

HOUSE BILL NO. HB0069

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 resulting from
3 inadvertent errors and omissions in previously adopted
4 legislation; correcting obsolete references; specifying
5 applicability; and providing for an effective date.

6
7 *Be It Enacted by the Legislature of the State of Wyoming:*
8

9 **Section 1.** W.S. 2-3-802(a)(xii), 7-3-103(a)(iii),
10 7-3-709(a)(i)(A), 7-19-302(g) and (j), 9-2-1022(a)(xi)(C),
11 9-2-1703(a)(x), 9-2-2002(a), 9-2-2004(a), 9-2-2011(a),
12 9-2-2016(a), 9-2-2018(a), 9-2-2104(a)(vi) and (vii),
13 9-2-2601(g)(iv) and (v), 9-3-205(a)(vii), 9-12-301(a)(iii),
14 9-12-407, 9-12-1105(b)(intro), 10-3-201(c)(ii),
15 12-4-407(d), 15-5-401, 17-14-301(a)(xiii),
16 17-14-1002(a)(viii), 17-19-1110(b)(iii) and (iv),
17 17-25-107(b)(ii), 20-4-174(a)(iv)(C), 20-6-106(w),
18 21-2-406(a)(i)(A), 21-13-309(m)(v)(intro),
19 21-15-114(a)(viii)(G) and (H), 25-10-110(a)(i)(A),
20 25-10-112(e), 26-19-307(j)(vii), 26-34-105(b),
21 26-34-128(a)(i), 27-3-108(a)(viii), 27-14-201(e)(i)(intro)
22 and (ii), 31-7-102(a)(vii), 33-22-103, 33-29-115(c),
23 34-25-103, 35-11-504(m), 35-11-1210(b), 36-1-401(a)(i),
24 36-8-1203(c), 37-11-101(a), 37-12-126(a)(ii), 37-13-106(b),
25 37-13-133, 37-15-203(f)(iv), 40-4-116, 40-14-209(b)(iv) and
26 (v), 40-14-303(a)(iii), 40-14-351(a)(intro),
27 41-2-210(c)(v), 41-3-742(a)(xi)(B), 41-7-204(b)(intro),
28 (i), (iv) through (vi), 41-7-807(a)(iii), 41-7-929(a)(i)
29 and 41-12-607(e) are amended to read:
30

31 **2-3-802. Definitions.**
32

33 (a) As used in this act:
34

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

6
7 **7-3-103. Purpose and objects; required ratification.**
8

9 (a) Any agreement or compact entered into under W.S.
10 7-3-101 through 7-3-107 shall be designed to suppress
11 crime, to circumvent the activities of criminals and to
12 expedite their apprehension and trial, and to enforce
13 generally the respective criminal laws and policies of
14 Wyoming and any other state entering into the agreement or
15 compact. In order to effectuate those purposes, an
16 agreement or compact may contain specific provisions for
17 the accomplishment of any of the following objects:
18

19 (iii) The establishment and maintenance by any
20 two (2) or more compacting states of facilities for the
21 investigation of crime and the discovery of criminals,
22 including crime detection agencies, bureaus of registration
23 and identification, crime laboratories and similar
24 agencies; ~~and~~
25

26 **7-3-709. Information furnished to attorney general by**
27 **executing agency; report to legislature.**
28

29 (a) Upon final execution of an order of interception,
30 the executing agency shall furnish the following
31 information within ten (10) working days to the attorney
32 general:
33

34 (i) The fact that an order or extension was
35 applied for, information as to the number of orders,
36 extensions and expansions made by the court including:
37

38 (A) Whether or not the order was one with
39 respect to which the requirements of W.S. 7-3-707(a)(ii)(B)
40 and (c)(iv) did not apply by reason of W.S. 7-3-707(t); ~~and~~
41

42 **7-19-302. Registration of offenders; procedure;**
43 **verification.**
44

45 (g) For an offender convicted of a violation of W.S.
46 6-2-202 if the victim was a minor and the offender is not
47 the victim's parent or guardian, W.S. 6-2-203 if the victim

1 was a minor and the offender is not the victim's parent or
2 guardian, W.S. 6-2-315(a)(iv), 6-2-316(a)(iii) and (iv),
3 6-2-317(a)(i), ~~or W.S. 6-4-303(b)(iv)~~ or W.S. 6-4-304(b) if
4 the victim was a minor, or an attempt or conspiracy to
5 commit any of the offenses specified in this subsection,
6 the division shall annually verify the accuracy of the
7 offender's registered address, and the offender shall
8 annually report, in person, his current address to the
9 sheriff in the county in which the offender resides, during
10 the period in which he is required to register. Any person
11 under this subsection who has not established a residence
12 or is transient, and who is reporting to the sheriff as
13 required under subsection (e) of this section, shall be
14 deemed in compliance with the address verification
15 requirements of this section.

16
17 (j) For an offender convicted of a violation of W.S.
18 6-2-201 if the victim was a minor, W.S. 6-2-302 or 6-2-303,
19 W.S. 6-2-304(a)(iii) if the victim was under fourteen (14)
20 years of age, W.S. 6-2-314(a)(i), 6-2-315(a)(i) and (ii),
21 6-2-316(a)(ii), 6-4-402, an attempt or conspiracy to commit
22 any of the offenses specified in this subsection, or any
23 felony enumerated in this section if the offender was
24 previously convicted of a felony under subsection (g) or
25 (h) of this section, the division shall verify the accuracy
26 of the offender's registered address, and the offender
27 shall report, in person, his current address to the sheriff
28 in the county in which the offender resides every three (3)
29 months after the date of the initial release or
30 commencement of parole. Any person under this subsection
31 who has not established a residence or is transient, and
32 who is reporting to the sheriff as required under
33 subsection (e) of this section, shall be deemed in
34 compliance with the address verification requirements of
35 this section.

36
37 **9-2-1022. Duties of department performed through**
38 **human resources division.**
39

40 (a) Subject to subsection (b) of this section, the
41 department through the human resources division shall:
42

43 (xi) Promulgate reasonable rules:
44

45 (C) Concerning recruiting, transfers,
46 discipline, grievances and appeals; ~~and~~
47

1 **9-2-1703. Definitions.**

2
3 (a) As used in this act:

4
5 (x) "This act" means W.S. 9-2-1701 through
6 ~~9-2-1708~~ 9-2-1707.

7
8 **9-2-2002. Department of employment created; director**
9 **appointed; structure.**

10
11 (a) As part of the reorganization of Wyoming state
12 government, there is created the Wyoming department of
13 employment consisting of the agencies, programs and
14 functions specified in this section. The provisions of the
15 Wyoming Government Reorganization Act of 1989, W.S.
16 9-2-1701 through ~~9-2-1708~~ 9-2-1707, apply to this section.

17
18 **9-2-2004. Department of transportation created;**
19 **director appointed; structure.**

20
21 (a) As part of the reorganization of Wyoming state
22 government, there is created the Wyoming department of
23 transportation consisting of the agencies, programs and
24 functions specified in this section. The provisions of the
25 Wyoming Government Reorganization Act of 1989, W.S.
26 9-2-1701 through ~~9-2-1708~~ 9-2-1707, apply to this section
27 except as otherwise provided in this section.

28
29 **9-2-2011. Department of the state engineer created;**
30 **director appointed.**

31
32 (a) As part of the reorganization of Wyoming state
33 government, there is created the Wyoming department of the
34 state engineer consisting of the existing Wyoming office of
35 the state engineer and board of control, and all programs
36 and functions specified in title 41 and otherwise under law
37 relating to the state engineer and board of control. Except
38 for W.S. 9-2-1703(a)(v), (viii) and (ix) and 9-2-1705
39 through ~~9-2-1708~~ 9-2-1707, the provisions of the Wyoming
40 Government Reorganization Act of 1989, W.S. 9-2-1701
41 through 9-2-1707, apply to this section.

42
43 **9-2-2016. Department of agriculture created; director**
44 **appointed; structure.**

45
46 (a) As part of the reorganization of Wyoming state
47 government, there is created the department of agriculture

1 consisting of the existing state department of agriculture,
2 the agricultural mediation board, the wheat marketing
3 commission, the Wyoming beef council, the Wyoming weed and
4 pest council, the board of certification of the
5 Environmental Pesticide Control Act of 1973, the weed and
6 pest board of certification, the interstate agricultural
7 grain marketing commission, the state fair advisory board
8 and all programs and functions specified in titles 11 and
9 35 and otherwise under law relating to agriculture and
10 livestock. Except for W.S. 9-2-1703(a)(v) and (ix), the
11 limitation of number of principal departments in W.S.
12 9-2-1704(a) and 9-2-1707(a)(iii) and (iv), the provisions
13 of the Wyoming Government Reorganization Act of 1989, W.S.
14 9-2-1701 through ~~9-2-1708~~ 9-2-1707, apply to this section.

15
16 **9-2-2018. Department of workforce services created;**
17 **director appointed; structure.**

18
19 (a) As part of the reorganization of Wyoming state
20 government, there is created the Wyoming department of
21 workforce services. The provisions of the Wyoming
22 Government Reorganization Act of 1989, W.S. 9-2-1701
23 through ~~9-2-1708~~ 9-2-1707 apply to this section, except the
24 requirement under W.S. 9-2-1707(a)(iii) that public
25 hearings regarding the reorganization plan required under
26 subsection (b) of this section be conducted by at least two
27 (2) interim committees of the legislature shall not apply.

28
29 **9-2-2104. Duties and powers of director of**
30 **department.**

31
32 (a) The director shall:

33
34 (vi) With the assistance of the attorney general
35 bring actions in the courts of the state in the name of the
36 department for the enforcement of public welfare laws; ~~and~~

37
38 (vii) Promulgate reasonable rules and
39 regulations in compliance with the Wyoming Administrative
40 Procedure Act, for the implementation of all state and
41 federal welfare laws; and

42
43 **9-2-2601. Department of workforce services; duties**
44 **and responsibilities; agreements with other agencies**
45 **authorized; definition.**

46
47 (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;

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

1 construction, maintenance or operation of airports. The
2 commission shall encourage:

3
4 (ii) Interest in private flying and privately-
5 owned planes;~~and~~

6
7 **12-4-407. Restaurant liquor license; authorized.**

8
9 (d) Any person presently holding a limited retail
10 liquor license and otherwise qualified for a restaurant
11 liquor license under W.S. 12-1-101(a)(xiv) and 12-4-407
12 through 12-4-411 may be issued a restaurant liquor license
13 by the appropriate licensing authority. Licenses issued
14 under this subsection shall not be considered in the number
15 of licenses authorized under ~~subsections (b) and~~ subsection
16 (c) of this section.

17
18 **15-5-401. Citation.**

19
20 This ~~act~~ article is known as the "Firemen's Pension Account
21 Reform Act of 1981".

22
23 **17-14-301. Certificate of limited partnership.**

24
25 (a) In order to form a limited partnership a
26 certificate of limited partnership shall be executed and
27 filed in the office of the secretary of state. The
28 certificate shall set forth:

29
30 (xiii) The latest date upon which the limited
31 partnership is to dissolve;~~and~~

32
33 **17-14-1002. Registration.**

34
35 (a) Before transacting business in this state, a
36 foreign limited partnership shall register with the
37 secretary of state. In order to register, a foreign limited
38 partnership shall submit to the secretary of state, in
39 duplicate, an application for registration as a foreign
40 limited partnership, signed by a general partner and
41 setting forth:

42
43 (viii) The name and business address of each
44 general partner;~~and~~

45
46 **17-19-1110. Approval of plan of consolidation.**

1 (b) The plan of consolidation shall set forth:

2
3 (iii) The manner and basis, if any, of
4 converting the memberships of each public benefit or
5 religious corporation into memberships of the new
6 corporation; ~~and~~

7
8 (iv) If the consolidation involves a mutual
9 benefit corporation, the manner and basis, if any, of
10 converting memberships of each consolidating corporation
11 into memberships, obligations or securities of the new
12 corporation or into cash or other property in whole or
13 part; and

14
15 **17-25-107. Withdrawal of members and return of**
16 **members' contributions to capital.**

17
18 (b) A member shall not receive out of close limited
19 liability company property any part of his or its
20 contribution to capital unless:

21
22 (ii) All members consent to such return of
23 contributions to capital; and either:

24
25 (A) The company is dissolved; or

26
27 (B) The articles of organization or
28 operating agreement of the company otherwise provide for
29 the return of contributions to capital.

30
31 **20-4-174. Procedure to register order for**
32 **enforcement.**

33
34 (a) A support order or an income withholding order of
35 another state may be registered in this state by sending
36 the following records and information to the appropriate
37 tribunal in this state:

38
39 (iv) The name of the obligor and, if known:

40
41 (C) A description and the location of
42 property of the obligor in this state not exempt from
43 execution. ~~and~~

44
45 **20-6-106. Powers and duties of department regarding**
46 **collection of support.**
47

1 (w) The department shall report to any consumer
2 reporting agency as defined in section 603(f) of the Fair
3 Credit Reporting Act, 15 U.S.C. 1681a(f) information
4 regarding the amount of overdue support owed by an obligor.
5

6 **21-2-406. Schools exempted; additional requirements**
7 **for specified post secondary religious schools.**
8

9 (a) This article does not apply to:

10
11 (i) Any parochial, church or religious school as
12 defined by W.S. 21-4-101(a)(iv) which is maintained by a
13 church, religious denomination or religious organization
14 comprised of multidenominational members of the same
15 recognized religion, lawfully operating the school or
16 institution pursuant to applicable laws governing its
17 organization, and the school or institution:
18

19 (A) Offers elementary and secondary
20 education programs only. ~~+~~ ~~or~~
21

22 **21-13-309. Determination of amount to be included in**
23 **foundation program for each district.**
24

25 (m) In determining the amount to be included in the
26 foundation program for each district, the state
27 superintendent shall:
28

29 (v) Based upon ADM computations and identified
30 school configurations within each district pursuant to
31 paragraph (iv) of this subsection, compute the foundation
32 program amount for each district as prescribed by the
33 education resource block grant model adopted by the Wyoming
34 legislature as defined under W.S. 21-13-103(a)(xiv), as
35 contained within the spreadsheets and accompanying reports
36 referenced under W.S. ~~21-13-103(a)(xvii) and (xviii)~~
37 21-13-101(a)(xvii) and (xviii) and on file with the
38 secretary of state pursuant to W.S. ~~21-13-103(c)~~
39 21-13-101(c). The following criteria shall be used by the
40 state superintendent in the administration of the education
41 resource block grant model:
42

43 **21-15-114. Powers and duties; school facilities**
44 **office created; director.**
45

46 (a) The school facilities commission shall:
47

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

4
5 (G) Provide that the agreement shall expire
6 upon completion of the project; ~~and~~

7
8 (H) Contain any other provision mutually
9 agreed upon by the commission and the district; and

10
11 **25-10-110. Involuntary hospitalization proceedings.**
12

13 (a) Proceedings for the involuntary hospitalization
14 of a person may be commenced by the filing of a written
15 application with the court in the county in which the
16 person is initially detained. Proceedings may also be
17 initiated in the county in which there is a designated
18 hospital if there is a written agreement executed by the
19 county in which the person resides and the designated
20 hospital stating that the county in which the person
21 resides will be responsible for costs of treatment under
22 W.S. 25-10-112(e) that are not covered by the state. The
23 application shall be accompanied by either:

24
25 (i) A certificate of an examiner stating:

26
27 (A) That he has examined the proposed
28 patient not more than fifteen (15) days prior to the date
29 that the application ~~is~~ was filed under this subsection;

30
31 **25-10-112. Liability for costs of detention,**
32 **involuntary hospitalization and proceedings therefor.**
33

34 (e) When a person is detained under W.S. 25-10-109,
35 the county in which the person resided shall be liable for
36 costs of treatment for the first seventy-two (72) hours of
37 detention, in addition to any Saturday, Sunday or legal
38 holiday that falls within the seventy-two (72) hours. If
39 the person remains in detention after the hearing pursuant
40 to W.S. 25-10-109(k)(iii), the department shall directly,
41 or under contract with local providers, provide psychiatric
42 treatment until the person is released from detention or
43 involuntary commitment is ordered, subject to payment of
44 costs as provided in ~~subsections~~ this subsection or
45 subsection (c) ~~and (e)~~ of this section.
46

1 **26-19-307. Small employer carrier reinsurance**
2 **program.**

3
4 (j) A participating carrier may reinsure with the
5 program as provided for in this subsection:

6
7 (vii) Premium rates charged for reinsurance by
8 the program to a health maintenance organization which is
9 federally qualified under ~~42 U.S.C. § 300 c(c)(2)(A)~~ 42
10 U.S.C. § 300 e(c)(2)(A) or a similar section subsequently
11 enacted, and as such is subject to requirements that limit
12 the amount of risk that may be ceded to the program that is
13 more restrictive than paragraph (iii) of this subsection,
14 shall be reduced to reflect that portion of the risk above
15 the amount set forth in paragraph (iii) of this subsection
16 that shall not be ceded to the program, if any;

17
18 **26-34-105. Powers of health maintenance**
19 **organizations.**

20
21 (b) A health maintenance organization shall file
22 notice, with adequate supporting information, with the
23 commissioner prior to the exercise of any power granted in
24 ~~paragraphs~~ paragraph (a)(i), (ii) or (iv) of this section.
25 The commissioner shall disapprove any exercise of power
26 only if in his opinion it would substantially and adversely
27 affect the financial soundness of the health maintenance
28 organization and endanger its ability to meet its
29 obligations. If the commissioner does not disapprove
30 within forty-five (45) days from the date of the filing, it
31 is deemed approved.

32
33 **26-34-128. Statutory construction and relationship to**
34 **other laws.**

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

43
44 (i) An insurer or hospital or medical service
45 corporation licensed and regulated pursuant to the
46 insurance law or the hospital or medical service
47 corporation laws of this state except with respect to its

1 health maintenance organization activities authorized and
2 regulated pursuant to this chapter. ~~7-07~~

3
4 **27-3-108. Services excluded from scope of employment.**

5
6 (a) Employment under this act does not include
7 service performed:

8
9 (viii) By a hospital patient employed by the
10 hospital; ~~and~~

11
12 **27-14-201. Rates and classifications; rate surcharge.**

13
14 (e) The division in fixing rates shall provide for
15 the costs of benefits and the expenses of administering the
16 worker's compensation account allowed by law, subject to
17 the following:

18
19 (i) The ~~fund~~ account shall be one (1) ~~fund~~
20 account but shall include provision for all expenses
21 allowed by this act, loss adjustment expenses and unpaid
22 losses, including:

23
24 (ii) The ~~fund~~ account shall be fully reserved on
25 or before December 31, 2013;

26
27 **31-7-102. Definitions.**

28
29 (a) As used in this act:

30
31 (vii) "Commercial driver license information
32 system" is the information system established pursuant to
33 the Commercial Motor Vehicle Safety Act of 1986, ~~49 (APP)~~
34 ~~U.S.C. § 2706~~ 49 U.S.C. 31106, to serve as a clearinghouse
35 for locating information related to the licensing and
36 identification of commercial motor vehicle drivers;

37
38 **33-22-103. License; issuance; qualifications; waiver**
39 **of additional qualifications.**

40
41 The board shall have authority to issue licenses to
42 qualified persons as nursing home administrators. No
43 license shall be issued to a person as a nursing home
44 administrator unless he shall have submitted evidence
45 satisfactory to the board of his ability to supervise a
46 nursing home. ~~Provided, that persons meeting the~~
47 ~~qualifications, who have heretofore been acknowledged by~~

1 ~~the state department of public health as administrators of~~
2 ~~nursing homes pursuant to W.S. 35-2-101 through 35-2-112,~~
3 ~~and who hold such acknowledgment on the effective date of~~
4 ~~this act, but who cannot meet any additional qualifications~~
5 ~~established by the board, may, subject to such conditions~~
6 ~~and requirements as may be prescribed by the board, be~~
7 ~~granted a waiver by the board of such qualifications for a~~
8 ~~period of two (2) years after the effective date of this~~
9 ~~act.~~

10
11 **33-29-115. Creation of board.**
12

13 (c) The governor may remove a member of the board as
14 provided in W.S. 9-1-202. Appointment to fill a vacancy
15 caused other than by expiration of term shall be for the
16 unexpired portion of the term. ~~The governor shall appoint~~
17 ~~by July 1, 1987, the professional land surveyor member of~~
18 ~~the board to take office July 1, 1987, and to serve until~~
19 ~~March 31, 1991, and the public member of the board to take~~
20 ~~office on July 1, 1987, and to serve until March 31, 1989.~~
21 ~~Members of the board under the former provisions of W.S.~~
22 ~~33-29-101 shall continue as members of the board under this~~
23 ~~section until expiration of their terms.~~
24

25 **34-25-103. Land extending into a second zone.**
26

27 When any tract of land to be defined by a single
28 description extends from one into a second of the
29 coordinate zones specified in W.S. ~~34-24-101~~ 34-25-101, the
30 positions of all the points on its boundaries may be
31 referred to either of the two (2) zones, and the zone which
32 is used shall be specifically named in the description.
33

34 **35-11-504. Bonding for solid waste management**
35 **facilities.**
36

37 (m) When the director determines that the violation
38 has been remedied or the damage abated, the director shall
39 release that portion of the bond or financial assurance
40 instrument being held under paragraph (a)(ii) of this
41 section. When the director determines that closure
42 activities have been successfully completed at any solid
43 waste management facility, the director shall release that
44 portion of the bond or financial assurance instrument being
45 held to guarantee performance of activities specified in
46 subparagraphs (a)(i)(A) through (E) of this section. For
47 solid waste management facilities other than landfills for

1 the disposal of municipal wastes, the remaining portion of
2 the bond or financial assurance instrument shall be held
3 for a period of not less than five (5) years after the date
4 of facility closure, or so long thereafter as necessary to
5 assure proper performance of any post-closure activities
6 specified in subparagraph (a)(i)(F) of this section. For
7 municipal solid waste management facilities, the period
8 shall be the minimum necessary to comply with P.L. ~~94-584~~
9 94-580. The retained portion of the bond or other
10 financial assurance instrument may be returned to the
11 operator at an earlier date if the director determines that
12 the facility has been adequately stabilized and that
13 environmental monitoring or control systems have
14 demonstrated that the facility closure is protective of
15 public health and the environment consistent with the
16 purposes of this act.

17
18 **35-11-1210. Abandoned mine land funds reserve**
19 **account.**

20
21 (b) All funds received from the federal government,
22 from the Surface Mining Control and Reclamation Act
23 Amendments of 2006, Section 411(h) (1), pursuant to 2007
24 H.R. 6111, shall be deposited into the abandoned mine land
25 funds reserve account.

26
27 **36-1-401. Definitions.**

28
29 (a) As used in this article:

30
31 (i) "Division" means the Wyoming state forestry
32 division of the ~~state land~~ office of state lands and
33 investments;

34
35 **36-8-1203. Sale of land to Uinta County.**

36
37 (c) The board of land commissioners is authorized and
38 directed to convey, subject to section 2 of this act, its
39 right, title and interest, in the surface estate of the
40 following described parcel of land to Uinta County: That
41 tract of land described in subsection (a) of this section,
42 excluding those lands designated as Bear River State park
43 pursuant to W.S. 36-8-902(a) and subject to any rights-of-
44 way or other easements as granted or reserved by
45 instruments of record or as now exist thereon.

46
47 **37-11-101. Definitions.**

1
2 (a) As used in W.S. ~~37-236 through 37-238~~ 37-11-101
3 through 37-11-103, unless the context otherwise requires,
4 the term "person" means any individual, firm, co-
5 partnership, corporation, company, association, joint-stock
6 association or body politic, and includes any trustee,
7 receiver, assignee or other similar representative thereof.
8

9 **37-12-126. Failure to yield telephone for reporting**
10 **emergencies; definitions.**
11

12 (a) In W.S. 37-12-126 through 37-12-130 unless the
13 context otherwise requires:
14

15 (ii) "Emergency" means a situation in which
16 property or human life ~~are~~ is in jeopardy and the prompt
17 summoning of aid is essential.
18

19 **37-13-106. Resolution for cost and feasibility study.**
20

21 (b) At any time prior to the hearing provided for in
22 ~~section 37-282~~ W.S. 37-13-111 of the statutes, if requested
23 by the governing body or public utility, a bond shall be
24 filed, with security approved by the governing body or cash
25 deposit made sufficient to pay all expenses of the
26 governing body connected with the proceedings and of the
27 public utilities for actual time and expenses incurred in
28 regard to the cost and feasibility study in case the
29 organization of the district is not effected. If at any
30 time during the organization proceedings the governing body
31 shall be satisfied that the bond first executed or the
32 amount of cash deposited is insufficient in amount, it on
33 its own initiative or at the request of a public utility
34 may require the execution of an additional bond or the
35 deposit of additional cash within a time to be fixed, not
36 less than ten (10) days distant, and upon failure of the
37 petitioners to file or deposit the same, the petition shall
38 be dismissed.
39

40 **37-13-133. Payment of public utility.**
41

42 Upon completion of the conversion the public utility
43 corporation shall present the governing body with its
44 verified bill for conversion costs as computed pursuant to
45 ~~sections 37-301 and 37-303~~ W.S. 37-13-129 or 37-13-131 of
46 the statutes, but based upon the actual cost of
47 constructing the underground facility rather than the

1 estimated cost of the facility. In no event shall the bill
2 for conversion cost presented by the public utility
3 corporation exceed the amount of estimated conversion costs
4 by the public utility corporation. If the conversion costs
5 are less than the estimated conversion costs, each owner
6 within the improvement district shall receive the benefit,
7 prorated in such form and at such time or times as the
8 governing body may determine to be fair and equitable. The
9 bill of the public utility corporation shall be paid within
10 thirty (30) days by the governing body from the improvement
11 district funds or such other source as is properly
12 designated by the governing body. In determining the actual
13 cost of constructing the underground facility the public
14 utility shall use its standard accounting procedures, such
15 as the uniform system of accounts as defined by the federal
16 communications commission, federal power commission or
17 Wyoming public service commission in use at the time of the
18 conversion.

19
20 **37-15-203. Price regulation of noncompetitive**
21 **essential services.**
22

23 (f) A local exchange company may seek approval to
24 increase the price of noncompetitive essential
25 telecommunications services based on:
26

27 (iv) Increases in the cost of providing
28 telecommunications services. The increases shall be judged
29 on the overall federal gross domestic product price index
30 published by the United States department of ~~labor, bureau~~
31 ~~of labor statistics~~ commerce, bureau of economic analysis
32 unless the applicant demonstrates that specific cost
33 increases are disproportionably affecting the cost of
34 providing their noncompetitive essential services.
35

36 **40-4-116. Purpose of W.S. 40-4-106 through 40-4-116;**
37 **liberal construction.**
38

39 The legislature declares that the purpose of this act is to
40 safeguard the public against the creation or perpetuation
41 of monopolies and to foster and encourage competition, by
42 prohibiting unfair and discriminatory practices by which
43 fair and honest competition is destroyed or prevented. This
44 act shall be ~~literally~~ liberally construed that its
45 beneficial purposes may be subserved.
46

47 **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 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:

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

12
13 **41-3-742. Powers generally.**

14
15 (a) The board shall have power on behalf of said
16 districts:

17
18 (xi)(A) To invest any surplus money in the
19 district treasury, including such money as may be in any
20 sinking fund established for the purpose of providing for
21 the payment of the principal or interest of any contract,
22 or bonded, or other indebtedness or for any other purpose,
23 not required for the immediate necessities of the district
24 in its own bonds, or in treasury notes or bonds of the
25 United States, or of this state, and such investment may be
26 made by direct purchase of any issue of such bonds or
27 treasury notes, or part thereof, at the original sale of
28 the same, or by the subsequent purchase of such bonds or
29 treasury notes. Any bonds or treasury notes thus purchased
30 and held may, from time to time be sold and the proceeds
31 reinvested in bonds or treasury notes as above provided.
32 Sales of any bonds or treasury notes thus purchased and
33 held shall, from time to time, be made in season so that
34 the proceeds may be applied to the purposes for which the
35 money with which the bonds or treasury notes were
36 originally purchased were placed in the treasury of the
37 district;

38
39 (B) The functions and duties authorized by
40 ~~this paragraph~~ subdivision (xi)(A) of this section shall be
41 performed under such rules and regulations as shall be
42 prescribed by the board.

43
44
45 **41-7-204. Hearings; service of notice generally;**
46 **contents.**
47

- 1 (b) Such notice shall: ~~state~~
2
3 (i) State in what court said petition is filed;
4
5 (iv) Give the name proposed for said irrigation
6 district; ~~and~~
7
8 (v) ~~Shall also~~ State the time and place by the
9 court fixed, when and where the petitioners will ask a
10 hearing on said petition; and
11
12 (vi) ~~Shall also~~ Direct all persons owning or
13 having an interest in any lands within the boundary of the
14 proposed district, to appear at the time and place stated,
15 then and there to show cause why their land should not be
16 included in said district.

17
18 **41-7-807. Powers; generally.**
19

20 (a) A public irrigation district or a public
21 irrigation and power district, organized under the
22 provisions of this act shall have the following powers and
23 shall be entitled to own, have, or exercise the following
24 rights, privileges and franchises:
25

26 (iii) Such district shall have the right, power
27 and authority to exercise any of the powers enumerated in
28 subsection 2 paragraph (ii) of this subsection, either
29 within or beyond or partly within and partly beyond the
30 boundaries of the district and of the state of Wyoming if
31 not otherwise prohibited by the law of such area, state or
32 the United States of America;
33

34 **41-7-929. Refunding bonds sold or exchanged for bonds**
35 **or warrants.**
36

37 (a) Any refunding bonds may be either:
38

39 (i) Sold from time to time in the same manner as
40 other bonds of the district; or
41

42 **41-12-607. Diversions from the Yellowstone River**
43 **Basin; criteria for approval; terms.**
44

45 (e) The state engineer's approval of an application
46 pursuant to this act shall not constitute approval for an

1 out of state use of the water pursuant to W.S. ~~41-3-105 and~~
2 41-3-115.

3
4 **Section 2.** W.S. 9-2-1023, 17-25-107(b)(iii) and (iv),
5 35-2-905(a)(iv), 40-14-142(a)(vii) and (viii),
6 40-14-203(a)(ii) and (vii) and 40-14-303(a)(i) and (iv) are
7 repealed.

8
9 **Section 3.** Any other act adopted by the Wyoming
10 legislature during the same session in which this act is
11 adopted shall be given precedence and shall prevail over
12 the amendments in this act to the extent that such acts are
13 in conflict with this act.

14
15 **Section 4.** This act is effective immediately upon
16 completion of all acts necessary for a bill to become law
17 as provided by Article 4, Section 8 of the Wyoming
18 Constitution.

19
20 (END)