

ORIGINAL SENATE  
FILE NO. 0050

ENROLLED ACT NO. 6, SENATE

SIXTY-SECOND LEGISLATURE OF THE STATE OF WYOMING  
2014 BUDGET SESSION

AN ACT relating to the state miner's hospital board and account; modifying board membership requirements; modifying benefit eligibility requirements; specifying that benefits from the miner's hospital account shall be paid only after other available benefits for covered conditions; modifying and providing definitions; repealing obsolete provision; and providing for an effective date.

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

**Section 1.** W.S. 30-6-104 is created to read:

**30-6-104. Requirements for obtaining benefits.**

(a) To obtain benefits from the account, a person shall:

(i) Be domiciled in Wyoming on the date of application for a benefit;

(ii) Make no claim of residency in any other state, territory or country for any other purpose at the time of application for a benefit or at any time during receipt of a benefit;

(iii) Maintain his domicile in Wyoming at the time of receipt of the benefit;

(iv) Provide to the board a copy of his current Wyoming driver's license, identification card issued by the Wyoming department of transportation, or other identification satisfactory to establish his identity as specified in board rule.

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**Section 2.** W.S. 30-6-101(a)(i) and (iii) and 30-6-102(c), (d), by creating a new subsection (e) and by amending and renumbering (e) as (f) are amended to read:

**30-6-101. State miner's hospital board.**

(a) The state miner's hospital board is created consisting of the following members:

(i) One (1) member resident of ~~the~~ Sweetwater County ~~Memorial Hospital Board~~ appointed by a majority vote of the county commissioners. or In making this appointment the county commissioners shall appoint a designee if a member of the Sweetwater County Memorial Hospital Board if a member cannot of that board is willing and able to serve;

(iii) One (1) member resident of ~~the~~ Campbell County ~~Memorial Hospital Board~~ appointed by a majority vote of the county commissioners. or In making this appointment the county commissioners shall appoint a designee if the a member of the Campbell County Memorial Hospital Board if a member cannot of that board is willing and able to serve.

**30-6-102. Account created; expenditures; report.**

(c) Each biennium the board shall, ~~after consultation with the legislative oversight committee created pursuant to W.S. 30-6-103,~~ recommend expenditures of any monies in the account created by subsection (a) of this section for purposes of addressing miner's health issues based upon the plan prepared by the board under subsection (b) of this section. The recommendations shall be reviewed by the joint appropriations interim committee and any recommendations from the committee shall be included in the budget for appropriation. Any recommendations shall require legislative appropriation to become effective.

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(d) Not later than December 1 of each year, the board shall report to the governor, ~~the legislative oversight committee created pursuant to W.S. 30-6-103~~ and the joint appropriations interim committee on the activities of the board including any recommendations made for expenditure of monies from the account created by subsection (a) of this section to address miner's health issues in this state.

(e) Payment made by the board from the account shall be payment of last resort and the board shall reduce any benefit which would be provided under this section by all other public and private sources which are available to the miner for the disability or condition.

~~(e)~~(f) As used in this section and W.S. 30-6-104:

(i) "~~Coal or other Mine~~" means an area of land from which minerals, coal or other geological materials are extracted and processed in nonliquid form or, if in liquid form, through an in situ leach process;

(ii) "Miner" means a current resident of Wyoming who has worked in a mine in this state or a contiguous state who is or was employed at a ~~coal or other~~ mine or at a processing or conversion facility contiguous to the mine and dependent upon the output of that mine as feedstock. "Miner" shall include the operator of persons providing labor or services at the mine or plant if the operator works qualifying processing or conversion facility on a continuing or irregular and regular basis whether employed by the mine owner or operator or hired on a contract basis. "Miner shall not include persons providing labor or services at the mine or qualifying processing or conversion facility on an occasional or incidental basis as defined by board rule;

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(iii) "Mining" means coal mining, metal ore mining and nonmetallic mineral mining and quarrying. "Mining" includes coal, trona, bentonite, gypsum, sand and gravel and other stone and uranium mining;~~i-~~

(iv) "Domicile" means that place where a person has his true, fixed and permanent home to which whenever the person is temporarily absent the person has the intention of returning. To prove domicile in Wyoming under this act a person shall be able to establish that he:

(A) Physically resides in Wyoming;

(B) Has made his permanent home in Wyoming;

(C) Is not residing in Wyoming for a special or temporary purpose; and

(D) Has abandoned his domicile in all other states, territories or countries.

(v) "Resident" means a United States citizen or legal alien who meets the requirements specified in W.S. 30-6-104.

**Section 3.** W.S. 30-6-103 is repealed.

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**Section 4.** This act is effective July 1, 2014.

(END)

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

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

\_\_\_\_\_  
Governor

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

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

I hereby certify that this act originated in the Senate.

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