

## HOUSE BILL NO. HB0061

Revisor's bill.

Sponsored by: Management Council

A BILL

for

1 AN ACT relating to revision of inadvertent errors;  
 2 correcting statutory references and language resulting from  
 3 inadvertent errors and omissions in previously adopted  
 4 legislation; correcting obsolete references; repealing  
 5 fully executed provisions; specifying applicability; and  
 6 providing for an effective date.

7

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

9

10 **Section 1.** W.S. 1-11-303, 1-36-114(c), 16-4-106,  
 11 17-28-108(e), 21-4-505 by creating a new subsection (c),  
 12 21-16-1301(a)(xiii), 23-1-101(b), 27-14-201(e)(vii)(A),  
 13 31-5-959(c), 34-1-152(g), 35-29-101(a)(vi), 36-4-121(a)(i),  
 14 (v), (vii), (ix), (xiii), (b), (c), (e) and (j) and  
 15 39-11-109(c)(viii)are amended to read:

16

17 **1-11-303. Amount of fees.**

1

2 ~~Effective July 1, 1984,~~ Jurors shall receive thirty dollars  
3 (\$30.00) for each full or part day of actual attendance. A  
4 juror in attendance for more than five (5) consecutive  
5 days, exclusive of Saturdays, Sundays and holidays, may, in  
6 the discretion of the court, be allowed an additional  
7 twenty dollars (\$20.00) per day for each day actually in  
8 attendance.

9

10 **1-36-114. When court to vacate award.**

11

12 (c) In vacating the award on grounds other than  
13 stated in ~~subsection~~ paragraph (a)(v) of this section the  
14 court may order a rehearing before new arbitrators chosen  
15 as provided in the agreement or by the court in accordance  
16 with W.S. 1-36-105. If the award is vacated on grounds set  
17 forth in paragraph (a)(iii) or (iv) of this section the  
18 court may order a rehearing before the arbitrators who made  
19 the award or their successors appointed in accordance with  
20 W.S. 1-36-105. The time within which the agreement requires  
21 the award to be made is applicable to the rehearing and  
22 commences from the date of the order.

23

24 **16-4-106. Property tax levy.**

1

2 The amount of estimated revenue from property tax required  
3 by the budget shall constitute the basis for determination  
4 of the property tax to be levied for the corresponding tax  
5 years subject to legal limitations. The amount of tax  
6 shrinkage allowed shall not exceed the actual percentage of  
7 uncollected taxes to the total taxes levied for the  
8 preceding fiscal year or preceding two (2) fiscal years  
9 pursuant to W.S. 16-4-104(h). This section also applies to  
10 districts and entities described in W.S. ~~16-4-104(f)~~  
11 16-4-104(g).

12

13 **17-28-108. Production of records.**

14

15 (e) Any business entity which provides false records  
16 required to be maintained pursuant to W.S. 17-28-107 to the  
17 entity's registered agent shall be punished ~~as provided in~~  
18 W.S. 17-16-129 by a fine not exceeding one thousand dollars  
19 (\$1,000.00), or by imprisonment not exceeding six (6)  
20 months, or both.

21

22 **21-4-505. Payment of tuition for pupil attending**  
23 **school in another state; admission of out-of-state pupils.**

24

1       (c) Any out-of-state placement under subsection (a)  
2 of this section shall include within the agreement with the  
3 out-of-state school district, that district's agreement to  
4 provide student transcripts as required under W.S.  
5 21-16-1308(a)(ii). The agreement shall also require the  
6 out-of-state school district to cooperate with the  
7 department of education to identify those courses provided  
8 by the out-of-state school district which satisfy the  
9 success curriculum requirements established under W.S.  
10 21-16-1307.

11  
12       **21-16-1301. Definitions.**

13  
14       (a) As used in this article:

15  
16               (xiii) "Graduate of an out-of-state high school"  
17 means a person attending and graduating from an out-of-  
18 state high school pursuant to W.S. 21-4-501 or 21-4-505(a);

19  
20       **23-1-101. Definitions of wildlife.**

21  
22       (b) To the extent necessary to achieve federal  
23 government delisting of the gray wolf, the governor may  
24 direct the game and fish commission to adopt a boundary

1 between the area in which the wolf is treated as a trophy  
2 game animal and the area where it is treated as a predator  
3 at any place between the area described in subdivision  
4 ~~(a)(x)(B)(I)~~ (a)(xii)(B)(I) of this section and the  
5 following described area: northwest Wyoming beginning at  
6 the junction of Wyoming Highway 120 and the Wyoming-Montana  
7 state line; southerly along Wyoming Highway 120 to the  
8 Greybull River; southwesterly up said river to the Wood  
9 River; southwesterly up said river to the Shoshone National  
10 Forest boundary; southerly along said boundary to the Wind  
11 River Indian Reservation boundary; westerly, then southerly  
12 along said boundary to the Continental Divide;  
13 southeasterly along said divide to the Middle Fork of  
14 Boulder Creek; westerly down said creek to Boulder Creek;  
15 westerly down said creek to the Bridger-Teton National  
16 Forest boundary; northwesterly along said boundary to its  
17 intersection with U.S. Highway 189-191; northwesterly along  
18 said highway to the intersection with U.S. Highway  
19 26-89-191; northerly along said highway to Wyoming Highway  
20 22 in the town of Jackson; westerly along said highway to  
21 the Wyoming-Idaho state line; north along said state line  
22 to the Wyoming-Montana state line; north, then east along  
23 said state line to Wyoming Highway 120. Any boundary change

1 adopted pursuant to this subsection shall be certified and  
2 effective as provided in W.S. 23-1-109(f).

3

4 **27-14-201. Rates and classifications; rate surcharge.**

5

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

10

11 (vii) For purposes of this section:

12

13 (A) "Fully reserved" means that the  
14 workers' compensation account established by W.S. ~~27-14-101~~  
15 27-14-701 has, in the opinion of a qualified actuary, funds  
16 sufficient on a discounted basis to provide for all unpaid  
17 loss and loss adjustment expenses as well as an actuarially  
18 appropriate provision for adverse contingencies;

19

20 **31-5-959. Vehicles transporting hazardous materials.**

21

22 (c) Any person convicted of willfully violating  
23 subsection (b) of this section is guilty of a felony  
24 punishable by a fine of not more than ten thousand dollars

1 (\$10,000.00), imprisonment for not more than five (5)  
2 years, or both. Any person convicted of recklessly, as  
3 defined by W.S. 6-1-104(a)(ix), violating subsection (b) of  
4 this section is guilty of a felony punishable by a fine of  
5 not more than five thousand dollars (\$5,000.00),  
6 imprisonment for not more than three (3) years, or both.  
7 Any person convicted of criminal negligence, as defined by  
8 W.S. ~~6-4-104(a)(iii)~~ 6-1-104(a)(iii), in violating  
9 subsection (b) of this section is guilty of a misdemeanor  
10 punishable by a fine of not more than one thousand dollars  
11 (\$1,000.00), imprisonment for not more than one (1) year,  
12 or both.

13

14 **34-1-152. Ownership of pore space underlying**  
15 **surfaces.**

16

17 (g) Transfers of pore space rights made after July 1,  
18 2008 are null and void at the option of the owner of the  
19 surface estate if the transfer instrument does not contain  
20 a specific description of the location of the pore space  
21 being transferred. The description may include but is not  
22 limited to a subsurface geologic or seismic survey or a  
23 metes and bounds description of the surface lying over the  
24 transferred pore space. In the event a description of the

1 surface is used, the transfer shall be deemed to include  
2 pore space at all depths underlying the described surface  
3 area unless specifically excluded. The validity of pore  
4 space rights under this ~~paragraph~~subsection shall not  
5 affect the respective liabilities of any party and such  
6 liabilities shall operate in the same manner as if the pore  
7 space transfer were valid.

8

9 **35-29-101. Definitions.**

10

11 (a) As used in this article:

12

13 (vi) "Participating member" means any volunteer  
14 EMT for whom payments are received by the volunteer  
15 emergency medical technician pension fund as prescribed in  
16 W.S. ~~35-29-107(e)~~35-29-106(e);

17

18 **36-4-121. Permits to use state parks, recreation**  
19 **areas and historic sites.**

20

21 (a) The department of state parks and cultural  
22 resources shall offer for sale permits that allow use of  
23 the state parks, recreation areas, archeological sites and  
24 historic sites. Daily use permits shall be required at



1 Glendo, Guernsey, Curt Gowdy, Edness Kimball Wilkins,  
2 Buffalo Bill, Boysen, Seminoe and Keyhole state parks and  
3 Fort Bridger, South Pass City, Trail End, Fort Fetterman  
4 and Fort Phil Kearney state historic sites, and Hawk  
5 Springs state recreation area. The department may establish  
6 voluntary pay stations at Bear River and Hot Springs state  
7 parks to allow users of those parks to make voluntary  
8 contributions for the use of the state parks. Persons who  
9 enter or use Bear River or Hot Springs state park without  
10 paying daily use fees shall not be subject to the penalties  
11 provided for in subsection (j) of this section. Overnight  
12 camping permits shall be required at Boysen, Buffalo Bill,  
13 Curt Gowdy, Glendo, Guernsey, Keyhole, Seminoe and Sinks  
14 Canyon state parks, Connor Battlefield state historic site,  
15 Medicine Lodge state archeological site and Hawk Springs  
16 state recreation area by the department during the entire  
17 calendar year. Except for the lifetime permit issued  
18 without cost pursuant to subsection (n) of this section,  
19 the cost of the permits authorized under this section shall  
20 be:

21

22 (i) Thirty-three dollars (\$33.00) per calendar  
23 year for a resident annual ~~bucking-horse~~ daily use permit  
24 and fifty-three dollars (\$53.00) for a nonresident annual

1 bucking horse daily use permit to designated state parks,  
2 historic sites, archeological sites and recreation areas,  
3 valid for the holder and occupants of the holder's vehicle,  
4 provided resident permits purchased pursuant to this  
5 paragraph between January 1 through February 15 of each  
6 year shall cost twenty-seven dollars (\$27.00) and  
7 nonresident permits purchased during the same period shall  
8 cost forty-six dollars (\$46.00);

9

10 (v) Three dollars (\$3.00) per person for the  
11 daily use fee for buses used in guided tours at designated  
12 state parks, historic sites and recreation areas, valid for  
13 the date of purchase only. The ~~bucking horse~~ annual permit  
14 authorized under paragraphs (a)(i) and (ii) of this section  
15 is not valid for and shall not be issued to buses used for  
16 purposes specified under this paragraph. The fee imposed  
17 under this paragraph shall not apply to persons under the  
18 age of eighteen (18) years;

19

20 (vii) Seven dollars (\$7.00) for each additional  
21 vehicle annual ~~bucking horse~~ daily use permit issued under  
22 subsection (b) of this section;

23

1           (ix) Seven dollars (\$7.00) for each duplicate  
2 annual ~~bucketing horse~~ daily use permit issued under  
3 subsection (c) of this section;

4  
5           (xiii) Upon written request of a group  
6 sponsoring a special event or upon the department's  
7 sponsorship of a special event, the director of the  
8 department may, with the approval of the parks and cultural  
9 resources commission, waive any fees required under this  
10 subsection. A fee which may exceed the daily use permit  
11 fee specified in this section may be charged for entry to  
12 special events. Holders of annual ~~bucketing horse~~ daily or  
13 overnight permits may be charged the special event fee. A  
14 special event fee may be charged at any park, area or site  
15 under the jurisdiction of the department, regardless of  
16 whether a daily use fee has been established by law;

17  
18           (b) Any holder of an annual ~~bucketing horse entrance~~  
19 daily use permit or an annual resident ~~or nonresident~~  
20 overnight camping permit may obtain additional vehicle  
21 annual ~~bucketing horse entrance~~ daily use permits or  
22 additional vehicle annual overnight camping permits from  
23 the department or any selling agent of the department upon  
24 payment of the fee prescribed under paragraph (a)(vii) or

1 (viii) of this section, as applicable, and upon submission  
2 of proof satisfactory to the department that an original  
3 annual permit was purchased and that the additional vehicle  
4 is registered in the same name as the vehicle for which the  
5 original annual permit is obtained, or that the additional  
6 vehicle is operated by the person who purchased the  
7 original annual permit or a member of his family under duly  
8 granted authority from his employer. The director shall  
9 determine the validity of the authority of an applicant to  
10 operate an employer-owned vehicle prior to issuance of an  
11 additional vehicle permit for that vehicle under this  
12 section. Any vehicle in tow by another vehicle owned by the  
13 same person shall be considered a single vehicle for  
14 purposes of this section and only a single annual bucking  
15 horse daily use permit shall be required for entrance at  
16 state parks and a single annual overnight camping permit  
17 shall be required for overnight camping at state parks.

18

19 (c) If an annual ~~bucking horse~~ daily use permit or an  
20 annual resident ~~or nonresident~~ overnight camping permit is  
21 lost, mutilated or destroyed, the holder of the permit may  
22 obtain a duplicate annual permit from the department or any  
23 selling agent of the department upon filing an affidavit  
24 showing the loss, mutilation or destruction of the original

1 permit and upon payment of the fee imposed under paragraph  
2 (a)(ix) or (x) of this section, as applicable.

3

4 (e) The department through the division of state  
5 parks and historic sites shall in accordance with W.S.  
6 36-4-123, appoint selling agents to sell ~~bucketing-horse~~  
7 annual daily use and annual camping permits authorized  
8 under this section. Each appointed selling agent shall  
9 retain ten percent (10%) of the cost of each permit sold  
10 under this section as his sales commission. Designated  
11 department employees may sell ~~annual bucketing-horse daily~~  
12 ~~use permits and other~~ permits required by this section but  
13 no employee of the department shall receive any commission  
14 on permits sold.

15

16 (j) Any person using state parks, recreation areas  
17 and historic sites and failing to obtain a ~~bucketing-horse~~  
18 permit ~~or the other permits~~ required by this section and  
19 any person otherwise violating this section is guilty of a  
20 misdemeanor punishable by a fine of not more than seven  
21 hundred fifty dollars (\$750.00), imprisonment for not more  
22 than six (6) months, or both.

23

24 **39-11-109. Taxpayer remedies.**

1

2 (c) Refunds. The following shall apply:

3

4 (viii) Any refund provided by this subsection  
5 shall be reduced by the dollar amount received by the  
6 applicant for the preceding calendar year from any  
7 exemption under W.S. 39-13-105, any homeowner's tax credit  
8 under W.S. 39-13-109(d)(i) or any tax refund under W.S.  
9 ~~39-13-109(c)(iii)~~ 39-13-109(c)(iv).

10

11 **Section 2.** Any other act adopted by the Wyoming  
12 legislature during the same session in which this act is  
13 adopted shall be given precedence and shall prevail over  
14 the amendments in this act to the extent that such acts are  
15 in conflict with this act.

16

17 **Section 3.** This act is effective immediately upon  
18 completion of all acts necessary for a bill to become law  
19 as provided by Article 4, Section 8 of the Wyoming  
20 Constitution.

21

22

(END)