provides notice that the applicant has complied with the
30 terms of the court order that resulted in the suspension or
31 restriction of the license issued under this chapter.

32
33 **33-7-108. Shop license; fee; renewal; application;**
34 **inspection fees; nontransferable.**

35
36 (b) Registered barbers and cosmetologists licensed
37 under W.S. ~~33-12-101 through 33-12-118~~ 33-12-119 through
38 33-12-140 may engage in the practice for which they are
39 licensed in the same shop if the shop is licensed under
40 subsection (a) of this section and under W.S. ~~33-12-101~~
41 through 33-12-118 33-12-119 through 33-12-140.

42
43 **33-7-209. Qualifications for registration as barber;**
44 **examination.**

45

1 (a) No person shall receive a certificate of
2 registration to practice barbering, other than a renewal or
3 restoration, unless he:

4
5 (iii) Is a cosmetologist licensed under W.S.
6 ~~33-12-101 through 33-12-118~~ 33-12-119 through 33-12-140,
7 has completed seven hundred fifty (750) hours of training
8 at an approved barber school or college and passed an
9 examination conducted by the board to determine his fitness
10 for practice.

11
12 **33-9-105. Examinations.**

13
14 Examinations of applicants for a license to practice
15 podiatry shall be in the English language and shall include
16 both clinical and written tests as the board shall
17 determine. The examinations shall embrace the subjects of
18 histology, surgery, hygiene, dermatology, anatomy,
19 physiology, chemistry, bacteriology, pathology, diagnosis
20 and treatment, pharmacology, therapeutics, clinical
21 podiatry and such other subjects as the board may
22 prescribe, a knowledge of which is commonly and generally
23 required by the practitioners of podiatry. This section
24 shall not be construed to require of the applicant a
25 medical or surgical education. The minimum requirements for
26 a license to practice under W.S. 33-9-101 through ~~33-9-113~~
27 33-9-114 is a general passing grade average of seventy-five
28 percent (75%) in all of the subjects involved and not less
29 than sixty percent (60%) in any one (1) subject. At the
30 time of making application to practice, an examination and
31 license fee in amounts established by the board pursuant to
32 W.S. 33-1-201 shall be paid to the board. An applicant
33 failing in the examination and being refused a license is
34 entitled, within six (6) months of the refusal, to a
35 reexamination, but only two (2) such reexaminations shall
36 be granted to any one (1) applicant. The board may make
37 such rules and regulations governing the conduct of the
38 examinations as shall be necessary, and willful violation
39 of such rules and regulations shall subject the applicant
40 to the cancellation of the examination and loss of the fee.

41
42 **33-9-107. Licensing matters.**

43
44 A license issued under W.S. 33-9-101 through ~~33-9-113~~
45 33-9-114 shall be designated a "registered podiatrist's
46 license" and may not contain any abbreviations thereof nor
47 any other designation or title except that a statement of

1 limitation shall be contained in the license referring to
2 the licensee as a "registered podiatrist - practice limited
3 to the foot", so as not to mislead the public with respect
4 to their right to treat other portions of the body. A
5 renewal license fee in an amount established by the board
6 pursuant to W.S. 33-1-201 shall be due to the board
7 annually on July 1 each year, and if not paid within three
8 (3) months the license shall be revoked and may be reissued
9 only upon an additional application and payment of a fee in
10 an amount established by the board pursuant to W.S.
11 33-1-201. Licenses shall be conspicuously displayed by
12 podiatrists at their offices or other places of practice.

13

14 **33-16-111. Exceptions.**

15

16 To the extent the provisions of this ~~act~~article conflict
17 with the authority granted by W.S. 35-1-241, the provisions
18 in this ~~act~~article may be superseded by the provisions of
19 W.S. 35-1-241.

20

21 **33-16-207. Exceptions.**

22

23 To the extent the provisions of this ~~act~~article conflict
24 with the authority granted by W.S. 35-1-241, the provisions
25 in this ~~act~~article may be superseded by the provisions of
26 W.S. 35-1-241.

27

28 **33-16-305. Continuance; renewal of existing licenses.**

29

30 Every funeral director already holding a license which has
31 been duly issued under the laws of this state and who is,
32 on the effective date of this act, engaged in or conducting
33 the business of a funeral director at a fixed place or
34 establishment in this state, as designated in ~~such~~the
35 license already held by him or it, shall be entitled to
36 continue in business for the remainder of the year of 1939,
37 and shall be entitled to have his or its license renewed
38 annually upon payment of ~~such~~ renewal fees ~~are~~as required
39 under W.S. 33-16-306.

40

41 **33-16-317. Prohibited acts; penalty for violations;
42 continuing offenses.**

43

44 Any person, firm or corporation who shall engage, directly
45 or indirectly, in the business of funeral directing or
46 undertaking or hold himself or itself out as a funeral
47 director or undertaker or attempt to take care of the

1 disposition of dead human bodies without having complied
2 with the provisions of this ~~act~~-chapter and without being
3 licensed so to do, as herein provided, or who shall
4 continue in the business of a funeral director or
5 undertaker, after his or its license has been revoked,
6 shall be guilty of a misdemeanor, and upon conviction
7 thereof, shall be fined not less than fifty dollars
8 (\$50.00) and not more than five hundred dollars (\$500.00);
9 and each day that he or it is so engaged in such business
10 shall be deemed a separate offense and every funeral
11 director or undertaker or any person acting for him, who
12 pays or causes to be paid, directly or indirectly, any
13 money or other thing of value as a commission or gratuity
14 for the securing of business as such funeral director or
15 undertaker and every person who accepts or offers to accept
16 any money or other thing of value as a commission or
17 gratuity from a funeral director or undertaker in order to
18 secure business for him shall be deemed guilty of a
19 misdemeanor, and, upon conviction thereof, shall be fined
20 not more than five hundred dollars (\$500.00), or shall be
21 imprisoned in the county jail for not less than thirty (30)
22 days or punished by both such fine and imprisonment.

23
24 **33-16-318. Exceptions.**

25
26 To the extent the provisions of this ~~act~~-article conflict
27 with the authority granted by W.S. 35-1-241, the provisions
28 in this ~~act~~-article may be superseded by the provisions of
29 W.S. 35-1-241.

30
31 **33-21-145. Violations; penalties.**

32
33 (b) Violation of any of the provisions of this act
34 constitutes a misdemeanor and upon conviction, the person
35 is subject to a fine of not more than one thousand dollars
36 (\$1,000.00), imprisonment for not more than one (1) year,
37 or both.

38
39 **33-24-153. Manufacturer or wholesaler registration;
40 requirements for registration; fees; renewal; denial,
41 revocation or suspension.**

42
43 (a) Every manufacturer, distributor, wholesaler or
44 pharmacy who sells or distributes dangerous drugs in this
45 state shall obtain a drug distributor's license for each
46 location from the board. This section shall not apply to
47 commercial operators registered under W.S. 33-24-113,

1 nonresident pharmacies registered under W.S. 33-24-152 or
 2 to individuals practicing medicine as defined by W.S.
 3 ~~33-26-102(a)(x)(B) and (E)~~ 33-26-102(a)(xi)(B) and (E).

4
 5 **33-26-103. Applicability of chapter.**

6
 7 (a) This chapter does not apply to:

8
 9 (iii) Commissioned medical officers of the
 10 United States armed services and medical officers of the
 11 United States public health service ~~of~~ or the veterans
 12 administration of the United States in the discharge of
 13 their official duties or within federally controlled
 14 facilities or enclaves, provided that the persons who are
 15 licensees of the board shall be subject to the provisions
 16 of this act and further provided that all such persons
 17 shall be the holder of a full and unrestricted license to
 18 practice medicine in one (1) or more jurisdictions of the
 19 United States;

20
 21 **33-29-139. Maps, plats, plans or designs for filing**
 22 **to be made and certified by professional engineer or**
 23 **surveyor; exception; size of maps.**

24
 25 (c) The application may be signed by the applicant or
 26 an agent acting for him, and may be accompanied by aerial
 27 photographs or United States geological survey quadrangle
 28 maps of a scale conforming to the requirements of this act
 29 with designation thereon of the township, range, section,
 30 and section corner or quarter corner, and the location of
 31 the installation designated in the quarter section on the
 32 photographs or United States geological survey quadrangle
 33 maps and a description of:

34
 35 **33-29-148. Previously existing corners.**

36
 37 Corner records may be filed concerning corners established,
 38 reestablished or restored before the effective date of W.S.
 39 33-29-140 through ~~33-29-150~~ 33-29-149.

40
 41 **33-33-104. Persons and practices not affected.**

42
 43 (a) Nothing in this ~~act~~ chapter prevents or
 44 restricts:

45
 46 (vii) The performance of speech pathology or
 47 audiology services in this state by any person not a

1 resident of this state who is not licensed under this act,
 2 if such services are performed for no more than five (5)
 3 days in any calendar year and in cooperation with a speech
 4 pathologist or audiologist licensed under this act, and if
 5 ~~such the~~ person ~~meets who is not a resident in this state~~
 6 ~~possesses~~ the qualifications and requirements ~~for~~
 7 ~~applications for licensure described in W.S. 33-33-201(a)~~
 8 ~~through (c)~~ to apply for a license under this chapter.
 9 However, a person not a resident of this state who is not
 10 licensed under this act, but who is licensed under the law
 11 of another state which has established license requirements
 12 may offer speech pathology or audiology services in this
 13 state for no more than thirty (30) days in any calendar
 14 year, if such services are performed in cooperation with a
 15 speech pathologist or audiologist licensed under this act.

16
 17 **33-43-109. Licensure; fees.**

18
 19 An applicant applying for a license to practice respiratory
 20 care shall pay an administrative fee to the board. Fees
 21 under this section shall be set by the board in accordance
 22 with W.S. 33-1-201. If an applicant fails to complete the
 23 requirements for licensing within three (3) ~~ears~~ years from
 24 the date of filing, the application is deemed to be
 25 abandoned.

26
 27 **34-1-118. Where conveyance to be recorded.**

28
 29 A certificate of the acknowledgment of any deed, mortgage
 30 or conveyance, or proof of the execution thereof, before a
 31 court of record or a justice of the peace, signed by the
 32 clerk of such court, (or by the justice) before whom the
 33 same was taken, as provided in this act, and in the cases
 34 where the same is necessary, the certificate required by
 35 W.S. 34-1-115, shall entitle such deed, mortgage or
 36 conveyance, certificate or certificates aforesaid, to be
 37 recorded in the office of the ~~register of deeds~~ county
 38 clerk in the county where the land lies.

39
 40 **34-1-126. Liability of county clerk for recording**
 41 **improperly executed conveyances.**

42
 43 Any ~~register of deeds~~ county clerk who shall receive for
 44 record, and record any deed, mortgage, or other instrument
 45 affecting the title to real estate, which is not executed,
 46 acknowledged, attested or proved in accordance with the
 47 provisions of this act, shall be liable to a penalty of one

1 hundred dollars (\$100.00), payable to the party aggrieved,
 2 in an action of damages for the same.

3
 4 **34-16-105. Prohibited acts; penalty for violation of**
 5 **W.S. 34-16-104.**

6
 7 Every carrier, or officer, agent or servant of a carrier,
 8 who knowingly violates the provisions of W.S. 34-16-104,
 9 and every person who negotiates or transfers for value a
 10 bill of lading known by him to have been issued in
 11 violation of ~~said~~ section 4 shall be guilty of a
 12 ~~misdemeanor~~ felony and upon conviction, shall be punished
 13 by fine not exceeding five thousand dollars (\$5,000.00) or
 14 imprisonment not exceeding five (5) years, or both. And
 15 every carrier, who himself, or by his officer, agent or
 16 servant authorized to issue bills of lading, issues a false
 17 or duplicate bill of lading in violation of the provisions
 18 of section 4, shall be estopped, as against all and every
 19 person or persons injured thereby who shall acquire any
 20 such false or duplicate bill of lading in good faith and
 21 for value, to deny the receipt of the property as described
 22 therein, or to assert that a former bill of lading has been
 23 issued and remains outstanding and uncanceled for the same
 24 property, as the case may be; and ~~such~~ the issuing carrier
 25 shall be liable to any and every such person for all
 26 damages, immediate or consequential, which he or they may
 27 have sustained because of reliance upon ~~such~~ the bill,
 28 whether the person or persons guilty of issuing or
 29 negotiating ~~such~~ the bill shall have been convicted under
 30 this section or not.

31
 32 **34.1-2-511. Tender of payment by buyer; payment by**
 33 **check.**

34
 35 (c) Subject to the provisions of this act on the
 36 effect of an instrument on an obligation, ~~(section~~
 37 ~~34.1-3-802)~~ payment by check is conditional and is defeated
 38 as between the parties by dishonor of the check on due
 39 presentment.

40
 41 **34.1-2.A-307. Priority of liens arising by attachment**
 42 **or levy on, security interests in, and other claims to**
 43 **goods.**

44
 45 (b) Except as otherwise provided in subsection ~~(d)~~
 46 (e) and in sections 34.1-2.A-306 and 34.1-2.A-308, a

1 creditor of a lessor takes subject to the lease contract
2 unless:

3
4 **34.1-3-103. Definitions.**

5
6 (b) Other definitions applying to this article and
7 the sections in which they appear are:

8		
9	"Acceptance"	Section 34.1-3-409
10	"Accommodated party"	Section 34.1-3-419
11	"Accommodation party"	Section 34.1-3-419
12	"Alteration"	Section 34.1-3-407
13	"Anomalous indorsement"	Section 34.1-3-205
14	"Blank indorsement"	Section 34.1-3-205
15	"Cashier's check"	Section 34.1-3-104
16	"Certificate of deposit"	Section 34.1-3-104
17	"Certified check"	Section 34.1-3-409
18	"Check"	Section 34.1-3-104
19	"Consideration"	Section 34.1-2-303
20	<u>34.1-3-303</u>	
21	"Deposited instrument"	Section 34.1-3-901
22	"Draft"	Section 34.1-3-104
23	"Having control"	Section 34.1-3-901
24	"Holder in due course"	Section 34.1-3-302
25	"Incomplete instrument"	Section 34.1-3-115
26	"Indorsement"	Section 34.1-3-204
27	"Indorser"	Section 34.1-3-204
28	"Instrument"	Section 34.1-3-104
29	"Issue"	Section 34.1-3-105
30	"Issuer"	Section 34.1-3-105
31	"Negotiable instrument"	Section 34.1-3-104
32	"Negotiation"	Section 34.1-3-201
33	"Note"	Section 34.1-3-104
34	"Payable at a definite time"	Section 34.1-3-108
35	"Payable on demand"	Section 34.1-3-108
36	"Payable to bearer"	Section 34.1-3-109
37	"Payable to order"	Section 34.1-3-109
38	"Payment"	Section 34.1-3-602
39	"Person entitled to enforce"	Section 34.1-3-301
40	"Presentment"	Section 34.1-3-501
41	"Reacquisition"	Section 34.1-3-207
42	"Special indorsement"	Section 34.1-3-205
43	"Teller's check"	Section 34.1-3-104
44	"Transfer of instrument"	Section 34.1-3-203
45	"Traveler's check"	Section 34.1-3-104
46	"Value"	Section 34.1-3-303
47		

1 **34.1-3-503. Notice of dishonor.**

2
3 (a) The obligation of an indorser stated in section
4 34.1-3-415(a) and the obligation of a drawer stated in
5 section ~~34.1-3-414(c)~~ 34.1-3-414(d) may not be enforced
6 unless (1) the indorser or drawer is given notice of
7 dishonor of the instrument complying with this section or
8 (2) notice of dishonor is excused under section
9 34.1-3-504(b).

10
11 **34.1-4-503. Responsibility of presenting bank for**
12 **documents and goods; report of reasons for dishonor;**
13 **referee in case of need.**

14
15 (b) However, the presenting bank is under no
16 obligation with respect to goods represented by the
17 documents except to follow any reasonable instructions
18 seasonably received; it has a right to reimbursement for
19 any expense incurred in ~~the~~ following any reasonable
20 instructions and to prepayment of or indemnity for those
21 expenses.

22
23 **35-1-613. Definitions.**

24
25 (a) As used in this act:

26
27 (xi) "Sexual assault" means any act made
28 criminal under W.S. 6-2-302 through ~~6-2-305~~ 6-2-304 and
29 6-4-402;

30
31 **35-4-103. Investigation of diseases; quarantine;**
32 **regulation of travel; employment of police officers to**
33 **enforce quarantine; report of county health officer;**
34 **supplies and expenses.**

35
36 It shall be the duty of the department of health,
37 immediately after the receipt of the information that there
38 is any smallpox, cholera, scarlet fever, diphtheria or
39 other infectious or contagious disease, which is a menace
40 to the public health, in any portion of this state, to
41 order the county health officer by telegram or telephone,
42 if he is not at hand to proceed immediately to ~~said~~ the
43 case and there to investigate said case or cases, and to
44 report to the state health officer, by telephone or
45 telegram, the results of ~~said~~ the investigation, and it
46 shall be the duty of the state health officer, if in his
47 judgment the occasion requires, to direct the county health

1 officer to declare ~~said~~the infected place to be in
2 quarantine and to place any and all restrictions upon the
3 ingress and egress thereat as in his judgment, or in the
4 judgment of the state health officer shall be necessary to
5 prevent the spread of the disease from the infected
6 locality; and it shall be the duty of the ~~said~~ county
7 health officer when he shall have declared any city or town
8 or other place to be in quarantine, so to control the
9 population of ~~said~~the city, town or other place, and make
10 such disposition of the same, as shall in his judgment best
11 protect the people and at the same time prevent the spread
12 of the disease among the same. And when deemed necessary
13 for the protection of the public health the state health
14 officer shall establish and maintain a state quarantine,
15 and shall enforce such practical regulations regarding
16 railroads, stage lines, or other lines of travel into and
17 out of the state of Wyoming as they so deem proper and
18 necessary for the protection of the public health, and the
19 expenses incurred in maintaining ~~said~~the state quarantine
20 shall be paid out of the funds of the state treasury
21 appropriated for this purpose and in the manner in which
22 other expenses of the department are audited and paid. The
23 county health officer, or the department, are hereby
24 authorized to employ a sufficient number of police officers
25 who shall be under the control of the county health
26 officer, to enforce and carry out any and all quarantine
27 regulations the department may prescribe, which ~~said~~
28 regulations shall be made public in the most practicable
29 manner, in the several counties, cities, towns or other
30 places where the quarantine may be established. And where
31 quarantine is established by the county health officer, he
32 shall make immediate report of his actions and doings in
33 the premises to the state health officer and from time to
34 time so long as quarantine shall continue. It shall also be
35 the duty of the county health officer to furnish all
36 supplies, in the nature of clothing, provisions,
37 construction of pesthouses or other things necessary for
38 the maintaining of such quarantine, and upon certificate of
39 the county health officer, approved by the director of the
40 state department of health it shall be the duty of the
41 county commissioners of any county where such quarantine
42 has been established, to issue warrant or warrants to the
43 proper parties for the payment of all expenses, together
44 with the expense of employing sufficient police force to
45 maintain and enforce ~~said~~the quarantine. For purposes of
46 this act, "state health officer" means as defined in W.S.
47 ~~9-2-101(f)~~9-2-103(e).

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

35-6-107. Forms for reporting abortions.

(b) The form shall be completed by the attending physician and sent to the state health officer as defined in W.S. ~~9-2-101(f)~~ 9-2-103(e) within twenty (20) days after the abortion is performed.

35-7-1018. Substances included in Schedule III.

(b) Stimulants. - Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system including its salts, isomers (whether optical, position or geometric) and salts of such isomers whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation:

(i) Those compounds, mixtures or preparations in dosage unit form containing any stimulant substances listed in Schedule II which compounds, mixtures or preparations were listed on August 25, 1971, as excepted in the Federal Register as excepted compounds under section ~~308.32-21~~ C.F.R. part 1308.32, and any other drug of the quantitative composition shown in that list for those drugs or which is the same except that it contains a lesser quantity of controlled substances;

35-8-405. Removal of body from vault constituting menace to public health; reinterment; cost; construction contrary to W.S. 35-8-401 through 35-8-407 deemed nuisance; enjoining.

When any mausoleum, vault, crypt or structure containing one (1) or more deceased human bodies, shall, in the opinion of the state ~~board~~ department of health, become a menace to public health, and the owner or owners ~~thereof~~ shall fail to remedy or remove the same to the satisfaction of ~~said board~~ the department, the judge of any district court of the state of Wyoming may, upon application by the county attorney of the county in which it is located, order the person, firm, partnership, association, company or corporation owning ~~such~~ the structure to remove the deceased body or bodies for interment in some suitable cemetery at the expense of the person, firm, partnership,

1 association, company or corporation owning ~~such~~the
 2 mausoleum, vault or crypt. If no ~~such~~ person, firm,
 3 partnership, association, company or corporation can be
 4 found in the county where ~~such~~the mausoleum, vault or
 5 crypt is located, ~~such~~the removal and interment shall be
 6 at the expense of the cemetery, city, town or county within
 7 which ~~such~~the mausoleum, vault or crypt is located, or of
 8 the cemetery association in charge of any such cemetery,
 9 provided, however, that if there is a perpetual care and
 10 maintenance fund in existence for the care of the
 11 mausoleum, vault, crypt or structure, the expense incident
 12 thereto may be defrayed from the principal of the fund by
 13 order of the district judge. Any columbarium or mausoleum
 14 maintained or constructed contrary to the provisions of
 15 this act shall be deemed a public nuisance, and may be
 16 enjoined in an action brought by any taxpayer of this state
 17 in the district court.

18
 19 **35-9-608. Benefits enumerated; death of participant**
 20 **or spouse; amount and payment of contributions; withdrawal**
 21 **from plan.**

22
 23 (a) ~~Retirement.~~—When any participating member shall
 24 attain the retirement age corresponding to his entry age as
 25 set forth in the table contained in subsection (d) hereof,
 26 the board shall authorize the payment monthly to ~~such~~the
 27 member during his remaining lifetime of an amount equal to
 28 the member's pension benefit corresponding to his entry age
 29 as set forth in ~~such~~the table.

30
 31 **35-10-206. Enforcement; disposal of seized fireworks.**

32
 33 Wyoming peace officers shall seize all stocks of fireworks
 34 held in violation of W.S. 35-10-201 through ~~35-10-207~~
 35 35-10-208 and shall apply to the appropriate court for the
 36 disposition of the fireworks. Following a hearing
 37 determining the fireworks were held in violation of W.S.
 38 35-10-201 through ~~35-10-207~~35-10-208, the fireworks shall
 39 be destroyed or otherwise disposed of upon order of any
 40 justice of the peace, circuit court or district court.

41
 42 **35-11-110. Powers of administrators of the divisions.**

43
 44 (d) The administrator of the abandoned mine land
 45 division shall enforce and administer the provisions of
 46 W.S. 35-11-1201 through ~~35-11-1208~~35-11-1209 and

1 35-11-1301 through 35-11-1304. He shall have the powers set
2 forth in paragraph (a)(x) of this section.

3
4 **35-11-404. Drill holes to be capped, sealed or**
5 **plugged.**

6
7 (c) "Plugging, sealing and capping upon abandonment"
8 means any hole drilled shall be abandoned in the following
9 manner:

10
11 (ii) "Sealing". Drill holes which have
12 encountered any ground water shall be sealed by leaving a
13 column of drilling mud in the ~~hole~~hole or by such other
14 sealing procedure which is adequate to prevent fluid
15 communication between aquifers;

16
17 **35-11-503. Authority to promulgate rules and**
18 **regulations for solid waste management facilities and for**
19 **the management of hazardous wastes.**

20
21 (c) Unless and until the council adopts rules
22 pursuant to ~~paragraph~~subsection (a) of this section, for
23 commercial radioactive waste management facilities or a
24 particular classification of commercial radioactive waste
25 management facilities, the director shall rely upon the
26 performance criteria and standards of title 10, part 40,
27 appendix A, and title 40, part 192, subpart D of the Code
28 of Federal Regulations, as of January 1, 1991, as guidance
29 for determining whether an application complies with the
30 act. Nothing in this subsection shall be construed to limit
31 the director's authority to impose permit requirements or
32 conditions ~~on~~or the council's authority to promulgate
33 rules, consistent with this act, which are more stringent
34 than the federal regulations referenced.

35
36 **35-11-1104. Limitation of scope of provisions.**

37
38 (a) Nothing in this act:

39
40 (iii) Limits or interferes with the
41 jurisdiction, duties or authority of the state engineer,
42 the state board of control, the director of the Wyoming
43 game and fish commissioner~~department~~, the state mine
44 inspector, the oil and gas supervisor or the oil and gas
45 conservation commission, or the occupational health and
46 safety commission.

47

1 **35-22-101. Definitions.**

2
3 (a) As used in this act:

4
5 (x) "This act" means W.S. 35-22-102 through
6 ~~35-22-108~~ 35-22-109.

7
8 **37-7-109. Order of court upon decision for**
9 **petitioners; appointment of commissioners; findings and**
10 **orders final unless appealed.**

11
12 (a) If the issues at this hearing are decided in
13 favor of the petitioners, the court shall make an order:

14
15 (iii) Establishing said district as a
16 corporation by the name proposed with powers:

17
18 (D) To build or otherwise ~~require~~ acquire
19 power lines and the transformers and other electrical
20 equipment necessary to connect with power lines of the
21 United States, the state of Wyoming, or any subdivision
22 thereof to transmit power to any and all persons deciding
23 to use same;

24
25 **37-7-201. Petition for organization; assessments**
26 **against real estate.**

27
28 If the petition for the organization of a power district
29 under ~~section 87-101, Wyoming Revised Statutes, 1931~~ W.S.
30 37-7-101, states that the bonds to be issued by such
31 district for the purpose of raising money shall be a lien
32 only upon the power plant, distribution system, and other
33 property used in the manufacture or distribution of
34 electrical energy, and upon the revenues from electrical
35 energy so developed or distributed, the petition or
36 petitions of fifty (50) freeholders of the area to be
37 served shall be sufficient to give the court jurisdiction
38 to hear such petition, and to organize a power district;
39 provided, no district organized under a petition providing
40 such revenue bonds only, shall have authority to make any
41 assessments against the real estate of the district, unless
42 it shall amend its petition and follow the procedure
43 provided in ~~section 87-101, Wyoming Revised Statutes, 1931~~
44 W.S. 37-7-101.

45

1 **37-7-309. South Dakota and Wyoming not to impair**
 2 **power of commission to own properties, collect rents so**
 3 **long as any bonds or securities outstanding.**

4
 5 The state of South Dakota and the state of Wyoming hereby
 6 covenant and agree with each other and with the holders of
 7 any bonds or other securities or obligations of the
 8 commission, for which there may or shall be pledged the
 9 tolls, rents, rates, or other revenues or any part thereof,
 10 of any property or facility owned, operated or controlled
 11 by the commission that so long as any of ~~said the~~ bonds or
 12 other securities or obligations remain outstanding and
 13 unpaid the state of South Dakota and the state of Wyoming
 14 will not diminish or impair the power of the commission to
 15 own, operate or control ~~said the~~ properties and facilities
 16 or to establish, levy and collect rents, rates and other
 17 charges in connection with such properties or ~~franchises~~
 18 facilities.

19
 20 **37-9-104. Consolidation; effects; rights of**
 21 **creditors.**

22
 23 Upon the election of the first board of trustees of the
 24 corporation created by the agreement, ~~in the preceding~~
 25 ~~section mentioned~~ pursuant to W.S. 37-9-102, and by the
 26 provisions of ~~this subdivision~~ W.S. 37-9-101 through
 27 37-9-105, all and singular the rights and franchises of
 28 each and all of ~~said the~~ two (2) or more corporations,
 29 parties to such agreement, and all and singular the rights
 30 and interest in and to every species of property, real,
 31 personal and mixed, and things in action shall be deemed to
 32 be transferred to and vested in ~~such the~~ new corporation,
 33 without any other deed or transfer, and ~~such the~~ new
 34 corporation shall hold and enjoy the same, together with
 35 right-of-way and all other rights of property in the same
 36 manner and to the same extent as if the ~~said~~ two (2) or
 37 more corporations, parties to ~~such the~~ agreement, should
 38 have continued to retain the title and transact the
 39 business of ~~such the~~ corporations. And the title and the
 40 real estate acquired by either of ~~said the~~ two (2) or more
 41 corporations shall not be deemed to revert or be impaired
 42 by means of anything in ~~this subdivision contained~~ W.S.
 43 37-9-101 through 37-9-105; provided, that all rights of
 44 creditors and all liens upon the property of either of ~~said~~
 45 ~~the~~ corporations shall be and hereby are preserved
 46 unimpaired; and the respective corporations shall continue
 47 to exist as far as may be necessary to enforce the same;

1 provided, further, that all debts, liabilities and duties
2 of either company shall henceforth attach to ~~such~~the new
3 corporation, and be enforced to the same extent and in the
4 same manner as if ~~such~~the debts, liabilities and duties
5 had been originally incurred by it.

6
7 **37-9-501. Death or injury due to negligence.**

8
9 Every person or corporation operating a railroad in the
10 state shall be liable in damages to any person suffering
11 injury while he is employed by ~~such~~the person or
12 corporation so operating any ~~such~~ railroad, or, in case of
13 the death of ~~such~~an employee, instantaneously, or
14 otherwise, to his or her personal representative, for the
15 benefit of the surviving widow or husband and children of
16 ~~such~~the employee; and, if none, then of ~~such~~the
17 employee's parents; and, if none, then of the next of kin
18 dependent upon ~~such~~the employee, for ~~such~~the injury or
19 death resulting in whole or in part from the negligence of
20 any of the officers, agents, or ~~employers~~employees of ~~such~~
21 the person or corporation so operating ~~such~~the railroad in
22 or about the handling, movement, or operation of any train,
23 engine, or car, on or over ~~such~~the railroad, or by reason
24 of any defect or insufficiency, due to its negligence, in
25 its cars, engines, appliances, machinery, track, roadbed,
26 works, or other equipment.

27
28 **37-9-601. Contractor's bond.**

29
30 Whenever any railroad company shall contract with any
31 person, persons or corporation for the construction of its
32 railroad or any part thereof, ~~such~~the company shall take
33 from the person, persons, or corporation with whom ~~such~~a
34 contract is made, a good and sufficient bond, in some
35 guarantee or surety company authorized to do business in
36 this state, conditioned that ~~such~~the contractor or
37 contractors shall pay or cause to be paid all laborers,
38 mechanics, materialmen, ranchmen, farmers, merchants, and
39 other persons who supply ~~such~~the contractor or
40 contractors, or any of his or their subcontractors, with
41 labor, work, material, ranch or farm products, provisions,
42 goods or supplies of any kind, all just debts incurred
43 therefor in carrying on ~~such~~the work, which bond shall be
44 filed by ~~such~~the company in the office of the county clerk
45 and ex officio register of deeds in the county where the
46 principal work of ~~such~~the contractor shall be carried on;
47 and if any ~~such~~ railroad company shall fail to take ~~such~~a

1 bond, ~~such~~the railroad company shall be liable to the
2 persons herein mentioned to the full extent of all ~~such~~
3 debts so contracted by ~~such~~the contractor, or contractors,
4 or any of his or their subcontractors. Any ~~such~~ contractor
5 or contractors may take a similar bond from each of his or
6 their subcontractors to secure the payment of all debts of
7 the kind above mentioned, incurred by him, and file the
8 same as above provided. All ~~such~~ persons mentioned in this
9 section to whom any debt of the kind above mentioned shall
10 be due from any ~~such~~ contractor or subcontractor shall
11 severally have a right of action upon any ~~such~~ bond
12 covering ~~such~~the debt taken as herein provided for the
13 recovery of the full amount of ~~such~~the debt, and a
14 certified copy of the bond shall be received as evidence in
15 any ~~such~~ action; provided, however, that in order that the
16 right of action upon ~~such~~the bonds may exist, ~~such~~the
17 person or parties herein granted ~~such~~the right shall
18 comply with either of the following conditions, to-wit:
19 First, an action in a court of competent jurisdiction, in
20 the county where ~~such~~the bond is filed shall be commenced
21 within ninety (90) days after the last item of indebtedness
22 shall have accrued; or second, an itemized statement of the
23 indebtedness duly verified shall within ninety (90) days
24 after the last item of ~~such~~the indebtedness shall have
25 accrued be filed in the office of the county clerk of the
26 proper county; and an action shall be brought in any court
27 of competent jurisdiction of ~~such~~the county within three
28 (3) months after the filing of ~~such~~the statement. In case
29 an action is commenced upon the bond of a contractor, ~~such~~
30 the contractor may give notice thereof to the subcontractor
31 liable for the claim, and in ~~such~~a case the result of ~~such~~
32 the action shall be binding upon the subcontractor, and his
33 sureties, and in any case when a contractor ~~was~~has paid a
34 claim for which a subcontractor is liable, ~~such~~the
35 contractor shall bring action against the subcontractor and
36 his sureties within sixty (60) days after the payment of
37 ~~such~~the claim.

38

39 **37-13-127. Issuance of bonds.**

40

41 After the expiration of thirty (30) days from the date of
42 the adoption of the resolution levying the assessments, the
43 governing body may issue negotiable interest-bearing bonds
44 in a principal amount not exceeding the unpaid balance of
45 the assessments levied. The bonds shall bear interest
46 payable semiannually or annually and shall mature serially
47 over a period not exceeding twenty (20) years, but in no

1 event shall the bonds extend over a longer period of time
2 than the period of time over which the installments of
3 special assessments are due and payable and ninety (90)
4 days thereafter. The bonds shall be of a form and
5 denomination and shall be payable in principal and interest
6 at times and ~~place~~places and shall be sold, authorized and
7 issued in a manner, as the governing body may determine.
8 The bonds shall be dated no earlier than the date on which
9 the special assessment shall begin to bear interest and
10 shall be secured by and payable from the irrevocable pledge
11 of the funds derived from the levy and collection of the
12 special assessments in anticipation of the collection of
13 which they are issued. Any premium received on the sale of
14 the bonds shall be placed in the fund for the payment of
15 principal and interest on the bonds. The bonds shall be
16 callable for redemption from the proceeds of the sale of
17 property sold for the nonpayment of special assessments but
18 not otherwise unless the bonds on the face thereof provide
19 for redemption prior to maturity. The governing body may
20 provide that the bonds shall be redeemable on interest
21 payment date or dates prior to maturity pursuant to notice
22 and at premiums as it deems advisable. The bonds shall be
23 signed by a member of the governing body designated by the
24 governing body and shall be countersigned by the city
25 recorder or the clerk of the board of the town trustees or
26 the clerk of the board of the county commissioners,
27 whichever is applicable, and one (1) of the signatures may
28 be a facsimile signature. Interest may be evidenced by
29 interest coupons attached to the bonds and signed by a
30 facsimile signature of one (1) of the individuals who
31 signed the bond.

32
33 **40-13-105. Licenses and fees; choices.**

34
35 The licenses and fees made available pursuant to this
36 ~~section~~article shall provide users with genuine economic
37 choices between the various licenses and fees provided for
38 application within the state of Wyoming.

39
40 **40-13-106. Time for filing contracts and licenses;**
41 **filing fee.**

42
43 The contracts and licenses required by this ~~section~~article
44 shall be filed with the secretary of state. A filing fee of
45 five dollars (\$5.00) shall be paid to the secretary of
46 state at the time of each filing.

47

1 **40-14-407. Maximum charge by creditor for insurance.**

2
3 (b) A creditor who provides consumer credit insurance
4 in relation to a revolving charge account (W.S. 40-14-208)
5 or revolving loan account (W.S. 40-14-308) may calculate
6 the charge to the debtor in each billing cycle by applying
7 the current premium rate to:

8
9 (ii) The unpaid balance of the debt or a median
10 amount within a specified range of unpaid balances of debt
11 on approximately the same day of the cycle. The day of the
12 cycle need not be the day used in calculating the credit
13 service charge (W.S. 40-14-218) or loan finance charge
14 (W.S. 40-14-310 and 40-14-348), but the specified range
15 shall be the range used for that purpose; or

16
17 **40-17-101. Definitions; express warranties; duty to**
18 **make warranty repairs.**

19
20 (a) As used in this section:

21
22 (i) "Consumer" means any person:

23
24 (A) Who purchases a motor vehicle, other
25 than for purposes—the purpose of resale, to which an
26 express warranty applies; or

27
28 **41-2-112. Wyoming water development program.**

29
30 (a) The Wyoming water development program is
31 established to foster, promote and encourage the optimal
32 development of the state's human, industrial, mineral,
33 agricultural, water and recreational resources. The
34 program shall provide, through the commission, procedures
35 and policies for the planning, selection, financing,
36 construction, acquisition and operation of projects and
37 facilities for the conservation, storage, distribution and
38 use of water, necessary in the public interest to develop
39 and preserve Wyoming's water and related land resources.
40 The program shall encourage development of water facilities
41 for irrigation, for reduction of flood damage, for
42 abatement of pollution, for preservation and development of
43 fish and wildlife resources and for protection and
44 improvement of public lands and shall help make available
45 the waters of this state for all beneficial uses, including
46 but not limited to municipal, domestic, agricultural,
47 industrial, instream flows, hydroelectric power and

1 recreational purposes, conservation of land resources and
2 protection of the health, safety and general welfare of the
3 people of the state of Wyoming.

4
5 **41-2-124. Accounts created within earmarked revenue**
6 **fund; unexpended balance.**

7
8 (c) The state treasurer shall transfer such sums of
9 money from water development accounts I and II created by
10 subsection (a) of this section to the state drinking water
11 ~~state~~-revolving ~~fund~~-loan account created by W.S. 16-1-302
12 to provide not to exceed one-half (1/2) of the twenty
13 percent (20%) state matching funds for each federal
14 capitalization grant to the drinking water state revolving
15 fund program account. The transferred funds shall be
16 proportioned between water development accounts I and II as
17 directed by the water development commission.

18
19 **41-3-108. Lands taken out of agricultural production**
20 **or lands taken by eminent domain; retention of priority.**

21
22 (a) Where lands are taken out of agricultural
23 production as the necessary result of acquisitions for
24 railroad roadbed construction, highway construction, mining
25 or petroleum extraction operations or industrial site
26 acquisitions or lands taken by proceedings in eminent
27 domain or which have become impracticable to irrigate by
28 reason of any of the foregoing conditions, the owner of an
29 affected water right may transfer the water right to other
30 lands held by the owner. The petition for the change in
31 use, or change in place of use shall be properly filed
32 within five (5) years of the date the land went out of
33 production because of any of the conditions specified
34 herein. Failure to file the petition within five (5) years
35 results in forfeiture of the right except as otherwise
36 provided.

37
38 **41-4-209. Tabulations and supplements of adjudicated**
39 **water rights; adequate copies to be printed; president to**
40 **direct.**

41
42 Adequate copies, as determined by the president of the
43 state board of control, of the tabulation of adjudicated
44 water rights and supplements shall be printed under the
45 direction of the president of the state board of control
46 upon a printing contract let by the ~~state board of supplies~~

1 department of administration and information, general
 2 services division, procurement.

3
 4 **41-7-906. Statement on bonds and coupons of**
 5 **limitations affecting interest payments; portion of**
 6 **interest affected; separate coupons.**

7
 8 (a) If the limitations affect the payment of only a
 9 portion of the interest which will accrue on any bond, the
 10 board of commissioners may provide either that:

11
 12 (i) The entire installment of interest payable
 13 on any interest payment date shall be represented by a
 14 single coupon which shall contain a brief statement as to
 15 the portion of interest subject to the limitations; or

16
 17 **41-9-261. Commissioners not to have financial**
 18 **interest in construction contracts.**

19
 20 (a) And they While in office no commissioner shall
 21 not during their term of office, be interested directly or
 22 indirectly:

23
 24 (i) In any contract for the construction of any
 25 drain, ditch, levee or other work in such a drainage
 26 district; ~~or~~

27
 28 (ii) In the sale of materials ~~therefor,~~ used for
 29 any work in a drainage district; or

30
 31 (iii) In the wages of or supplies for men or
 32 teams employed on any ~~such~~ work in ~~said a~~ drainage
 33 district.

34
 35 **41-13-206. Operation of watercraft by intoxicated or**
 36 **drugged person prohibited.**

37
 38 (e) Nothing in subsection (d) of this section shall
 39 be construed as limiting the introduction of any other
 40 competent evidence bearing upon the question of whether or
 41 not the defendant was under the influence of alcohol,
 42 including tests obtained more than three (3) hours after
 43 the alleged violation. The fact that any person charged
 44 with a violation of subsection (c) of this section is or
 45 has been entitled to use the controlled substance under the
 46 laws of this state shall not constitute a defense against
 47 any charge under this section. It is an affirmative defense

1 to a violation of paragraph (c)(iii) of this section that
2 the defendant consumed a sufficient quantity of alcohol
3 after the time of actual operation or physical control of a
4 watercraft and before the administration of the evidentiary
5 test to cause the defendant's alcohol concentration to
6 exceed ten one-hundredths of one percent (0.10%) but
7 evidence of the consumption may not be admitted unless
8 notice is given to the prosecution pursuant to Rule ~~16.1~~
9 12.1 of the Wyoming Rules of Criminal Procedure.

10
11 **42-2-103. Provision of assistance and services;**
12 **duties of department; burial assistance; state supplemental**
13 **security income program.**

14
15 (e) In administering this section and in addition to
16 other requirements imposed under this chapter and the
17 Wyoming Medical Assistance and Services Act and federal
18 rule and regulation, the department shall by rule and
19 regulation:

20
21 (iv) Establish only one (1) earned income
22 disregard for determining assistance payable under W.S.
23 42-2-104 at two hundred dollars (\$200.00) per month for any
24 one (1) recipient. For married couples the earned income
25 disregard shall be four hundred dollars (\$400.00) per
26 month. The department may in addition establish an
27 additional individual earned income disregard tailored to
28 the individual person as part of that person's self-
29 sufficiency plan developed pursuant to paragraph (v) of
30 this subsection, provided:

31
32 (A) Such an individual earned income
33 disregard shall be available only during time periods when
34 the person is working at paid employment enough average
35 number of hours per week to qualify as working for the
36 purposes of section 407 of P.L. ~~104-109~~ 104-193;

37
38 **Section 2.** W.S. 26-34-128(a)(ii) is repealed.

39
40 **Section 3.** Any other act adopted by the Wyoming
41 legislature during the same session in which this act is
42 adopted shall be given precedence and shall prevail over
43 the amendments in this act to the extent that such acts are
44 in conflict with this act.

45
46 **Section 4.** This act is effective immediately upon
47 completion of all acts necessary for a bill to become law

1 as provided by Article 4, Section 8 of the Wyoming
2 Constitution.

3

4

(END)