

ENROLLED ACT NO. 50, HOUSE OF REPRESENTATIVES

FIFTY-NINTH LEGISLATURE OF THE STATE OF WYOMING  
2008 BUDGET SESSION

AN ACT relating to a revision of inadvertent errors; correcting statutory references and language resulting from inadvertent errors and omissions in previously adopted legislation; correcting obsolete references; specifying applicability; and providing for an effective date.

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

**Section 1.** W.S. 2-3-802(a)(xii), 7-3-103(a)(iii), 7-3-709(a)(i)(A), 7-19-302(g) and (j), 9-2-1022(a)(xi)(C), 9-2-1703(a)(x), 9-2-2002(a), 9-2-2004(a), 9-2-2011(a), 9-2-2016(a), 9-2-2018(a), 9-2-2104(a)(vi) and (vii), 9-2-2601(g)(iv) and (v), 9-3-205(a)(vii), 9-12-301(a)(iii), 9-12-407, 9-12-1105(b)(intro), 10-3-201(c)(ii), 12-4-407(d), 15-5-401, 17-14-301(a)(xiii), 17-14-1002(a)(viii), 17-19-1110(b)(iii) and (iv), 17-25-107(b)(ii), 20-4-174(a)(iv)(C), 20-6-106(w), 21-2-406(a)(i)(A), 21-13-309(m)(v)(intro), 21-15-114(a)(viii)(G) and (H), 25-10-110(a)(i)(A), 25-10-112(e), 26-19-307(j)(vii), 26-34-105(b), 26-34-128(a)(i), 27-3-108(a)(viii), 27-14-201(e)(i)(intro) and (ii), 31-7-102(a)(vii), 33-22-103, 33-29-115(c), 34-25-103, 35-11-504(m), 35-11-1210(b), 36-1-401(a)(i), 36-8-1203(c), 37-11-101(a), 37-12-126(a)(ii), 37-13-106(b), 37-13-133, 37-15-203(f)(iv), 40-4-116, 40-14-209(b)(iv) and (v), 40-14-303(a)(iii), 40-14-351(a)(intro), 41-2-210(c)(v), 41-3-742(a)(xi)(B), 41-7-204(b)(intro), (i), (iv) through (vi), 41-7-807(a)(iii), 41-7-929(a)(i) and 41-12-607(e) are amended to read:

**2-3-802. Definitions.**

(a) As used in this act:

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(xii) "Terms of a trust" means the manifestation of the intent of a settlor or decedent with respect to the trust, expressed in a manner that admits of its proof in a judicial proceeding, whether by written or spoken words or by conduct; ~~and~~

**7-3-103. Purpose and objects; required ratification.**

(a) Any agreement or compact entered into under W.S. 7-3-101 through 7-3-107 shall be designed to suppress crime, to circumvent the activities of criminals and to expedite their apprehension and trial, and to enforce generally the respective criminal laws and policies of Wyoming and any other state entering into the agreement or compact. In order to effectuate those purposes, an agreement or compact may contain specific provisions for the accomplishment of any of the following objects:

(iii) The establishment and maintenance by any two (2) or more compacting states of facilities for the investigation of crime and the discovery of criminals, including crime detection agencies, bureaus of registration and identification, crime laboratories and similar agencies; ~~and~~

**7-3-709. Information furnished to attorney general by executing agency; report to legislature.**

(a) Upon final execution of an order of interception, the executing agency shall furnish the following information within ten (10) working days to the attorney general:

(i) The fact that an order or extension was applied for, information as to the number of orders, extensions and expansions made by the court including:

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(A) Whether or not the order was one with respect to which the requirements of W.S. 7-3-707(a)(ii)(B) and (c)(iv) did not apply by reason of W.S. 7-3-707(t); ~~and~~

**7-19-302. Registration of offenders; procedure; verification.**

(g) For an offender convicted of a violation of W.S. 6-2-202 if the victim was a minor and the offender is not the victim's parent or guardian, W.S. 6-2-203 if the victim was a minor and the offender is not the victim's parent or guardian, W.S. 6-2-315(a)(iv), 6-2-316(a)(iii) and (iv), 6-2-317(a)(i), ~~or W.S. 6-4-303(b)(iv)~~ or W.S. 6-4-304(b) if the victim was a minor, or an attempt or conspiracy to commit any of the offenses specified in this subsection, the division shall annually verify the accuracy of the offender's registered address, and the offender shall annually report, in person, his current address to the sheriff in the county in which the offender resides, during the period in which he is required to register. Any person under this subsection who has not established a residence or is transient, and who is reporting to the sheriff as required under subsection (e) of this section, shall be deemed in compliance with the address verification requirements of this section.

(j) For an offender convicted of a violation of W.S. 6-2-201 if the victim was a minor, W.S. 6-2-302 or 6-2-303, W.S. 6-2-304(a)(iii) if the victim was under fourteen (14) years of age, W.S. 6-2-314(a)(i), 6-2-315(a)(i) and (ii), 6-2-316(a)(ii), 6-4-402, an attempt or conspiracy to commit any of the offenses specified in this subsection, or any felony enumerated in this section if the offender was previously convicted of a felony under subsection (g) or (h) of this section, the division shall verify the accuracy

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of the offender's registered address, and the offender shall report, in person, his current address to the sheriff in the county in which the offender resides every three (3) months after the date of the initial release or commencement of parole. Any person under this subsection who has not established a residence or is transient, and who is reporting to the sheriff as required under subsection (e) of this section, shall be deemed in compliance with the address verification requirements of this section.

**9-2-1022. Duties of department performed through human resources division.**

(a) Subject to subsection (b) of this section, the department through the human resources division shall:

(xi) Promulgate reasonable rules:

(C) Concerning recruiting, transfers, discipline, grievances and appeals; ~~and~~

**9-2-1703. Definitions.**

(a) As used in this act:

(x) "This act" means W.S. 9-2-1701 through ~~9-2-1708~~ 9-2-1707.

**9-2-2002. Department of employment created; director appointed; structure.**

(a) As part of the reorganization of Wyoming state government, there is created the Wyoming department of employment consisting of the agencies, programs and functions specified in this section. The provisions of the

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Wyoming Government Reorganization Act of 1989, W.S. 9-2-1701 through ~~9-2-1708~~ 9-2-1707, apply to this section.

**9-2-2004. Department of transportation created; director appointed; structure.**

(a) As part of the reorganization of Wyoming state government, there is created the Wyoming department of transportation consisting of the agencies, programs and functions specified in this section. The provisions of the Wyoming Government Reorganization Act of 1989, W.S. 9-2-1701 through ~~9-2-1708~~ 9-2-1707, apply to this section except as otherwise provided in this section.

**9-2-2011. Department of the state engineer created; director appointed.**

(a) As part of the reorganization of Wyoming state government, there is created the Wyoming department of the state engineer consisting of the existing Wyoming office of the state engineer and board of control, and all programs and functions specified in title 41 and otherwise under law relating to the state engineer and board of control. Except for W.S. 9-2-1703(a)(v), (viii) and (ix) and 9-2-1705 through ~~9-2-1708~~ 9-2-1707, the provisions of the Wyoming Government Reorganization Act of 1989, W.S. 9-2-1701 through 9-2-1707, apply to this section.

**9-2-2016. Department of agriculture created; director appointed; structure.**

(a) As part of the reorganization of Wyoming state government, there is created the department of agriculture consisting of the existing state department of agriculture, the agricultural mediation board, the wheat marketing commission, the Wyoming beef council, the Wyoming weed and

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pest council, the board of certification of the Environmental Pesticide Control Act of 1973, the weed and pest board of certification, the interstate agricultural grain marketing commission, the state fair advisory board and all programs and functions specified in titles 11 and 35 and otherwise under law relating to agriculture and livestock. Except for W.S. 9-2-1703(a)(v) and (ix), the limitation of number of principal departments in W.S. 9-2-1704(a) and 9-2-1707(a)(iii) and (iv), the provisions of the Wyoming Government Reorganization Act of 1989, W.S. 9-2-1701 through ~~9-2-1708~~ 9-2-1707, apply to this section.

**9-2-2018. Department of workforce services created; director appointed; structure.**

(a) As part of the reorganization of Wyoming state government, there is created the Wyoming department of workforce services. The provisions of the Wyoming Government Reorganization Act of 1989, W.S. 9-2-1701 through ~~9-2-1708~~ 9-2-1707 apply to this section, except the requirement under W.S. 9-2-1707(a)(iii) that public hearings regarding the reorganization plan required under subsection (b) of this section be conducted by at least two (2) interim committees of the legislature shall not apply.

**9-2-2104. Duties and powers of director of department.**

(a) The director shall:

(vi) With the assistance of the attorney general bring actions in the courts of the state in the name of the department for the enforcement of public welfare laws; ~~and~~

(vii) Promulgate reasonable rules and regulations in compliance with the Wyoming Administrative

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Procedure Act, for the implementation of all state and federal welfare laws; and

**9-2-2601. Department of workforce services; duties and responsibilities; agreements with other agencies authorized; definition.**

(g) The department shall take appropriate steps to:

(iv) Promote alternative reemployment of unemployed workers throughout the state; ~~and~~

(v) Conduct and publish results of investigations and research studies; and

**9-3-205. Administration and management of group insurance program; powers and duties; adoption of rules and regulations.**

(a) The department shall administer and manage the state employees' and officials' group insurance program and, subject to the provisions of this act:

(vii) Shall administer state group insurance reserve monies; ~~and~~

**9-12-301. Definitions.**

(a) As used in this article:

(iii) "Economic development account" means the economic development enterprise account within the revolving investment fund created under article XVI, section 12 of the Wyoming constitution. The account shall consist of funds from payments as provided in W.S. ~~9-12-306~~ 9-12-305 and other funds as provided by law;

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**9-12-407. Sunset provision.**

W.S. ~~9-2-402~~ 9-12-402 through ~~9-2-406~~ 9-12-406 are repealed effective June 30, 2011.

**9-12-1105. Main street program.**

(b) In making its selection pursuant to subsection ~~(b)~~ (a) of this section, the council, with the assistance of the board, shall develop criteria for use in selecting program participants which relate to at least the following issues:

**10-3-201. Powers and duties generally.**

(c) The department may offer engineering or other technical advice to any municipality, county, joint powers board or other qualified party in connection with the construction, maintenance or operation of airports. The commission shall encourage:

(ii) Interest in private flying and privately-owned planes; ~~and~~

**12-4-407. Restaurant liquor license; authorized.**

(d) Any person presently holding a limited retail liquor license and otherwise qualified for a restaurant liquor license under W.S. 12-1-101(a)(xiv) and 12-4-407 through 12-4-411 may be issued a restaurant liquor license by the appropriate licensing authority. Licenses issued under this subsection shall not be considered in the number of licenses authorized under ~~subsections (b) and~~ subsection (c) of this section.



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**15-5-401. Citation.**

This ~~act~~article is known as the "Firemen's Pension Account Reform Act of 1981".

**17-14-301. Certificate of limited partnership.**

(a) In order to form a limited partnership a certificate of limited partnership shall be executed and filed in the office of the secretary of state. The certificate shall set forth:

(xiii) The latest date upon which the limited partnership is to dissolve;~~and~~

**17-14-1002. Registration.**

(a) Before transacting business in this state, a foreign limited partnership shall register with the secretary of state. In order to register, a foreign limited partnership shall submit to the secretary of state, in duplicate, an application for registration as a foreign limited partnership, signed by a general partner and setting forth:

(viii) The name and business address of each general partner;~~and~~

**17-19-1110. Approval of plan of consolidation.**

(b) The plan of consolidation shall set forth:

(iii) The manner and basis, if any, of converting the memberships of each public benefit or religious corporation into memberships of the new corporation;~~and~~

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(iv) If the consolidation involves a mutual benefit corporation, the manner and basis, if any, of converting memberships of each consolidating corporation into memberships, obligations or securities of the new corporation or into cash or other property in whole or part; and

**17-25-107. Withdrawal of members and return of members' contributions to capital.**

(b) A member shall not receive out of close limited liability company property any part of his or its contribution to capital unless:

(ii) All members consent to such return of contributions to capital; and either:

(A) The company is dissolved; or

(B) The articles of organization or operating agreement of the company otherwise provide for the return of contributions to capital.

**20-4-174. Procedure to register order for enforcement.**

(a) A support order or an income withholding order of another state may be registered in this state by sending the following records and information to the appropriate tribunal in this state:

(iv) The name of the obligor and, if known:

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(C) A description and the location of property of the obligor in this state not exempt from execution. ~~;~~ ~~and~~

**20-6-106. Powers and duties of department regarding collection of support.**

(w) The department shall report to any consumer reporting agency as defined in section 603(f) of the Fair Credit Reporting Act, 15 U.S.C. 1681a(f) information regarding the amount of overdue support owed by an obligor.

**21-2-406. Schools exempted; additional requirements for specified post secondary religious schools.**

(a) This article does not apply to:

(i) Any parochial, church or religious school as defined by W.S. 21-4-101(a)(iv) which is maintained by a church, religious denomination or religious organization comprised of multidenominational members of the same recognized religion, lawfully operating the school or institution pursuant to applicable laws governing its organization, and the school or institution:

(A) Offers elementary and secondary education programs only. ~~;~~ ~~or~~

**21-13-309. Determination of amount to be included in foundation program for each district.**

(m) In determining the amount to be included in the foundation program for each district, the state superintendent shall:

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(v) Based upon ADM computations and identified school configurations within each district pursuant to paragraph (iv) of this subsection, compute the foundation program amount for each district as prescribed by the education resource block grant model adopted by the Wyoming legislature as defined under W.S. 21-13-103(a)(xiv), as contained within the spreadsheets and accompanying reports referenced under W.S. ~~21-13-103(a)(xvii) and (xviii)~~ 21-13-101(a)(xvii) and (xviii) and on file with the secretary of state pursuant to W.S. ~~21-13-103(c)~~ 21-13-101(c). The following criteria shall be used by the state superintendent in the administration of the education resource block grant model:

**21-15-114. Powers and duties; school facilities office created; director.**

(a) The school facilities commission shall:

(viii) Enter into construction or renovation project agreements, as appropriate, with school districts. The agreement shall:

(G) Provide that the agreement shall expire upon completion of the project; ~~and~~

(H) Contain any other provision mutually agreed upon by the commission and the district; and

**25-10-110. Involuntary hospitalization proceedings.**

(a) Proceedings for the involuntary hospitalization of a person may be commenced by the filing of a written application with the court in the county in which the person is initially detained. Proceedings may also be initiated in the county in which there is a designated

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hospital if there is a written agreement executed by the county in which the person resides and the designated hospital stating that the county in which the person resides will be responsible for costs of treatment under W.S. 25-10-112(e) that are not covered by the state. The application shall be accompanied by either:

(i) A certificate of an examiner stating:

(A) That he has examined the proposed patient not more than fifteen (15) days prior to the date that the application ~~is~~ was filed under this subsection;

**25-10-112. Liability for costs of detention, involuntary hospitalization and proceedings therefor.**

(e) When a person is detained under W.S. 25-10-109, the county in which the person resided shall be liable for costs of treatment for the first seventy-two (72) hours of detention, in addition to any Saturday, Sunday or legal holiday that falls within the seventy-two (72) hours. If the person remains in detention after the hearing pursuant to W.S. 25-10-109(k)(iii), the department shall directly, or under contract with local providers, provide psychiatric treatment until the person is released from detention or involuntary commitment is ordered, subject to payment of costs as provided in ~~subsections~~ this subsection or subsection (c) ~~and (e)~~ of this section.

**26-19-307. Small employer carrier reinsurance program.**

(j) A participating carrier may reinsure with the program as provided for in this subsection:

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(vii) Premium rates charged for reinsurance by the program to a health maintenance organization which is federally qualified under ~~42 U.S.C. § 300 e(c)(2)(A)~~ 42 U.S.C. § 300 e(c)(2)(A) or a similar section subsequently enacted, and as such is subject to requirements that limit the amount of risk that may be ceded to the program that is more restrictive than paragraph (iii) of this subsection, shall be reduced to reflect that portion of the risk above the amount set forth in paragraph (iii) of this subsection that shall not be ceded to the program, if any;

**26-34-105. Powers of health maintenance organizations.**

(b) A health maintenance organization shall file notice, with adequate supporting information, with the commissioner prior to the exercise of any power granted in ~~paragraphs~~ paragraph (a)(i), (ii) or (iv) of this section. The commissioner shall disapprove any exercise of power only if in his opinion it would substantially and adversely affect the financial soundness of the health maintenance organization and endanger its ability to meet its obligations. If the commissioner does not disapprove within forty-five (45) days from the date of the filing, it is deemed approved.

**26-34-128. Statutory construction and relationship to other laws.**

(a) Except as otherwise specifically provided in this chapter, the other provisions of this code relating to insurers and the provisions of title 35 of the Wyoming statutes relating to hospitals or medical service corporations are not applicable to any health maintenance organization granted a certificate of authority under this chapter. This provision does not apply to:

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(i) An insurer or hospital or medical service corporation licensed and regulated pursuant to the insurance law or the hospital or medical service corporation laws of this state except with respect to its health maintenance organization activities authorized and regulated pursuant to this chapter ~~.7 or~~

**27-3-108. Services excluded from scope of employment.**

(a) Employment under this act does not include service performed:

(viii) By a hospital patient employed by the hospital; ~~and~~

**27-14-201. Rates and classifications; rate surcharge.**

(e) The division in fixing rates shall provide for the costs of benefits and the expenses of administering the worker's compensation account allowed by law, subject to the following:

(i) The ~~fund-account~~ shall be one (1) ~~fund~~ account but shall include provision for all expenses allowed by this act, loss adjustment expenses and unpaid losses, including:

(ii) The ~~fund-account~~ shall be fully reserved on or before December 31, 2013;

**31-7-102. Definitions.**

(a) As used in this act:

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(vii) "Commercial driver license information system" is the information system established pursuant to the Commercial Motor Vehicle Safety Act of 1986, ~~49 (APP) U.S.C. § 2706~~ 49 U.S.C. 31106, to serve as a clearinghouse for locating information related to the licensing and identification of commercial motor vehicle drivers;

**33-22-103. License; issuance; qualifications; waiver of additional qualifications.**

The board shall have authority to issue licenses to qualified persons as nursing home administrators. No license shall be issued to a person as a nursing home administrator unless he shall have submitted evidence satisfactory to the board of his ability to supervise a nursing home. ~~Provided, that persons meeting the qualifications, who have heretofore been acknowledged by the state department of public health as administrators of nursing homes pursuant to W.S. 35-2-101 through 35-2-112, and who hold such acknowledgment on the effective date of this act, but who cannot meet any additional qualifications established by the board, may, subject to such conditions and requirements as may be prescribed by the board, be granted a waiver by the board of such qualifications for a period of two (2) years after the effective date of this act.~~

**33-29-115. Creation of board.**

(c) The governor may remove a member of the board as provided in W.S. 9-1-202. Appointment to fill a vacancy caused other than by expiration of term shall be for the unexpired portion of the term. ~~The governor shall appoint by July 1, 1987, the professional land surveyor member of the board to take office July 1, 1987, and to serve until March 31, 1991, and the public member of the board to take~~



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~~office on July 1, 1987, and to serve until March 31, 1989. Members of the board under the former provisions of W.S. 33-29-101 shall continue as members of the board under this section until expiration of their terms.~~

**34-25-103. Land extending into a second zone.**

When any tract of land to be defined by a single description extends from one into a second of the coordinate zones specified in W.S. ~~34-24-101~~ 34-25-101, the positions of all the points on its boundaries may be referred to either of the two (2) zones, and the zone which is used shall be specifically named in the description.

**35-11-504. Bonding for solid waste management facilities.**

(m) When the director determines that the violation has been remedied or the damage abated, the director shall release that portion of the bond or financial assurance instrument being held under paragraph (a)(ii) of this section. When the director determines that closure activities have been successfully completed at any solid waste management facility, the director shall release that portion of the bond or financial assurance instrument being held to guarantee performance of activities specified in subparagraphs (a)(i)(A) through (E) of this section. For solid waste management facilities other than landfills for the disposal of municipal wastes, the remaining portion of the bond or financial assurance instrument shall be held for a period of not less than five (5) years after the date of facility closure, or so long thereafter as necessary to assure proper performance of any post-closure activities specified in subparagraph (a)(i)(F) of this section. For municipal solid waste management facilities, the period shall be the minimum necessary to comply with P.L. ~~94-584~~

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94-580. The retained portion of the bond or other financial assurance instrument may be returned to the operator at an earlier date if the director determines that the facility has been adequately stabilized and that environmental monitoring or control systems have demonstrated that the facility closure is protective of public health and the environment consistent with the purposes of this act.

**35-11-1210. Abandoned mine land funds reserve account.**

(b) All funds received from the federal government, from the Surface Mining Control and Reclamation Act Amendments of 2006, Section 411(h) (1), pursuant to 2007 H.R. 6111, shall be deposited into the abandoned mine land funds reserve account.

**36-1-401. Definitions.**

(a) As used in this article:

(i) "Division" means the Wyoming state forestry division of the ~~state-land~~ office of state lands and investments;

**36-8-1203. Sale of land to Uinta County.**

(c) The board of land commissioners is authorized and directed to convey, subject to section 2 of this act, its right, title and interest, in the surface estate of the following described parcel of land to Uinta County: That tract of land described in subsection (a) of this section, excluding those lands designated as Bear River State park pursuant to W.S. 36-8-902(a) and subject to any rights-of-

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way or other easements as granted or reserved by instruments of record or as now exist thereon.

**37-11-101. Definitions.**

(a) As used in W.S. ~~37-236 through 37-238~~ 37-11-101 through 37-11-103, unless the context otherwise requires, the term "person" means any individual, firm, co-partnership, corporation, company, association, joint-stock association or body politic, and includes any trustee, receiver, assignee or other similar representative thereof.

**37-12-126. Failure to yield telephone for reporting emergencies; definitions.**

(a) In W.S. 37-12-126 through 37-12-130 unless the context otherwise requires:

(ii) "Emergency" means a situation in which property or human life ~~are~~ is in jeopardy and the prompt summoning of aid is essential.

**37-13-106. Resolution for cost and feasibility study.**

(b) At any time prior to the hearing provided for in ~~section 37-282~~ W.S. 37-13-111 of the statutes, if requested by the governing body or public utility, a bond shall be filed, with security approved by the governing body or cash deposit made sufficient to pay all expenses of the governing body connected with the proceedings and of the public utilities for actual time and expenses incurred in regard to the cost and feasibility study in case the organization of the district is not effected. If at any time during the organization proceedings the governing body shall be satisfied that the bond first executed or the amount of cash deposited is insufficient in amount, it on

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its own initiative or at the request of a public utility may require the execution of an additional bond or the deposit of additional cash within a time to be fixed, not less than ten (10) days distant, and upon failure of the petitioners to file or deposit the same, the petition shall be dismissed.

**37-13-133. Payment of public utility.**

Upon completion of the conversion the public utility corporation shall present the governing body with its verified bill for conversion costs as computed pursuant to ~~sections 37-301 and 37-303~~ W.S. 37-13-129 or 37-13-131 of the statutes, but based upon the actual cost of constructing the underground facility rather than the estimated cost of the facility. In no event shall the bill for conversion cost presented by the public utility corporation exceed the amount of estimated conversion costs by the public utility corporation. If the conversion costs are less than the estimated conversion costs, each owner within the improvement district shall receive the benefit, prorated in such form and at such time or times as the governing body may determine to be fair and equitable. The bill of the public utility corporation shall be paid within thirty (30) days by the governing body from the improvement district funds or such other source as is properly designated by the governing body. In determining the actual cost of constructing the underground facility the public utility shall use its standard accounting procedures, such as the uniform system of accounts as defined by the federal communications commission, federal power commission or Wyoming public service commission in use at the time of the conversion.

**37-15-203. Price regulation of noncompetitive essential services.**

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(f) A local exchange company may seek approval to increase the price of noncompetitive essential telecommunications services based on:

(iv) Increases in the cost of providing telecommunications services. The increases shall be judged on the overall federal gross domestic product price index published by the United States department of ~~labor, bureau of labor statistics~~ commerce, bureau of economic analysis unless the applicant demonstrates that specific cost increases are disproportionably affecting the cost of providing their noncompetitive essential services.

**40-4-116. Purpose of W.S. 40-4-106 through 40-4-116; liberal construction.**

The legislature declares that the purpose of this act is to safeguard the public against the creation or perpetuation of monopolies and to foster and encourage competition, by prohibiting unfair and discriminatory practices by which fair and honest competition is destroyed or prevented. This act shall be ~~literally~~ liberally construed that its beneficial purposes may be subserved.

**40-14-209. Definition of "credit service charge".**

(b) Credit service charge does not include:

(iv) Deferral charges pursuant to W.S. 40-14-215; ~~or~~

(v) A discount not in excess of five percent (5%) offered by a seller for purposes of inducing payment by cash, check or other means not involving the use of a seller or lender credit card, if the discount is offered to

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all prospective buyers and its availability is disclosed clearly and conspicuously in accordance with regulations of the administrator; or

**40-14-303. Definitions.**

(a) The following definitions apply to this act and appear in this article as follows:

(iii) "Consumer related loan" - W.S.  
~~40-14-335(a)~~ 40-14-355(a);

**40-14-351. Regular schedule of payments; maximum loan term.**

(a) Supervised loans, not made pursuant to a revolving loan account and in which the principal ~~of~~ is one thousand dollars (\$1,000.00) or less, shall be scheduled to be payable in substantially equal installments at equal periodic intervals except to the extent that the schedule of payments is adjusted to the seasonal or irregular income of the debtor; and:

**41-2-210. Projects authorized; financing; excess water.**

(c) The state loan and investment board with the advice of the director of the department of commerce is authorized to loan not more than thirty-five million three hundred sixty thousand nine hundred sixty-five dollars (\$35,360,965.00) from the permanent mineral trust fund to the city of Cheyenne or as much thereof as deemed necessary by the department of commerce to design and construct the portion of Stage II of the Little Snake River water management project provided by subsection (a) of this section. The revenue shall not be advanced until:

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(v) The city agrees to mortgage to the state all facilities constructed with funds provided by the state loan and investment board and assign all easements, rights-of-way, water rights and permits as approved by the state engineer appurtenant thereto, in such form and to such extent as is required by the Wyoming attorney general. The conveyances shall be held in escrow. The state engineer shall not change the priority date of the water rights and permits as a result of this conveyance or escrow. Upon payment in full of the loan to the state of Wyoming, the conveyances shall be returned to the city of Cheyenne. ~~and~~

**41-3-742. Powers generally.**

(a) The board shall have power on behalf of said districts:

(xi)(A) To invest any surplus money in the district treasury, including such money as may be in any sinking fund established for the purpose of providing for the payment of the principal or interest of any contract, or bonded, or other indebtedness or for any other purpose, not required for the immediate necessities of the district in its own bonds, or in treasury notes or bonds of the United States, or of this state, and such investment may be made by direct purchase of any issue of such bonds or treasury notes, or part thereof, at the original sale of the same, or by the subsequent purchase of such bonds or treasury notes. Any bonds or treasury notes thus purchased and held may, from time to time be sold and the proceeds reinvested in bonds or treasury notes as above provided. Sales of any bonds or treasury notes thus purchased and held shall, from time to time, be made in season so that the proceeds may be applied to the purposes for which the money with which the bonds or treasury notes were

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originally purchased were placed in the treasury of the district;

(B) The functions and duties authorized by ~~this paragraph~~ subdivision (xi) (A) of this section shall be performed under such rules and regulations as shall be prescribed by the board.

**41-7-204. Hearings; service of notice generally; contents.**

(b) Such notice shall: ~~state~~

(i) State in what court said petition is filed;

(iv) Give the name proposed for said irrigation district; ~~and~~

(v) ~~Shall also~~ State the time and place by the court fixed, when and where the petitioners will ask a hearing on said petition; and

(vi) ~~Shall also~~ Direct all persons owning or having an interest in any lands within the boundary of the proposed district, to appear at the time and place stated, then and there to show cause why their land should not be included in said district.

**41-7-807. Powers; generally.**

(a) A public irrigation district or a public irrigation and power district, organized under the provisions of this act shall have the following powers and shall be entitled to own, have, or exercise the following rights, privileges and franchises:



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(iii) Such district shall have the right, power and authority to exercise any of the powers enumerated in ~~subsection 2~~ paragraph (ii) of this subsection, either within or beyond or partly within and partly beyond the boundaries of the district and of the state of Wyoming if not otherwise prohibited by the law of such area, state or the United States of America;

**41-7-929. Refunding bonds sold or exchanged for bonds or warrants.**

(a) Any refunding bonds may be either:

(i) Sold from time to time in the same manner as other bonds of the district; or

**41-12-607. Diversions from the Yellowstone River Basin; criteria for approval; terms.**

(e) The state engineer's approval of an application pursuant to this act shall not constitute approval for an out of state use of the water pursuant to W.S. ~~41-3-105 and 41-3-115~~.

**Section 2.** W.S. 9-2-1023, 17-25-107(b)(iii) and (iv), 35-2-905(a)(iv), 40-14-142(a)(vii) and (viii), 40-14-203(a)(ii) and (vii) and 40-14-303(a)(i) and (iv) are repealed.

**Section 3.** Except as provided in Section 4 of this act, any other act adopted by the Wyoming legislature during the same session in which this act is adopted shall be given precedence and shall prevail over the amendments in this act to the extent that such acts are in conflict with this act.

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**Section 4.** Notwithstanding section 3 of this act, the amendment of W.S. 34-1-201(b)(ii)(A) by 2008 House Enrolled Act 15, being original House Bill 0111, shall not be effective and W.S. 34-1-201(b)(ii)(A) is amended to read:

**34-1-201. Short title; definitions.**

(b) As used in this article, unless the context requires otherwise:

(ii) "Holder" means:

(A) A governmental body empowered to hold an interest in real property under the laws of this state or the United States but does not include the Wyoming board of land commissioners after the effective date of 2008 House Enrolled Act 15; or

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**Section 5.** This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_  
DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the House.

\_\_\_\_\_  
Chief Clerk