SESSION LAWS
OF THE
STATE OF WYOMING
PASSED BY THE
SIXTY-SECOND LEGISLATURE
2013 GENERAL SESSION

CONVENE AT CHEYENNE, January 8, 2013
ADJOINED February 27, 2013

Compiled and Published under Statutory Authority
by
LEGISLATIVE SERVICE OFFICE
Under W.S. 8-1-105 and 28-8-105, the Legislative Service Office is responsible for providing for the publication of the Wyoming Statutes. This includes conforming statutes which have been amended by more than one chapter of the Session Laws and providing appropriate numbering. For example, two chapters may use the same statute section number when creating a new section. These will be appropriately numbered in the Wyoming Statutes Annotated. The Wyoming Statutes Annotated will also reflect and give effect to amendments to a statute when the amendments are made by more than one chapter of the Session Laws. Note however that if a section is both repealed and amended by operation of more than one chapter, the repealer is controlling and the section is repealed.

Legislative Service Office
# TABLE OF CONTENTS

**CONSTITUTIONAL AMENDMENTS**  
(Ratified by electors November 6, 2012)

**CONSTITUTIONAL AMENDMENT** | **PAGE**  
---|---  
No. A – HEALTH CARE FREEDOM | xv  
No. B – RIGHT TO HUNT, FISH AND TRAP | xvi

## TABLE OF CHAPTERS

<table>
<thead>
<tr>
<th>CHAPTER</th>
<th>HB/SF</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>SF0104</td>
<td>EDUCATION-STATE ADMINISTRATION</td>
</tr>
<tr>
<td>2</td>
<td>HB0223</td>
<td>PUBLIC RECORDS-INSTITUTIONS OF HIGHER EDUCATION</td>
</tr>
<tr>
<td>3</td>
<td>SF0002</td>
<td>OIL AND GAS CONSERVATION COMMISSION-FILINGS</td>
</tr>
<tr>
<td>4</td>
<td>SF0003</td>
<td>STATE OIL AND GAS SUPERVISOR-QUALIFICATIONS</td>
</tr>
<tr>
<td>5</td>
<td>SF0008</td>
<td>SCHOOL CAPITAL CONSTRUCTION-CAPACITY</td>
</tr>
<tr>
<td>6</td>
<td>SF0010</td>
<td>SUPREME COURT DECISIONS AND SESSION LAWS</td>
</tr>
<tr>
<td>7</td>
<td>SF0012</td>
<td>CHILD SUPPORT PAYMENT PROCEDURES</td>
</tr>
<tr>
<td>8</td>
<td>SF0013</td>
<td>UNIFORM COMMERCIAL CODE-REVISIONS</td>
</tr>
<tr>
<td>9</td>
<td>SF0014</td>
<td>CORRECTIONAL INDUSTRIES</td>
</tr>
<tr>
<td>10</td>
<td>SF0015</td>
<td>INMATE TRANSFERS</td>
</tr>
<tr>
<td>11</td>
<td>SF0018</td>
<td>PROFESSIONAL ENGINEERS AND SURVEYOR PRACTICE ACT</td>
</tr>
<tr>
<td>12</td>
<td>HB0012</td>
<td>CONTAGIOUS AND INFECTIOUS DISEASES AMONG LIVESTOCK</td>
</tr>
<tr>
<td>13</td>
<td>HB0004</td>
<td>BRANDS</td>
</tr>
<tr>
<td>14</td>
<td>HB0038</td>
<td>USE OF WATER OUTSIDE THE STATE</td>
</tr>
<tr>
<td>Bill</td>
<td>Description</td>
<td></td>
</tr>
<tr>
<td>------</td>
<td>-------------</td>
<td></td>
</tr>
<tr>
<td>HB0017</td>
<td>SCHOOL CAPITAL CONSTRUCTION-ENROLLMENT METHODOLOGY</td>
<td></td>
</tr>
<tr>
<td>HB0221</td>
<td>STATE GOVERNMENT FRAUD REDUCTION ACT-REPORTING REQUIREMENTS</td>
<td></td>
</tr>
<tr>
<td>SF0098</td>
<td>MOTOR VEHICLE-LEMON LAW</td>
<td></td>
</tr>
<tr>
<td>HB0023</td>
<td>JUVENILE PAROLE ELIGIBILITY</td>
<td></td>
</tr>
<tr>
<td>HB0020</td>
<td>CHILD SUPPORT GUIDELINE TABLES</td>
<td></td>
</tr>
<tr>
<td>SF0017</td>
<td>COMMUNITY JUVENILE SERVICES</td>
<td></td>
</tr>
<tr>
<td>SF0039</td>
<td>UNIFORM ADULT GUARDIANSHIP JURISDICTION ACT</td>
<td></td>
</tr>
<tr>
<td>HB0110</td>
<td>OFF-ROAD VEHICLE GASOLINE TAX DISTRIBUTION-SUNSET</td>
<td></td>
</tr>
<tr>
<td>SF0033</td>
<td>SEARCH AND RESCUE PROGRAM DONATIONS</td>
<td></td>
</tr>
<tr>
<td>HB0059</td>
<td>BANKING ACT AMENDMENTS</td>
<td></td>
</tr>
<tr>
<td>HB0054</td>
<td>HIGH SCHOOL EQUIVALENCY CERTIFICATE</td>
<td></td>
</tr>
<tr>
<td>HB0060</td>
<td>MONEY TRANSMITTERS ACT AMENDMENTS</td>
<td></td>
</tr>
<tr>
<td>HB0061</td>
<td>BANKING DIVISION-NATIONWIDE LICENSING SYSTEM</td>
<td></td>
</tr>
<tr>
<td>HB0002</td>
<td>ELECTION CODE-REVISIONS</td>
<td></td>
</tr>
<tr>
<td>HB0064</td>
<td>DATA CENTER CO-LOCATION TAX EXEMPTION</td>
<td></td>
</tr>
<tr>
<td>HB0003</td>
<td>EFFECTIVE FINANCING STATEMENTS-DURATION</td>
<td></td>
</tr>
<tr>
<td>HB0009</td>
<td>ELECTION CODE-REVISIONS 2</td>
<td></td>
</tr>
<tr>
<td>HB0014</td>
<td>CRIME VICTIMS COMPENSATION AND RESTITUTION</td>
<td></td>
</tr>
<tr>
<td>HB0029</td>
<td>GAME LICENSES-LANDOWNER COUPONS</td>
<td></td>
</tr>
<tr>
<td>HB0040</td>
<td>EMINENT DOMAIN-WIND ENERGY COLLECTOR SYSTEMS</td>
<td></td>
</tr>
<tr>
<td>HB0049</td>
<td>LEGISLATURE-CERTIFICATES OF ATTENDANCE</td>
<td></td>
</tr>
<tr>
<td>HB0050</td>
<td>DISTRIBUTION OF BILLS</td>
<td></td>
</tr>
<tr>
<td>HB0057</td>
<td>CONSTITUENT SERVICE ALLOWANCE</td>
<td></td>
</tr>
<tr>
<td>HB0062</td>
<td>INNOCENT LANDOWNER AMENDMENTS</td>
<td></td>
</tr>
<tr>
<td>HB0063</td>
<td>STATE PRIMACY ON GREENHOUSE GAS REGULATION</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>40</td>
<td>HB0080</td>
<td>HEALTHCARE PROVIDER RETENTION PROGRAM—SUNSET DATE ........................................ 119</td>
</tr>
<tr>
<td>41</td>
<td>SF0026</td>
<td>AUTHORIZATION FOR CERTAIN RADIOACTIVE WASTE FACILITIES ........................................ 120</td>
</tr>
<tr>
<td>42</td>
<td>SF0038</td>
<td>UNIVERSITY OF WYOMING BOARD OF TRUSTEES ............................................................. 121</td>
</tr>
<tr>
<td>43</td>
<td>SF0082</td>
<td>GAME BIRD FARM LICENSES—EXPIRATION ................................................................. 122</td>
</tr>
<tr>
<td>44</td>
<td>SF0027</td>
<td>LIMITED MINING OPERATIONS ................................................................................. 123</td>
</tr>
<tr>
<td>45</td>
<td>SF0030</td>
<td>SPECIAL DISTRICTS ................................................................................................. 125</td>
</tr>
<tr>
<td>46</td>
<td>HB0021</td>
<td>PEACE OFFICER IMMUNITY ......................................................................................... 126</td>
</tr>
<tr>
<td>47</td>
<td>HB0013</td>
<td>LIVESTOCK REVISIONS ............................................................................................. 127</td>
</tr>
<tr>
<td>48</td>
<td>SF0019</td>
<td>HOSPITAL DISTRICT—ELECTIONS .............................................................................. 131</td>
</tr>
<tr>
<td>49</td>
<td>HB0069</td>
<td>HIGHWAY FUNDING .................................................................................................. 132</td>
</tr>
<tr>
<td>50</td>
<td>SF0004</td>
<td>LIVESTOCK DISEASE REPORTING AND LIABILITY ...................................................... 134</td>
</tr>
<tr>
<td>51</td>
<td>SF0062</td>
<td>STATE BOARD OF EDUCATION—MEMBERSHIP ......................................................... 135</td>
</tr>
<tr>
<td>52</td>
<td>SF0068</td>
<td>SALES TAX—ZAPPING ............................................................................................... 136</td>
</tr>
<tr>
<td>53</td>
<td>SF0124</td>
<td>FRIVOLOUS LIENS .................................................................................................... 137</td>
</tr>
<tr>
<td>54</td>
<td>HB0028</td>
<td>DISABLED HUNTER PROGRAMS ............................................................................... 139</td>
</tr>
<tr>
<td>55</td>
<td>HB0037</td>
<td>HUNTING LICENSE RAFFLE ...................................................................................... 140</td>
</tr>
<tr>
<td>56</td>
<td>HB0053</td>
<td>STATE LAND VIOLATIONS ......................................................................................... 141</td>
</tr>
<tr>
<td>57</td>
<td>HB0011</td>
<td>INSURANCE HOLDING COMPANY SYSTEM REGULATORY ACT .................................. 142</td>
</tr>
<tr>
<td>58</td>
<td>HB0078</td>
<td>BUDGET REVIEW PROCESS ...................................................................................... 154</td>
</tr>
<tr>
<td>59</td>
<td>HB0082</td>
<td>INTERSTATE SALES OF HEALTH INSURANCE ....................................................... 155</td>
</tr>
<tr>
<td>60</td>
<td>HB0111</td>
<td>TIPS AND GRATUITIES—SALES TAX ......................................................................... 158</td>
</tr>
<tr>
<td>61</td>
<td>HB0116</td>
<td>SELECT FEDERAL NATURAL RESOURCE MANAGEMENT COMMITTEE .................... 158</td>
</tr>
<tr>
<td>62</td>
<td>SF0006</td>
<td>OFFICE OF CONSUMER ADVOCATE—REVISIONS ..................................................... 160</td>
</tr>
<tr>
<td>63</td>
<td>SF0037</td>
<td>OFFICE OF CONSUMER ADVOCATE—REVISIONS 2 ..................................................... 160</td>
</tr>
<tr>
<td>64</td>
<td>SF0091</td>
<td>COUNTY COMMISSIONERS—ELECTION TO MODIFY NUMBERS ............................... 161</td>
</tr>
<tr>
<td></td>
<td>Bill Number</td>
<td>Bill Title</td>
</tr>
<tr>
<td>---</td>
<td>-------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>65</td>
<td>SF0132</td>
<td>SILENCERS, SUPPRESSORS AND AUTOMATIC WEAPONS</td>
</tr>
<tr>
<td>66</td>
<td>HB0071</td>
<td>OMNIBUS WATER BILL-PLANNING</td>
</tr>
<tr>
<td>67</td>
<td>HB0079</td>
<td>COLLECTION OF UNPAID WAGES</td>
</tr>
<tr>
<td>68</td>
<td>HB0188</td>
<td>INVESTMENT OF PUBLIC FUNDS-INTEREST BEARING DEPOSIT</td>
</tr>
<tr>
<td>69</td>
<td>SF0043</td>
<td>STATE PARKS-ACQUISITION OF LANDS</td>
</tr>
<tr>
<td>70</td>
<td>SF0094</td>
<td>PUBLIC LIBRARY ENDOWMENT CHALLENGE PROGRAM EXTENSION</td>
</tr>
<tr>
<td>71</td>
<td>SF0051</td>
<td>FEDERAL MOTOR CARRIER SAFETY ACT COMPLIANCE</td>
</tr>
<tr>
<td>72</td>
<td>SF0076</td>
<td>BIGHORN SHEEP RELOCATION</td>
</tr>
<tr>
<td>73</td>
<td>HB0001</td>
<td>GENERAL GOVERNMENT APPROPRIATIONS</td>
</tr>
<tr>
<td>74</td>
<td>HB0100</td>
<td>VEHICLE REGISTRATION FEES-ASSISTIVE DEVICES</td>
</tr>
<tr>
<td>75</td>
<td>HB0025</td>
<td>SIMULCASTING OF PARI-MUTUEL EVENTS</td>
</tr>
<tr>
<td>76</td>
<td>HB0084</td>
<td>LIVESTOCK FENCE REPAIRS</td>
</tr>
<tr>
<td>77</td>
<td>HB0098</td>
<td>COUNTY FEES</td>
</tr>
<tr>
<td>78</td>
<td>HB0128</td>
<td>ILLEGAL POSSESSION OF WILDLIFE PARTS</td>
</tr>
<tr>
<td>79</td>
<td>HB0090</td>
<td>RECREATION LIABILITY-ACTIVITIES</td>
</tr>
<tr>
<td>80</td>
<td>HB0131</td>
<td>GAME FISH-DEFINITION</td>
</tr>
<tr>
<td>81</td>
<td>HB0092</td>
<td>INTERFERENCE WITH EMERGENCY CALLS</td>
</tr>
<tr>
<td>82</td>
<td>HB0095</td>
<td>RAILROAD CROSSINGS-ON-TRACK VEHICLES</td>
</tr>
<tr>
<td>83</td>
<td>HB0081</td>
<td>LARGE PROJECT FUNDING</td>
</tr>
<tr>
<td>84</td>
<td>HB0225</td>
<td>TRANSFER OF OWNERSHIP OF LIVESTOCK AND BRANDS</td>
</tr>
<tr>
<td>85</td>
<td>HB0031</td>
<td>PRINTING OF STATE DIRECTORY AND CONSTITUTION</td>
</tr>
<tr>
<td>86</td>
<td>HB0109</td>
<td>INTERSTATE SHIPMENT OF STATE INSPECTED MEATS</td>
</tr>
<tr>
<td>87</td>
<td>HB0190</td>
<td>PUBLIC DEFENDER-FEE SCHEDULE AND INDIGENCY STANDARD</td>
</tr>
<tr>
<td>88</td>
<td>HB0052</td>
<td>WORKPLACE SAFETY INITIATIVES</td>
</tr>
<tr>
<td>89</td>
<td>HB0094</td>
<td>IMMUNIZATION BY PHARMACISTS</td>
</tr>
</tbody>
</table>
TABLE OF CONTENTS

90   HB0151   UNIFORM TRUST CODE-NOTICE OF CLAIMS   ................................................................. 273
91   HB0133   HUMAN TRAFFICKING ................................................................................................. 274
92   HB0018   TELECOMMUNICATIONS-INTERNET PROTOCOL ENABLED SERVICES ................................ 281
93   SF0064   WHOLESALE MALT BEVERAGE DISTRIBUTORS-LIMITATIONS ........................................... 282
94   SF0029   HITCHHIKING ............................................................................................................ 283
95   HB0215   STATE INVESTMENTS FOR A PUBLIC PURPOSE .......................................................... 284
96   SF0023   CHALLENGE LOAN PROGRAM-NATURAL GAS VEHICLE INFRASTRUCTURE .................. 285
97   SF0052   NATURAL GAS STATE VEHICLES ............................................................................... 287
98   SF0117   CONFIDENTIALITY OF DOMESTIC ABUSE VICTIM INFORMATION ............................... 288
99   HB0134   PRIVATE ROADS ......................................................................................................... 291
100  HB0201   TRANSFER ON DEATH DEED ..................................................................................... 296
101  HB0177   HATHAWAY SUCCESS CURRICULUM ....................................................................... 300
102  HB0152   VEHICLE ACCIDENT REPORTING ............................................................................... 303
103  HB0163   ADJUNCT PROFESSOR INCENTIVES ........................................................................... 304
104  HB0085   MUNICIPAL JURISDICTION-EXTRATERRITORIAL AUTHORITY ......................................... 307
105  SF0086   COUNTY OFFICES-BUSINESS DAYS ............................................................................ 307
106  HB0235   FIREFIGHTERS’ LICENSE PLATES ................................................................................ 308
107  HB0156   MOVEMENT OF LIVESTOCK IN EMERGENCY SITUATIONS ........................................ 309
108  SF0113   INSURANCE GUARANTY ASSOCIATION ACT-AMENDMENTS ....................................... 310
109  SF0147   STROKE AND HEART ATTACK TREATMENT CENTERS ................................................ 311
110  SF0162   AUTHORIZED TAKING OF AN EAGLE UNDER FEDERAL AND STATE LAW ................. 312
111  SF0048   MEDICAL ASSISTANCE-HOSPICE CARE ..................................................................... 313
112  HB0145   INSURANCE-COVERAGE OF INHERITED ENZYMATIC DISORDERS .............................. 314
113  SF0084   WYOMING HEALTH INSURANCE POOL-PREMIUMS .................................................. 315
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Bill Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>HB0068</td>
<td>LIFE RESOURCE CENTER</td>
</tr>
<tr>
<td>HB0102</td>
<td>HOSPITALIZATION OF MENTALLY ILL PERSONS...</td>
</tr>
<tr>
<td>HB0203</td>
<td>HEALTH BENEFIT EXCHANGE STUDY AND SELECT COMMITTEE</td>
</tr>
<tr>
<td>SF0060</td>
<td>MEDICAID REFORM</td>
</tr>
<tr>
<td>SF0083</td>
<td>MEDICAID FRAUD RECOVERY</td>
</tr>
<tr>
<td>HB0175</td>
<td>JUVENILE CITATIONS-NOTIFICATION BY LAW ENFORCEMENT</td>
</tr>
<tr>
<td>SF0087</td>
<td>PROOF OF MOTOR VEHICLE INSURANCE</td>
</tr>
<tr>
<td>SF0126</td>
<td>OVERWEIGHT AND OVERSIZE VEHICLES</td>
</tr>
<tr>
<td>SF0127</td>
<td>LIEN NOTICE</td>
</tr>
<tr>
<td>SF0005</td>
<td>INSURANCE-LIMITED LINES</td>
</tr>
<tr>
<td>SF0022</td>
<td>UNIFORM CONSUMER CREDIT CODE AMENDMENTS</td>
</tr>
<tr>
<td>SF0007</td>
<td>CONSERVATION DISTRICTS-SPECIAL EXPERTISE</td>
</tr>
<tr>
<td>SF0011</td>
<td>CIRCUIT COURT MAGISTRATES</td>
</tr>
<tr>
<td>SF0031</td>
<td>WYOMING VETERINARY MEDICAL PRACTICE ACT</td>
</tr>
<tr>
<td>SF0053</td>
<td>PARTITION ACTIONS SUBJECT TO SUBDIVISION LAWS</td>
</tr>
<tr>
<td>SF0105</td>
<td>SCHOOL CAPITAL CONSTRUCTION</td>
</tr>
<tr>
<td>SF0044</td>
<td>FIRST RESPONDER RETIREMENT ACCOUNT PAYMENT RULES</td>
</tr>
<tr>
<td>SF0078</td>
<td>ACTIVE DUTY MEDICAL COST REIMBURSEMENT PROGRAM AMENDMENTS</td>
</tr>
<tr>
<td>SF0144</td>
<td>BIDDER QUALIFICATIONS-COMMUNITY COLLEGES-2</td>
</tr>
<tr>
<td>SF0073</td>
<td>UNEMPLOYMENT INSURANCE-FEDERAL COMPLIANCE</td>
</tr>
<tr>
<td>SF0028</td>
<td>RESIDENT PREFERENCE PROVISIONS</td>
</tr>
<tr>
<td>SF0036</td>
<td>INSURANCE-PUBLICATIONS REQUIREMENTS</td>
</tr>
<tr>
<td>SF0159</td>
<td>THREATS OF BODILY INJURY OR DEATH</td>
</tr>
<tr>
<td>SF0009</td>
<td>PRIVATE TRANSFER FEES</td>
</tr>
<tr>
<td>SF0016</td>
<td>AERONAUTICS PROGRAMS</td>
</tr>
<tr>
<td>Bill Number</td>
<td>Bill Title</td>
</tr>
<tr>
<td>------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>SF0080</td>
<td>STATE AUDITOR-EMPLOYEE PAYMENT METHOD AMENDMENTS</td>
</tr>
<tr>
<td>SF0099</td>
<td>WATER AND SEWER DISTRICTS-ELECTORS</td>
</tr>
<tr>
<td>SF0069</td>
<td>OMNIBUS WATER BILL-CONSTRUCTION</td>
</tr>
<tr>
<td>SF0115</td>
<td>PROTECTIVE SERVICES INVESTIGATION AMENDMENTS</td>
</tr>
<tr>
<td>SF0077</td>
<td>COMMUNITY COLLEGE CONSTRUCTION</td>
</tr>
<tr>
<td>SF0103</td>
<td>ELECTRONIC CIGARETTES</td>
</tr>
<tr>
<td>SF0146</td>
<td>TERMINATION OF PARENTAL RIGHTS</td>
</tr>
<tr>
<td>SF0055</td>
<td>ENERGY AND NATURAL RESOURCE EDUCATION INITIATIVE</td>
</tr>
<tr>
<td>SF0056</td>
<td>ACCESS TO RECORDS-VULNERABLE ADULT ABUSE</td>
</tr>
<tr>
<td>SF0066</td>
<td>STATE FUNDED CONSERVATION EASEMENTS-RESTRICTIONS</td>
</tr>
<tr>
<td>SF0149</td>
<td>COMPLIMENTARY HUNTING LICENSES</td>
</tr>
<tr>
<td>SF0061</td>
<td>REVISOR'S BILL</td>
</tr>
<tr>
<td>SF0136</td>
<td>SEISMIC EXPLORATION-3</td>
</tr>
<tr>
<td>SF0153</td>
<td>UNEMPLOYMENT COMPENSATION-DIRECT SALES</td>
</tr>
<tr>
<td>SF0160</td>
<td>PESTICIDES</td>
</tr>
<tr>
<td>SF0075</td>
<td>HONOR FARM HORSE PROGRAM</td>
</tr>
<tr>
<td>SF0090</td>
<td>ADMINISTRATIVE CONTROL OF ACQUIRED INSTITUTIONAL LANDS</td>
</tr>
<tr>
<td>SF0106</td>
<td>PROJECTS FUNDED BY ABANDONED MINE LAND FUNDS</td>
</tr>
<tr>
<td>HB0248</td>
<td>STATE BUILDING COMMISSION STAFFING</td>
</tr>
<tr>
<td>HB0065</td>
<td>MUNICIPAL SOLID WASTE LANDFILL REMEDIATION</td>
</tr>
<tr>
<td>HB0032</td>
<td>ELECTIONS-VACANCY APPOINTMENT PROCESS</td>
</tr>
<tr>
<td>HB0216</td>
<td>DEADLY WEAPONS IN A COURTROOM</td>
</tr>
<tr>
<td>HB0117</td>
<td>ADMINISTRATIVE RULES-TAKINGS ASSESSMENT</td>
</tr>
<tr>
<td>HB0146</td>
<td>ATHLETIC TRAINERS-LICENSURE</td>
</tr>
</tbody>
</table>
163 HB0150 BONDS FOR CERTIFICATES OF TITLE ..................431
164 HB0086 CHILD PLACEMENT ORDERS........................431
165 HB0171 FUEL TAX-GASOLINE DEFINITION..................432
166 HB0024 PROBATE AMENDMENTS............................433
167 HB0072 STATEWIDE EDUCATION ACCOUNTABILITY
PHASE II .......................................................................434
168 HB0047 CONFIDENTIAL STUDENT DISCIPLINARY
HEARING ........................................................................441
169 HB0051 PROBATE-OBJECTIONS TO APPOINTMENT.......442
170 HB0153 REPRESENTATION OF CHILDREN IN COMPACT
PROCEEDINGS ..................................................................443
171 HB0154 REPRESENTATION OF CHILDREN IN CHINS
PROCEEDINGS ..................................................................443
172 HB0122 ALCOHOLIC BEVERAGES PURCHASES-
ACCEPTABLE IDENTIFICATION ........................................444
173 HB0161 OUTDOOR ADVERTISING-FEES .......................445
174 HB0123 RESTAURANT LIQUOR LICENSEES-DISPENSING
ROOMS ...........................................................................446
175 HB0197 SUMMARY PROCEDURE FOR DISTRIBUTION
OF DECEDED’S PROPERTY .............................................446
176 HB0249 BUDGET REDUCTION IMPLEMENTATION ............447
177 HB0115 WRONGFUL DEATH-TOLLING OF STATUTES
OF LIMITATION ............................................................449
178 HB0139 UNIFORM TRUST CODE ....................................449
179 HB0170 STREAMLINED SALES TAX-DIRECT MAIL ....455
180 HB0026 APPRAISAL MANAGEMENT COMPANY
REGULATION ..................................................................457
181 HB0056 WYOMING POLLUTION DISCHARGE
ELIMINATION SYSTEM ..................................................469
182 HB0229 REGULATION OF NATURAL GAS AS A
TRANSPORTATION FUEL ..............................................470
183 HB0234 HOME ENERGY ASSISTANCE PROGRAM ..........471
184 HB0259 STATE ELECTED OFFICIALS-BOARD VOTES
AND CHAIRMANSHIP ..................................................471
185 HB0132 CHIROPRACTOR LICENSURE-AMENDMENTS ....472
<table>
<thead>
<tr>
<th>Page</th>
<th>Bill</th>
<th>Title</th>
<th>Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>186</td>
<td>HB0217</td>
<td>ATOMIC ENERGY ACT AGREEMENT STATE STUDY</td>
<td>479</td>
</tr>
<tr>
<td>187</td>
<td>HB0055</td>
<td>SURFACE MINING OPERATIONS-EXEMPTIONS</td>
<td>480</td>
</tr>
<tr>
<td>188</td>
<td>HB0006</td>
<td>SOLID WASTE DISPOSAL DISTRICT BOARD TERMS</td>
<td>480</td>
</tr>
<tr>
<td>189</td>
<td>HB0187</td>
<td>CAMPAIGN FINANCE</td>
<td>481</td>
</tr>
<tr>
<td>190</td>
<td>HB0007</td>
<td>SANITARY FACILITIES FOR MOTION PICTURE OPERATORS</td>
<td>483</td>
</tr>
<tr>
<td>191</td>
<td>HB0036</td>
<td>PROPERTY OFFENSES</td>
<td>484</td>
</tr>
<tr>
<td>192</td>
<td>HB0042</td>
<td>LAND USE PLANNING</td>
<td>488</td>
</tr>
<tr>
<td>193</td>
<td>HB0119</td>
<td>DEPARTMENT OF FAMILY SERVICES PROGRAMS</td>
<td>489</td>
</tr>
<tr>
<td>194</td>
<td>HB0066</td>
<td>MUNICIPAL SOLID WASTE FACILITIES</td>
<td>496</td>
</tr>
<tr>
<td>195</td>
<td>HB0091</td>
<td>STATEWIDE EDUCATION ACCOUNTABILITY PHASE I</td>
<td>501</td>
</tr>
<tr>
<td>196</td>
<td>SF0046</td>
<td>PROTECTING VETERAN DISABILITY COMPENSATION IN DIVORCE</td>
<td>511</td>
</tr>
<tr>
<td>197</td>
<td>SF0074</td>
<td>PROFESSIONAL LICENSING-MILITARY SPOUSES</td>
<td>512</td>
</tr>
<tr>
<td>198</td>
<td>SF0130</td>
<td>PROFESSIONAL LICENSING-MILITARY</td>
<td>514</td>
</tr>
<tr>
<td>199</td>
<td>HB0127</td>
<td>DRIVER'S LICENSES-VETERANS DESIGNATION</td>
<td>515</td>
</tr>
<tr>
<td>200</td>
<td>HB0077</td>
<td>WYOMING LOTTERY</td>
<td>516</td>
</tr>
<tr>
<td>201</td>
<td>SF0118</td>
<td>EMINENT DOMAIN-2</td>
<td>536</td>
</tr>
<tr>
<td>202</td>
<td>HB0228</td>
<td>TRANSFER OF FEDERAL LANDS-STUDY</td>
<td>537</td>
</tr>
<tr>
<td>203</td>
<td>HB0250</td>
<td>PUBLIC EMPLOYEE RETIREMENT PLANS</td>
<td>540</td>
</tr>
<tr>
<td>204</td>
<td>HB0041</td>
<td>WILD BISON LICENSES</td>
<td>543</td>
</tr>
</tbody>
</table>
PROPOSED CONSTITUTIONAL AMENDMENT No. A -
(Original Senate Joint Resolution No. 1.) A JOINT RESOLUTION proposing to amend the Wyoming Constitution to remove the requirement that a person be a resident of the state of Wyoming to serve as the trustee of the University of Wyoming; limiting the number of nonresidents who may serve as trustees.
CONSTITUTIONAL AMENDMENT NO. A

A JOINT RESOLUTION proposing to amend the Wyoming Constitution by creating a new section providing that the right to make health care decisions is reserved to the citizens of the state of Wyoming, providing for direct payments to health care providers, allowing the legislature to establish restrictions and requiring the state of Wyoming to protect health care rights from undue governmental infringement.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF WYOMING, two-thirds of all the members of the two houses, voting separately, concurring therein:

Section 1. The following proposal to amend Wyoming Constitution, Article 1, by creating a new Section 38 is proposed for submission to the electors of the State of Wyoming at the next general election for approval or rejection to become valid as a part of the Constitution if ratified by a majority of the electors at the election:

Article 1, Section 38. Right of health care access.

(a) Each competent adult shall have the right to make his or her own health care decisions. The parent, guardian or legal representative of any other natural person shall have the right to make health care decisions for that person.

(b) Any person may pay, and a health care provider may accept, direct payment for health care without imposition of penalties or fines for doing so.

(c) The legislature may determine reasonable and necessary restrictions on the rights granted under this section to protect the health and general welfare of the people or to accomplish the other purposes set forth in the Wyoming Constitution.
(d) The state of Wyoming shall act to preserve these rights from undue governmental infringement.

Section 2. That the Secretary of State shall endorse the following statement on the proposed amendment:

The adoption of this amendment will provide that the right to make health care decisions is reserved to the citizens of the state of Wyoming. It permits any person to pay and any health care provider to receive direct payment for services. The amendment permits the legislature to place reasonable and necessary restrictions on health care consistent with the purposes of the Wyoming Constitution and provides that this state shall act to preserve these rights from undue governmental infringement.

CONSTITUTIONAL AMENDMENT NO. B

A JOINT RESOLUTION proposing to amend the Wyoming Constitution by recognizing and preserving the heritage of Wyoming citizens’ opportunity to fish, hunt and trap wildlife.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF WYOMING, two-thirds of all the members of the two houses, voting separately, concurring therein:

Section 1. The following proposal to amend Wyoming Constitution, by creating Article 1, Section 38 is proposed for submission to the electors of the State of Wyoming at the next general election for approval or rejection to become valid as a part of the Constitution if ratified by a majority of the electors at the election:


The opportunity to fish, hunt and trap wildlife is a heritage that shall forever be preserved to the individual citizens of the state, subject to regulation as prescribed by law, and does not create a right to trespass on private property, diminish other private rights or alter the duty of the state to manage wildlife.

Section 2. That the Secretary of State shall endorse the following statement on the proposed amendment:

The adoption of this amendment will recognize and preserve the heritage of Wyoming citizens’ opportunity to fish, hunt and trap wildlife, subject to regulation as prescribed by law.
Chapter 1

EDUCATION-STATE ADMINISTRATION

Original Senate File No. 104

AN ACT relating to government administration; establishing the position of director of the department of education by statute; providing duties of the director of the department of education; amending duties of and transferring specified duties from the state superintendent to the director of the state department of education; requiring reporting; providing for transition; and providing for an effective date.

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

Section 1. W.S. 21-1-104 is created to read:

21-1-104. Director of department of education; appointment.

(a) The governor shall appoint a person as the director of the state department of education from a list of three (3) names of qualified candidates submitted by the state board of education, who shall serve at the pleasure of the governor and may be removed by him as provided in W.S. 9-1-202. The director shall at minimum, hold a master’s degree in business, public or education administration, or other relevant advanced degree from an accredited higher education institution, have a minimum of ten (10) years of management or administrative experience in education, government or business, provide credentials demonstrating exceptional accomplishment in previous employment, and provide evidence of problem solving skills, organizational skills, education assessment and accountability experience and knowledge of statistical analysis, data management, school finance and possess effective communication skills. The director shall carry out the duties prescribed by W.S. 21-2-202 and other duties as may be prescribed by law. The director’s salary shall be determined by the governor. The appointment under this subsection shall be with the advice and consent of the senate in accordance with W.S. 28-12-101 through 28-12-103.

(b) The director shall serve as the administrative head and chief executive officer of the state department of education.
Section 2. W.S. 9-1-513(b)(i) and (c), 21-1-103(a) by creating a new paragraph (iii), 21-2-104, 21-2-105, 21-2-201, 21-2-202(a)(intro), (i), (ix), (x), (xix)(intro), (H), (xx), (xxx) and (b) through (e), 21-2-203(a), (c)(intro), (iv), (vii), (d)(intro), (e)(intro) and (ii)(intro), 21-2-204(f)(intro) and (iv) through (viii), 21-2-301(a) and (c), 21-2-304(a)(i), (v)(intro), (vi), (b)(ii) and (xvii), 21-2-306, 21-2-502(a), 21-2-701(a)(ii), 21-2-703(a)(intro), (b)(iii) and (c), 21-2-801(a)(intro) and (b), 21-2-802(m), 21-3-110(a)(i), (v), (xxii), (xxviii), (xxix) and (xxx)(intro), 21-3-117(a)(i) and (ii), 21-3-314(a)(intro), 21-3-401(d), 21-4-401(b), 21-4-601(b) and (d), 21-6-210(a)(i), 21-6-219(a) and (b), 21-13-101(a)(xiv), 21-13-102(e), 21-13-306(b), 21-13-307(a)(ii)(B), (iii), (iv) and (b), 21-13-309(m)(intro), (v)(intro), (B)(III) and (vi)(intro), 21-13-310(b), 21-13-312(a)(intro) and (i), 21-13-313(a) through (c) and (g), 21-15-113(a)(intro), 21-17-201, 21-18-201(c), 21-22-103(a)(i)(intro), (ii), (v) and (b) and 31-5-118(a) are amended to read:

9-1-513. School finance audits and management studies.

(b) The school finance section within the department established under subsection (a) of this section shall:

(i) Conduct periodic audits of each school district pertaining to data required to be submitted to the department of education under law and by rule and regulation of the state superintendent of public instruction for purposes of implementing and operating the “school finance system” as defined under W.S. 21-2-203(a). Audits under this paragraph shall include audits of systems supporting data collection and shall be performed on each school district at least once within each three (3) year period;

(c) School districts and the department of education shall provide access to all data and other information and shall cooperate with the school finance section as necessary to implement this section and to conduct audits and reports required under this section. In addition, each district shall within thirty (30) days following receipt of a copy of the audit or report, file a written response to each audit or report conducted on that district with the department. The state superintendent shall on behalf of the department of education and within thirty (30) days following receipt of a report or audit on the department, file a written response to the report with the department of audit.

21-1-103. “State superintendent”, “state board” and “director” defined.

(a) As used in this act, unless the context otherwise requires or unless otherwise specifically noted:

(iii) “Director” means the director of the state department of education.
department of education which shall be under the supervision of the state superintendent and director and consist of the state superintendent and such divisions, staffed by personnel and provided with facilities the state superintendent determines necessary to assist him in the proper and efficient discharge of his respective duties as approved by the governor. The director shall serve as the chief administrative officer of the department. All duties of the state department of education shall be under the control of the director.


The state superintendent may delegate ministerial and nondiscretionary duties within the state department of education.

ARTICLE 2

SUPERINTENDENT OF PUBLIC INSTRUCTION AND DIRECTOR OF THE DEPARTMENT OF EDUCATION

21-2-201. General supervision of public schools entrusted to state superintendent.

(a) The general supervision of the public schools shall be entrusted to the state superintendent who shall be the administrative head and chief executive officer of the department of education as prescribed by law.

(b) Not later than October 15 each year, the state superintendent shall prepare a report on the general status of all public schools for the legislature. The report shall include the quality of education including any proposed improvement to address any shortfalls, the relevance of education, the measurement of achievement of educational goals, the improvement of learning and any suggested innovations in education. The state superintendent may obtain information or data necessary for completion of the report through the liaison appointed by the director under W.S. 21-2-202(b). This shall include, as necessary, copies of the fiscal reports submitted by clerks of school districts under W.S. 21-3-117.

(c) In addition to any other duties assigned by law, the state superintendent shall:

   (i) Adopt rules and regulations, consistent with this title, as may be necessary for the proper and effective general supervision of the public schools. Nothing in this section shall be construed to give the state superintendent rule-making power or authority in any area specifically delegated to the state board, the state department of education or the director;

   (ii) Administer and implement the “teacher of the year program” which shall include an unbiased, objective process to annually select the individual most deserving of the award and capable of serving on the board under W.S. 21-22-103;

   (iii) By rule and regulation establish requirements for school district policies and training regarding the use of seclusion and restraint in schools
as required under W.S. 21-3-110(a)(xxxii). The state superintendent shall re-
view the policy of each district for compliance with the requirements of W.S. 
21-3-110(a)(xxxii) and rules and regulations promulgated pursuant to this 
paragraph. If the state superintendent determines that the policy is not in 
compliance under this paragraph the superintendent shall direct the board of 
trustees to revise the policy and shall, upon request, assist the board in the 
adoption of the policy;

(iv) To assist local school districts in developing protocols under W.S. 
21-3-110(a)(xxxii) and develop model protocols for addressing risks associated 
with concussions and other head injuries resulting from athletic injuries. No 
district shall be required to adopt any part of the model protocols;

(v) In consultation with the department of environmental quality and 
school districts, establish guidelines for school districts for the proper and safe 
storage and disposal of toxic chemicals and other hazardous substances used 
by schools in education programs;

(vi) Identify professional development needs for Wyoming schools and 
teachers based upon the analysis of the quality indicators specified under sub-
section (b) of this section, establish a plan to address the professional devel-
opment needs, contract with necessary expertise to provide professional de-
velopment to Wyoming certified teachers and conduct up to five (5) regional 
workshops each year providing the identified professional development needs.


(a) In addition to any other duties assigned by law, the state superintendent 
director shall:

(i) Make rules and regulations, consistent with this code, as may be neces-
sary or desirable for the proper and effective administration of the state edu-
cational system and the statewide education accountability system pursuant 
to W.S. 21-2-204. Nothing in this section shall be construed to give the state 
superintendent director rulemaking power in any area specifically entrusted 
directed delegated to the state board or the state superintendent;

(ix) Print and distribute to local boards of trustees, local school admin-
istrators and other persons and agencies within or without the state the school 
laws, regulations, forms, necessary reports of the state board, state committee, 
state superintendent, the director and state department. The state superinten-
dent director may require the payment of reasonable costs of publication, han-
dling and postage by persons or agencies outside the state requesting publica-
tions and shall deposit all payments into the general fund;

(x) Promulgate rules for the acceptance and disbursement of federal funds 
apportioned to the state for school lunch, milk and other commodities dis-
tribution programs. For purposes of these programs, the state superintendent 
director may enter into agreements, employ personnel, direct disbursement
of funds in accordance with federal law to be used by districts to operate the programs along with funds from gifts and the sale of school lunches or other commodities, assist in the training of personnel in the programs and accept gifts in connection with the programs. Districts shall maintain records and report to the state superintendent in accordance with rules promulgated under this paragraph, but accounts and records need not be preserved more than five (5) years. The state superintendent shall audit and conduct reviews and inspections of accounts, records and operations of programs to ensure effective administration and compliance with applicable law and rules. To the extent funds are available, the state superintendent shall conduct studies to determine methods to improve and expand school lunch programs and to promote nutritional education in the schools, including appraising nutritive benefits of school lunch programs. For school lunch program funds, the state superintendent shall utilize a revolving account with a balance of at least five thousand dollars ($5,000.00) to cover any operating expenditures incurred by the school lunch division of the department under 7 U.S.C. section 1431, the United States department of agriculture commodity program offered to the state and accepted by the participating schools and institutions. The schools and institutions shall be billed for their share pro rata of transportation and allied charges with the receipts to be used in replenishing the revolving account. If the United States department of agriculture removes all commodities from this program, the revolving account shall be discontinued and the balance shall be transferred to the general fund;

(xix) Serve as the director of the state agency to accept all federal funds for aid to education, except as provided in W.S. 21-2-307 and 21-2-601, and as the agency to administer or supervise the administration of any state plan established or federal funds subject to federal requirements. Each acceptance is restricted in its effect to the specific situation involved. The state superintendent may:

(H) Take any other action as may be necessary to secure the benefits of the federal statute to the schools of this state. Nothing in this paragraph shall be construed as conferring any authority to the state superintendent with respect to the University of Wyoming or the various community colleges of the state,

and

(xx) In cooperation with the state board, the Wyoming community college commission, University of Wyoming, public service commission, department of transportation, department of enterprise technology services, public libraries, school district boards of trustees, classroom teachers and other appropriate groups identified by the superintendent, develop and implement a statewide education technology plan which shall address staff training, curriculum integration and network connectivity in and between schools, communities and between the state and the world, and which shall have as its goal the provision of equal access to educational instruction and informa-
tion. The statewide technology education plan may include telecommunications services provided by the department of enterprise technology services pursuant to W.S. 9-2-2906(g). Not later than January 10 of each year and with the assistance of participating agencies, an annual report on the status of the statewide education technology plan shall be prepared and issued by the state superintendent; 

(xxx) Effective school year 2012-2013 and each school year thereafter, in consultation and coordination with local school districts, by rule and regulation establish a program of administering a standardized, curriculum based, achievement college entrance examination, computer-adaptive college placement assessment and a job skills assessment test selected by the state superintendent to all students in the eleventh and twelfth grades throughout the state in accordance with this paragraph. The examinations and tests selected by the state superintendent, shall be administered throughout the United States and shall be relied upon by institutions of higher education. The college entrance examination shall at a minimum test in the areas of English, reading, writing, mathematics and science for grade eleven (11). The jobs skills assessment test shall at a minimum test in the areas of applied math, reading for information and locating information. The state superintendent shall pay all costs associated with administering the college entrance examination, the computer-adaptive college placement assessment and the jobs skills assessment test and shall schedule a day during which examinations shall be provided and one (1) shall be administered to all eleventh and twelfth grade students throughout the state. The date for administration in grade eleven (11) shall be selected so that following receipt of scores, students may timely register for senior year classes which may be necessary to allow the student to qualify for a state provided scholarship. All students in grade twelve (12) shall take the computer-adaptive college placement assessment in the spring. The state superintendent may enter into agreements with an administrator of the college entrance examination and the computer-adaptive college placement assessment and an administrator of the jobs skills assessment test and adopt rules as necessary to ensure compliance with any requirements of an administrator, such as a secure environment. Waivers may be granted for the examinations and tests required by this paragraph for students with disabilities in accordance with the provisions of the federal No Child Left Behind Act of 2001 and the federal Individuals with Disabilities Education Act. Alternative assessments and accommodations may be offered by the state superintendent in accordance with rule and regulation;

(b) The state superintendent shall designate an employee of the department of education to serve as liaison to the state board and the state superintendent through which requests for staff assistance shall be directed. The state department of education shall provide information or data requested by the state board that is necessary to perform duties under W.S. 21-2-304.
(c) In addition to subsection (a) of this section, the state superintendent-director may take appropriate administrative action with the state board as necessary, including but not limited to the changing of accreditation status, against any school district or state institution failing to comply with any applicable law or with the uniform educational program standards specified under W.S. 21-9-101 and 21-9-102 and the student content and performance standards prescribed by the state board.

(d) Any school district aggrieved by an act of the state superintendent-director may seek review in accordance with the Wyoming Administrative Procedure Act.

(e) In addition to paragraph (a)(i) of this section, the state superintendent-director shall promulgate rules and regulations governing the administration of the Wyoming education resource block grant model adopted by the Wyoming legislature as defined under W.S. 21-13-309, and governing the operation of the model in determining school district foundation program payments in accordance with chapter 13, article 3 of this title and other applicable law. The block grant model, as defined under W.S. 21-13-101(a)(xiv) and as maintained under this subsection, shall be made available for public inspection by the state superintendent-director in electronic format. Copies of the block grant model spreadsheets as administered under department rule and regulation shall be provided to school districts by the state superintendent-director for district use in district budgeting and in complying with mandatory financial reporting requirements imposed under W.S. 21-13-307(b) and by other provisions of law. To maintain the integrity of the block grant model, copies of the model and model spreadsheets made available under this subsection for public inspection and school district use shall be by protected version only, prohibiting the editing of model components, model data and model formulas. Following adoption of any recalibration of or modification to the block grant model by the Wyoming legislature, and prior to computing the foundation program amount for each school district under W.S. 21-13-309(p) and determining the amount to be distributed to a district under W.S. 21-13-311 or recaptured from a district subject to W.S. 21-13-102(b), the state superintendent-director shall certify to the legislature that the block grant model as enacted by the legislature is properly incorporated into the administration of the model for the appropriate school year of model application and is made available for public inspection. Technical corrections to model spreadsheets necessary for model administration between any session of the legislature shall be implemented by the state superintendent-director, shall be in accordance with procedures specified by rule and regulation filed with the secretary of state, shall be reported to the legislature together with the associated fiscal and technical impact of the correction, and shall be incorporated into the electronic version of the model available for public inspection. As used in this subsection, “technical corrections to model spreadsheets” means corrections necessary to ensure model op-
eration and current school year district payments are in accordance with law and the model is properly computing school foundation program payments to school districts as required by law. Notwithstanding W.S. 16-3-114(c), no judicial review of rules promulgated and adopted under this subsection shall hold unlawful or set aside action of the state superintendent in promulgating or adopting rules unless the rules are by clear and convincing evidence, shown to exceed statutory authority.

21-2-203. School district data collection and funding model administration; duties and responsibilities specified; data advisory committee; school district compliance.

(a) The department shall collect data for the state’s school finance system and in accordance with rule and regulation of the state superintendent, administer the Wyoming education resource block grant model adopted by the Wyoming legislature pursuant to W.S. 21-13-309. As used in this section, “school finance system” means all statutes related to the terms and conditions under which funds from Wyoming sources are made available under Wyoming law to the public schools for school operations. The school finance system established following a 1995 Wyoming supreme court decision, and subsequently modified and recalibrated as required under W.S. 21-13-309(t), is extremely complex and requires timely and accurate data to be administered fairly and accurately. It is essential that a single entity be established to ensure that fair and accurate administration is accomplished.

(c) The duties of the department are, in accordance with rules promulgated by the state superintendent, to:

(iv) Recommend to the state superintendent proposed rules to improve the accuracy and reliability of data and the general efficiency of the operation of the school finance system, including requiring training for district personnel with respect to accounting and reporting related to the administration of the school finance system;

(viii) Assist the state superintendent in implementing W.S. 21-13-309(m)(v)(D) and assist districts with computations necessary for reporting student career-vocational education participation and career-vocational education instruction information;

(d) The state superintendent shall establish an advisory committee consisting of not less than seven (7) members. This advisory committee shall have representatives from among Wyoming school districts, other state agencies involved in the administration of the school finance system, shall include the director of the department of audit or his designee, and shall include at least one (1) representative from the independent auditor community within the state. The committee shall meet at least twice annually and at the call of the state superintendent or his designee. The duties of the advisory committee are to:
(e) On and after July 1, 2005, the following shall apply:

(ii) If a district superintendent fails to provide data or reports in compliance with law or rules regarding timeliness, format, completeness or accuracy, without good cause, the state superintendent director shall:

21-2-204. Wyoming Accountability in Education Act; statewide education accountability system created.

(f) A progressive multi-tiered system of support, intervention and consequences to assist schools shall be established by the state board, and shall conform to the January 2012 education accountability report as defined by subsection (k) of this section. The system shall clearly identify and prescribe the actions for each level of support, intervention and consequence. Commencing with school year 2013-2014, and each school year thereafter, the state superintendent director shall take action based upon system results according to the following:

(iv) Schools designated as meeting expectations shall file an improvement plan with the school district superintendent and the department. The plan shall be based upon an evaluation of the strengths and deficiencies of specific indicator scores that identifies appropriate improvement goals with an explanation of the measures and methods chosen for improvement, the processes to be implemented to deliver the improvement measures, identification of relevant timelines and benchmarks and an articulation of the process for measuring success of the methods chosen to increase performance. The state superintendent director shall appoint a representative from the department in accordance with paragraph (vii) of this subsection to monitor the school’s progress towards meeting the specified goals and implementation of the processes, measures and methods as contained in the school’s plan. The representative shall assist the district, if requested, in identifying and securing the necessary resources to support the goals as stated by the school and the district;

(v) Schools designated as partially meeting expectations shall file an improvement plan in accordance with paragraph (iv) of this subsection that identifies and addresses all content areas where performance is below target levels. The state superintendent director shall appoint a representative from the department in accordance with paragraph (vii) of this subsection to monitor the school’s progress towards meeting the specified goals and implementation of the processes, measures and methods as contained in the school’s plan. The representative shall assist the district in identifying and securing the necessary resources to support the goals as stated by the school and the district. Failure to meet improvement goals as specified in the plan for two (2) consecutive years may require that the school be subject to paragraph (vi) of this subsection;

(vi) Schools designated as not meeting expectations shall file an improvement plan in accordance with paragraph (iv) of this subsection that identifies and addresses all content areas where performance is below target levels. The
state superintendent director shall appoint a representative from the department in accordance with paragraph (vii) of this subsection to assist in drafting the improvement plan, including the selection of programs and interventions to improve student performance. The representative shall perform duties as required by paragraph (v) of this subsection. The plan shall be approved by the local board of trustees and submitted to the school district superintendent prior to submission to the department. The plan shall describe the personnel and financial resources within the education resource block grant model as defined by W.S. 21-13-101(a)(xiv) necessary for implementation of the measures and methods chosen for improvement and shall specify how resources shall be reallocated, if necessary, to improve student performance. Failure to meet improvement goals as specified in the plan for two (2) consecutive years may be grounds for dismissal of the school principal;

(vii) A representative shall be appointed by the state superintendent director for all schools designated under paragraphs (iv) through (vi) of this subsection to serve as a liaison between the school district leadership and the department. The representative shall be an employee of the department, an employee of a Wyoming school district or any combination, and may require more than one (1) individual for schools requiring substantial intervention and support. Additionally, one (1) representative may be assigned to more than one (1) school. Among other duties as may be requested by the district or department, the representative shall review and approve improvement plans submitted by schools in accordance with paragraphs (iv) through (vi) of this subsection. Requested resources for improvement plan implementation, or the reallocation of existing resources for plan implementation, shall be based upon a comprehensive review of the available research. Justification for resource allocation or reallocation shall be incorporated within the written improvement plan. The representative shall possess expertise appropriate to particular strategies incorporated within improvement plans to enable necessary plan evaluation, and shall be commensurate with the level of intervention, support and consequences to be administered under this subsection. The state superintendent director shall annually report to the state board on the progress of each school in meeting annual goals and overall improvement targets, fully describing the effectiveness and deficiencies of efforts to improve school performance in performance categories prescribed by this section;

(viii) To the extent permitted by law and rule and regulation, plans submitted in compliance with paragraphs (iii) through (vi) of this subsection shall serve to comply with similar requirements administered by the state superintendent director and the department, and the state board shall ensure the plans minimize submission of duplicative information, material and the administrative burdens placed upon schools. All plans submitted under this subsection shall be made available for public inspection through internet access as defined by W.S. 9-2-1035(a)(iii);
21-2-301. Appointment; qualifications, terms and removal of members; meetings; chairman.

(a) There is created a state board of education composed of twelve (12) voting members, eleven (11) of whom shall be voting appointed members with at least one (1) member appointed from each appointment district pursuant to W.S. 9-1-218. The remaining voting member members of the board shall be the state superintendent of public instruction and the director of the state department of education. The state superintendent and the director shall be ex-officio members and shall not have the right to vote. One (1) appointed member shall be appointed at large and shall be a certified classroom teacher at the time of appointment. One (1) appointed member shall also be appointed at large and shall be a certified school administrator at the time of appointment. Two (2) appointed members shall be appointed at large and shall be representative of private business or industry in Wyoming. The remaining seven (7) appointed members of the board shall be appointed from among the lay citizens of the state who are electors of the state, known for their public spirit, business or professional ability and interest in education. Not more than six (6) appointed members of the board shall be from one (1) political party. Members shall be appointed for six (6) year terms, except those who may be appointed to fill unexpired terms. Members shall be appointed by the governor with the approval of the senate. Vacancies shall be filled by the governor without senate approval until the next session of the legislature. No member is eligible to reappointment, except any member appointed to fill an unexpired term of less than six (6) years and the term expires on or after January 1, 1996, may be reappointed for one (1) additional six (6) year term. Appointed members of the board may be removed by the governor as provided in W.S. 9-1-202.

(c) Notwithstanding subsection (a) of this section, the superintendent of public instruction and the director shall not participate in board deliberations on or vote on any matter relating to a contested case involving actions of the department of education.

21-2-304. Duties of the state board of education.

(a) The state board of education shall:

(i) Establish policies for public education in this state consistent with the Wyoming Constitution and statutes and may promulgate rules necessary or desirable for the proper and effective implementation of this title and its responsibilities under this title. Nothing in this section shall give the state board rulemaking authority in any area specifically delegated to the state superintendent or the director;

(v) Through the state superintendent director and in consultation and coordination with local school districts, implement a statewide assessment system comprised of a coherent system of measures that when combined, provide
a reliable and valid measure of individual student achievement for each public school and school district within the state, and the performance of the state as a whole. Statewide assessment system components shall be in accordance with requirements of the statewide education accountability system pursuant to W.S. 21-2-204. Improvement of teaching and learning in schools, attaining student achievement targets for performance indicators established under W.S. 21-2-204 and fostering school program improvement shall be the primary purposes of statewide assessment of student performance in Wyoming. The statewide assessment system shall:

(vi) Subject to and in accordance with W.S. 21-2-204, through the state superintendent, through the state superintendent director and in consultation and coordination with local school districts, by rule and regulation implement a statewide accountability system. The accountability system shall include a technically defensible approach to calculate achievement, growth and readiness as required by W.S. 21-2-204. The state board shall establish performance targets as required by W.S. 21-2-204(e), establish a progressive multi-tiered system of supports, interventions and consequences as required by W.S. 21-2-204(f) and shall establish a statewide reporting system pursuant to W.S. 21-2-204(h). The system created shall conform to the January 2012 education accountability report as defined by W.S. 21-2-204(k). In addition and for purposes of complying with requirements under the federal No Child Left Behind Act of 2001, the board shall by rule and regulation provide for annual accountability determinations based upon adequate yearly progress measures imposed by federal law for all schools and school districts imposing a range of educational consequences and supports resulting from accountability determinations;

(b) In addition to subsection (a) of this section and any other duties assigned to it by law, the state board shall:

(ii) Enforce the uniform state educational program standards imposed by W.S. 21-9-101 and 21-9-102 and the uniform student content and performance standards established by rules and regulations adopted under subsection (a) of this section, together with student performance indicators established and measured pursuant to W.S. 21-2-204, by taking appropriate administrative action with the state superintendent, including but not limited to the changing of accreditation status;

(xvii) Through the state superintendent, implement, administer and supervise education programs and services for adult visually handicapped and adult hearing impaired persons within the state.

21-2-306. Reports of state superintendent, the director and state board.
The state superintendent, the director and the state board shall, in accordance with W.S. 9-2-1014, report to the governor and recommend such legislation concerning education and appropriations for educational activities as they may deem appropriate.
21-2-502. Duties of school districts; interdistrict contracts; assistance of director; attendance beyond school age.

(a) Each school district of this state having any school age children residing in the district who possess any of the disabilities covered under this article shall, subject to the rules and regulations of the state superintendent director, provide for the appropriate diagnosis, evaluation, education or training and necessary related services and may include, but is not limited to room and board, for those children. If the school district is unable to provide the necessary and appropriate programs and services, it shall contract with another school district or agency to obtain them. If the programs and services cannot reasonably be provided by the district or by interdistrict contracts, the state superintendent director shall assist local boards of trustees in arranging for the appropriate educational programs and services either within or without the state pursuant to its rules and regulations and financed as provided by law.


(a) As used in this act:

(ii) “Preschool children with disabilities” means any children three (3) through five (5) years of age in the state of Wyoming having a mental, physical or psychological disability which impairs learning, subject to rules and regulations of the state superintendent director of the department of education;

21-2-703. Director of the department of education duties; division duties.

(a) The state superintendent director shall:

(b) The division in carrying out its duties as an intermediate educational unit, shall:

(iii) Administer the rules and regulations promulgated by the state superintendent director under this act.

(c) The state superintendent director and the administrator of the division shall enter an interagency agreement which shall define the duties of the division and the superintendent director.

21-2-801. Creation of board; appointment and composition; terms; vacancies; expense reimbursement.

(a) The Wyoming professional teaching standards board is created to consist of thirteen (13) members appointed by the state superintendent and the governor as follows:

(b) Board members shall be appointed to a term of four (4) years. No person shall be appointed for more than two (2) four (4) year terms. Vacancies shall be filled by the state superintendent and the governor on a rotating basis from the appropriate group pursuant to subsection (a) of this section. Any board member may be removed as provided under W.S. 9-1-202.
21-2-802. Powers and duties; teacher certification; suspension and revocation; certification fees; disposition of collected fees; required data submissions to department of education.

(m) In accordance with criteria and guidelines established by the state superintendent of public instruction, director of the department of education, the board shall submit data elements collected from school administrators, teachers and other school district personnel certified under this article to the department of education for housing in the department’s data base repository.

21-3-110. Duties of boards of trustees.

(a) The board of trustees in each school district shall:

(i) Prescribe and enforce rules, regulations and policies for its own government and for the government of the schools under its jurisdiction. Rules and regulations shall be consistent with the laws of the state and rules and regulations of the state board, the director and the state superintendent and shall be open to public inspection;

(v) Submit reports concerning finances or any other matter as the state board, state superintendent, the director or state law may require;

(xxii) In accordance with guidelines established by the state superintendent under W.S. 21-2-202(a)(xxii), implement standards for the storage and disposal of toxic chemicals and other hazardous substances used by schools within the district for educational programs;

(xxviii) Annually report to the state superintendent director on district expenditures for career-vocational education programs, broken down by school, and submitted in a manner and form required by rule and regulation of the state superintendent director;

(xxix) Beginning in school year 2012-2013, and each school year thereafter, administer a program where all students enrolled in the eleventh and twelfth grades in the district shall be required to take, on a date specified by the state superintendent director, a standardized, curriculum based, achievement college entrance examination, a computer-adaptive college placement assessment or a jobs skills assessment test in accordance with W.S. 21-2-202(a)(xxx). Each school district shall provide the opportunity for all home school and private school students in the eleventh and twelfth grades and residing within the district to take the examinations or the jobs skills assessment test at no cost to the student on the same date administered to all eleventh and twelfth grade public school students in the state. The results of the examinations or jobs skills assessment test taken shall be included in each student’s transcript;

(xxxi) Not later than December 31, 2011, Adopt a policy and training procedures regarding the use of seclusion and restraint in schools. In addition to any requirements provided by rule and regulation of the state superinten-
dent pursuant to W.S. 21-2-201(c)(iii), the policy shall require that the parent or legal guardian of the student shall be notified each time that seclusion or restraint is utilized for the student. The policy shall prohibit the use of locked seclusion. The policy shall not be limited to any specified group of students and shall apply any time that seclusion or restraint is used for any student. The district shall submit a copy of the policy to the state superintendent for review as provided in W.S. 21-2-201(c)(iii) after the initial adoption of the policy and any time thereafter that the policy is substantially revised. As used in this paragraph:

21-3-117. Duties of clerk of school district.
(a) The clerk of each school district within the state shall:
   (i) Within thirty (30) working days after the close of each fiscal year, submit all fiscal reports to the state superintendent of public instruction for the past fiscal year. The reports shall contain information required by the state superintendent. A copy of the reports shall also be filed with the county clerk of each county in which the school district is located;
   (ii) Cause to be filed copies of all reports made to the state superintendent and all papers transmitted to him by school officers or other persons pertaining to the business of the district. After two (2) years have elapsed from the date of filing, microfilm copies may be treated as originals;

21-3-314. Students counted among district ADM; determination of charter school funding.
(a) The director of the state department of education shall administer the education resource block grant model and perform the duties prescribed under this statute. Each student attending a charter school shall be counted among the average daily membership of the school district in which the school is located and the school shall be included in the district’s configuration of schools reported to the state superintendent under W.S. 21-3-401. Average daily membership of the charter school shall be calculated as follows:

21-3-401. Reading assessment and intervention.
(d) The state superintendent, in consultation with Wyoming school districts, professionals in the area of dyslexia and other reading difficulties, and other appropriate stakeholders, shall promulgate rules and regulations as necessary to administer the reading assessment and intervention program pursuant to this statute.

21-4-401. Transportation or maintenance for isolated pupils.
(b) The state superintendent shall adopt reasonable rules and regulations pertaining to residence requirements establishing eligibility under this section and for provision of tuition and transportation or maintenance. No person is eligible as an isolated pupil under this section unless the pupil’s par-
ents or legal guardians demonstrate to the local school board that the family’s residing in the isolated location is necessary for the family’s financial well being. The burden shall be on the parent or guardian to demonstrate that the family’s residing in the isolated location is necessary for the family’s financial well being. The final decision as to eligibility shall be made by the district board of trustees.

21-4-601. Education programs on the Wind River Indian Reservation.

(b) Subject to amounts appropriated by the legislature, the state superintendent of public instruction shall enter into negotiations with the individual or joint business councils of the Eastern Shoshone and Northern Arapaho Indian Tribes to determine the appropriate contractual arrangements for the provision of education programs and services addressing Indian students at risk of failure in school and other programs and services essential to the success and welfare of these students as specified under subsection (a) of this section. Contractual arrangements entered into under this subsection shall include a requirement that the expenditure of contractual amounts, as verified annually in writing, is for programs tied to improvement of student performance on the statewide assessment. For purposes of this section, the state superintendent shall include an amount within his biennial budget request which is computed in accordance with subsection (c) of this section to provide a per student amount that when nonstate funding sources are considered, is comparable to per student amounts provided for public schools under the Wyoming education resource block grant model.

(d) The joint business council of the Eastern Shoshone and the Northern Arapaho Indian Tribes shall annually report to the governor, the state superintendent, the joint education interim committee and the select committee on tribal relations on the expenditure of contractual amounts as required under subsection (b) of this section.

21-6-210. Powers and duties of state committee.

(a) The state committee shall:

(i) Aid the district boundary boards in carrying out the powers and duties vested in and imposed upon those boards by this article, by furnishing assistance of the employed staff of the department, as authorized by the state superintendent, and provide plans for procedure, standards, data, maps and other information and services for district boundary boards throughout the state as it appears to the state committee necessary or desirable to carry out the purposes of this article;

21-6-219. Adjustment of state foundation entitlement.

(a) When two (2) or more districts or parts of districts are organized into a school district and the total fiscal resources of the new school district are less than the combined fiscal resources of the districts the last year before organi-
zation, then the state superintendent__director_ shall adjust the state foundation entitlement to compensate for the differences in fiscal resources. The adjustment shall be equal to one hundred percent (100%) of the initial difference in each of the first two (2) fiscal years after the new organization, fifty percent (50%) of the initial difference in the third fiscal year and twenty-five percent (25%) of the initial difference in the fourth fiscal year. The adjustment shall also provide reimbursement for expenses incurred by the school districts involved in the new organization. Expenses which are reimbursable shall be determined in accordance with rules adopted by the state superintendent__director_, shall not exceed one hundred thousand dollars ($100,000.00), and shall be paid in equal amounts over a period not to exceed three (3) fiscal years.

(b) When any district consolidates two (2) or more schools within the district and the total state aid to the district would decrease because of the consolidation, the state superintendent__director_ shall adjust the state foundation entitlement to compensate for the decrease for not more than one (1) year.

**21-13-101. Definitions.**

(a) As used in this chapter:

(xiv) “Education resource block grant model” means the block grant model for Wyoming school finance contained within the enumeration of model components summarizing and executing recommendations within the 2010 cost of education study as referenced in paragraph (xvii) of this subsection and model spreadsheets provided by the consultant performing the 2010 cost of education study, all of which are enacted into law, on file with the secretary of state and are maintained and made available for public inspection by the state superintendent__director_ under W.S. 21-2-202(e), and as may be subsequently modified by the legislature prior to future model recalibration required under W.S. 21-13-309(t);

**21-13-102. Maximum rate of school district tax; recapture of excess; equalization of permissive levies.**

(e) Annually on or before August 15 the department shall notify each district subject to recapture of the estimated amount due to the state during the current fiscal year, using data from the previous school year. Upon receipt of the state assessed values by school districts, and not later than March 1 of the current fiscal year, the department shall certify to each district subject to recapture the amount of recapture for the fiscal year to be remitted to the state. The amount certified shall supersede the estimates certified on or before August 15. If a district can demonstrate financial inability to make payments to the state as provided in subsection (b) of this section, the superintendent of public instruction__director_ may adjust the schedule of payments provided by subsection (b) of this section if the financial integrity of the foundation program will not be jeopardized.
21-13-306. Foundation program account established; disposition of monies.

(b) Within the limits of legislative appropriation, if any, the resources of the public school foundation account shall be paid into the state treasury and shall be drawn out and distributed to the districts upon certification of the state superintendent director and upon vouchers approved by the state auditor payable to the treasurer of the several districts.

21-13-307. Eligibility to share in distribution of money from foundation account; mandatory financial reporting.

(a) Each district which meets the following requirements is eligible to share in the distribution of funds from the foundation account:

(ii) Operated all schools for a term of at least one hundred eighty-five (185) days or the number of days or equivalent hours authorized under an alternative schedule approved by the state board during the previous school year. If the school term of any school in a district was less than one hundred eighty-five (185) days or less than the total number of days authorized under an alternative schedule approved by the state board, the amount allotted per average daily membership (ADM) under W.S. 21-13-309 for the school shall be in proportion to the length of the term the school actually operated, unless caused by closures of schools:

(B) Whenever necessary to protect the health, safety or welfare of students, teachers and other employees and closures are approved by the state superintendent director or are the result of presidential or gubernatorial executive orders.

(iii) Furnishes to the state superintendent director statistical data and information as reasonably required to compute a district’s entitlement to share in the foundation account and the extent of the entitlement;

(iv) The district shall provide evidence to the state superintendent director that the district has maintained an average student-teacher ratio of not greater than sixteen (16) to one (1) for the aggregate of all classes in kindergarten through grade three (3) in the district in the preceding school year. The requirement of this paragraph may be waived by the department of education for any district that demonstrates insufficient school facility capacity, positive school performance, positive student achievement or for other reasons related to the delivery of the education program to students. This paragraph shall not apply to charter schools established under W.S. 21-3-301 through 21-3-314 or schools designated as exceeding expectations pursuant to W.S. 21-2-204(e)(i)(A). Schools designated as exceeding expectations pursuant to W.S. 21-2-204(e)(i)(A) shall notify the department annually of the student teacher ratios for the aggregate of all classes in kindergarten through grade three (3) in the district in the preceding year. The department shall compute
the student-teacher ratio and report it to each district not later than March 1 of each year. To obtain a waiver under this paragraph, a school district shall apply to the department not later than March 15 of each year. The application shall be based on the student-teacher ratio reported by the department of education, together with any other information required by the department. The department shall approve or deny an application for a waiver under this paragraph not later than April 10 of that year. A waiver approved under this paragraph shall be effective for the school year immediately following the application and approval.

(b) Each district shall provide financial reports to the department on forms and in such manner required by the department under W.S. 21-2-203 and by rules and regulations promulgated by the state superintendent of public instruction pursuant to this article. In administering this article, the state superintendent of public instruction may conduct audits of information submitted by districts under this article as necessary to administer and perform computations pertaining to the cost components within the education resource block grant model, and may, after consulting and negotiating with the school district, correct the information reported by districts under this article to fairly and accurately reflect the data type, classification and format necessary to perform computations required to administer the school finance system established under this article.

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:

(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. 21-13-101(a)(xiv), as contained within the spreadsheets and accompanying reports referenced under W.S. 21-13-101(a)(xvii), on file with the secretary of state and maintained by the state superintendent pursuant to W.S. 21-2-202(e). The following criteria shall be used by the state superintendent in the administration of the education resource block grant model:

(B) Alternative schools qualifying for separate consideration under the education resource block grant model may be established by a school district for offering educational programs to students with educational needs which the district finds are not appropriately met by other schools in the district, excluding charter schools established under W.S. 21-3-301 through 21-3-314. Alternative schools included within a district’s configuration of schools identified under paragraph (iv) of this subsection shall for purposes of the education resource block grant model:
(III) Unless otherwise authorized by the state superintendent-director, be restricted to not more than one (1) alternative school within any school district.

(vi) Except for charter schools established under W.S. 21-3-301 through 21-3-314, any alteration of the configuration of grades within a district, school or school facility which differs from the configuration of grades during the immediately preceding school year as reported under paragraph (iv) of this subsection shall be considered a reconfiguration and shall be documented by the district and reported to the state superintendent-director and the director of the school facilities department. Following review and evaluation, the state superintendent-director of the department of education and the director of the school facilities department shall, each acting independently, approve or deny the reconfiguration for purposes of application to the education resource block grant model and the determination of school facility needs and remedies. The following shall apply:


(b) On or before July 10 of each year the county treasurer of each county shall certify to the state superintendent-director, in such form as the state superintendent-director shall provide, a report of monies distributed by him to each district within the county during the previous school year.

21-13-312. Prorating payments when income from foundation account insufficient.

(a) To preserve the integrity of the foundation account for the biennium and so that payments can be made during the full school year for each year of the biennium, if it appears to the state superintendent-director that the income available to the foundation program account is not sufficient to meet the payments as provided by law:

(i) The state superintendent-director shall determine a uniform percentage by which the amount guaranteed to each district under W.S. 21-13-309 shall be reduced so that available revenues in the foundation program account for that school year are as nearly as possible equal to the amount necessary to fund payments to districts under W.S. 21-13-313; and

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

(a) For each school year the state auditor, on the certification of the state superintendent-director, shall draw warrants on the state treasurer for the amount of money which shall be distributed to each district from the foundation account as computed under W.S. 21-13-311. The warrants, payable to the treasurer of the district concerned, shall be delivered to the state superintendent-director for distribution to the several school districts.
(b) The state superintendent director shall determine on or before August 15 of each year the tentative allotment of foundation funds to which each district is entitled under this article. In making this determination, the state superintendent director may, if current fiscal information required by law to compute the tentative allotment is not available for any district by August 1 of that year, use fiscal information available to the state superintendent director from the foundation program computations of the previous school year for that district. The previous year’s fiscal information shall be adjusted to reflect current fiscal changes and other information known by or available to the state superintendent director. Upon receiving actual fiscal information from a district, the state superintendent director shall accordingly adjust future foundation program determinations for that district such that foundation program payments appropriately reflect current fiscal information for the applicable school year.

(c) Fifteen percent (15%) of each district’s entitlement shall be paid to the district on or before August 15 of each year and subject to any adjustment under subsections (d) and (e) of this section, ten percent (10%) of each district’s entitlement shall be paid on or about the fifteenth day of each month through April of each year. The final payment for the balance of each district’s entitlement shall be distributed on or before May 15 of each year. If, after March 1 and before April 1, the state superintendent director determines that the entitlement to be paid to a district for that school year is not accurate, the state superintendent director shall adjust payments to or payments from that district as necessary to correct the inaccuracy as soon as practicable. Except as provided under W.S. 21-2-202(e), after March 31 of any school year, the state superintendent director shall not adjust any district’s entitlement or fiscal information used to compute a district’s entitlement for that school year, and the entitlement or fiscal information shall only be adjusted thereafter in accordance with audit review pursuant to W.S. 9-1-513.

(g) In addition to subsections (b) and (c) of this section, the state superintendent director shall, for any district subject to W.S. 21-13-102(b) as determined by the department for any school year, or for any district not subject to W.S. 21-13-102(b) whose entitlement amount determined under W.S. 21-13-311(a) for any school year is equal to or less than twenty percent (20%) of the foundation program amount computed under W.S. 21-13-309(p), and upon demonstration by the district of financial need as documented by cash flow analysis, provide payments from the school foundation program account in an amount not to exceed one-fifth (1/5) of the foundation program amount computed for that district for that school year in accordance with W.S. 21-13-309. The computed amount shall be paid to each eligible district on or before September 1 based upon tentative computations under W.S. 21-13-309, for which the department may use fiscal information available from foundation program computations for the previous school year in the manner provided under subsection (b) of this section. Any district receiving a payment under this subsection
and repaying the foundation program account by December 15 of that school year shall not be assessed interest. After December 15, the district shall be assessed interest at a rate equal to the rate specified by W.S. 21-13-316(a) until the payment is repaid in full. In no event shall an advance payment under this subsection extend beyond and remain unpaid by any district, including interest, on and after June 15 of that school year.

21-15-113. School facilities commission; membership; conflict of interest; terms; chairman; meetings; compensation.

(a) The school facilities commission is established to consist of eight (8) nine (9) members comprised of the state superintendent of public instruction and the director of the department of education, who shall serve in an ex-officio, nonvoting capacity, and seven (7) members who are Wyoming residents appointed by the governor with one (1) member appointed from each of the seven (7) appointment districts designated in W.S. 9-1-218(b). Four (4) of the appointees shall have knowledge and experience in the following areas:

21-17-201. Composition; appointment and qualifications of members generally; members ex officio; quorum.

The government of the university is vested in a board of twelve (12) trustees appointed by the governor, no two (2) of whom may be residents of the same county of the state. At least one (1) trustee shall be appointed from each appointment district pursuant to W.S. 9-1-218. Not more than seven (7) members of the board shall be registered in the same political party. The governor, the president of the university, the state superintendent of public instruction, the director of the department of education and the president of the associated students of the university are members ex officio, having the right to speak, but not to vote. A majority of the board is a quorum.

21-18-201. Community college commission; created; composition; removal.

(c) The governor, the director of the department of education and the state superintendent of public instruction are ex officio nonvoting members of the commission.

21-22-103. State advisory council for innovative education; established; membership; terms; compensation; initial terms.

(a) The state advisory council for innovative education is established, to consist of the following members:

(i) Four (4) members appointed by the state superintendent of public instruction and two (2) members appointed by the director of the state department of education as follows, provided the state superintendent and the director shall review but need not appoint members from the list of nominees submitted by the designated entities:
(ii) The Wyoming public school teacher holding the state department of education superintendent’s Wyoming teacher of the year award as required under W.S. 21-2-201(c)(ii);

(v) The state superintendent of public instruction and the director of the state department of education serving as an ex officio member members;

(b) Except for initial terms pursuant to subsection (d) of this section, Terms of voting members shall be for one (1) year. Annual appointments shall be made and reported to the state superintendent and the director of the department of education by January 1 of each year. Any vacancy shall be filled by the designated appointing authority for the remainder of the unexpired term within not more than thirty (30) days following the date on which the vacancy occurred. Any voting member may serve not more than three (3) terms. The state superintendent director shall coordinate appointments and notify each designated appointing authority of the requirements imposed under this section.

31-5-118. Regulations relative to school buses.

(a) The state superintendent of public instruction director of the department of education shall adopt and enforce regulations not inconsistent with this act to govern the design and operation of all school buses used for the transportation of school children when owned and operated by any school district or privately owned and operated under contract with any school district in this state and the regulations shall by reference be made a part of any contract with a school district. Every school district, its officers and employees, and every person employed under contract by a school district shall be subject to the regulations.

Section 3. W.S. 21-2-202(a)(xix)(J), (xxii), (xxxii) and (xxxiii) and 21-22-103(d) are repealed.

Section 4.

(a) It is the intention and direction of the legislature that:

(i) All divisions, agencies, programs, positions, personnel, property, appropriated funds and functions of the department of education shall transfer immediately to the interim director of the department of education as appointed by the governor as required by this act;

(ii) Any contract, agreement or obligation entered into or assumed by the director of the Wyoming department of education in relation to the duties transferred by this act, if the execution or assumption was within the lawful powers of the state superintendent or the Wyoming department of education, be assumed by the director of the Wyoming department of education as established by this act;

(iii) Any lawful policy adopted by the state superintendent or the Wyo-
mning department of education shall remain in effect unaltered as policy of the director until amended or repealed by the director;

(iv) There is to be as little disruption as possible to the everyday duties and activities of the staff of the department of education. The governor and the interim director shall review all personnel decisions, including but not limited to any transfers, change of job duties, or terminations, within sixty (60) days prior to effective date of this act. In addition, if the interim director determines changes to personnel are required after the effective date of this act, such changes shall be submitted to the governor for approval prior to any transfers, change of job duties, or termination of any employee.

Section 5.

(a) The governor shall immediately appoint a person to serve as the interim director of the Wyoming department of education upon the effective date of this act. In addition, the department of administration and information shall immediately secure office space for the state superintendent of public instruction in facilities separate from the department of education. Not later than December 1, 2013, the governor shall appoint a director of the state department of education by temporary appointment as provided in W.S. 28-12-101(b).

(b) The interim director shall plan for the immediate transfer of all department of education divisions, agencies, programs, positions, personnel, property, appropriated funds and functions to the director as required by this act. The interim director shall periodically report to the joint education interim committee on the status of the transfer. The transfer shall be effective upon approval of the governor. Nothing in this subsection authorizes funds to be expended for any purpose other than that for which the funds were appropriated.

(c) The department of administration and information, in consultation with the interim director, shall review all existing authorized positions and appropriated funds for the Wyoming department of education. The department of administration and information, in consultation with the interim director, shall submit to the governor a list of all such positions and appropriated funds which provide services related to the duties transferred to the director as required by this act. Not later than November 1, 2013, the governor shall submit a list to the joint appropriations interim committee of those positions identified and appropriated funds approved by the governor that were transferred to the director of the department of education under this act and those that should be transferred to the state superintendent’s office in order to effectuate the provisions of this act. The listing shall include for each position the source of funding and for positions not wholly funded by state general funds, whether the funding source would be affected by the transfer of the position. The governor shall also separately identify any positions that were eliminated or which should be eliminated.
(d) The joint appropriations interim committee shall review the lists provided and sponsor legislation in the 2014 budget session as it determines appropriate to transfer positions and associated equipment and funding from the department of education to the state superintendent’s budget to effectuate the changes as required by this act.

(e) Not later than December 1, 2013, the interim director of the department of education shall prepare a status report on the transfer of divisions, agencies, programs, positions, personnel, property, appropriated funds and functions to the director. The report shall be submitted to the governor, the joint education interim committee, the joint appropriations interim committee and the select committee on statewide education accountability and made available to the public. The report shall include further recommendations, including recommended legislation if necessary, to effectuate the transfer of duties as required by this act. The report shall also include a plan specifying a process for completion of department organization and professional capacity building over a period not to exceed five (5) years.

(f) Positions and funds as determined appropriate under subsection (c) of this section remaining with the office of the state superintendent of public instruction shall fund and staff the state superintendent for the remainder of the fiscal biennium through June 30, 2014. For the fiscal biennium commencing July 1, 2014, the state superintendent shall submit an estimated budget in accordance with W.S. 9-2-1011.

(g) Nothing in this section shall be construed to limit the authority of the governor to effect voluntary transfers of positions between agencies as otherwise authorized by law.

Section 6. 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.

Approved January 29, 2013

Chapter 2

PUBLIC RECORDS-INSTITUTIONS OF HIGHER EDUCATION

Original House Bill No. 223

AN ACT relating to public records; authorizing denial of inspection of records of applications for president of institutions of higher education and associated records as specified; specifying applicability; and providing for an effective date.

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

Section 1. W.S. 16-4-203(b) by creating a new paragraph (vii) is amended to read:
16-4-203. Right of inspection; grounds for denial; access of news media; order permitting or restricting disclosure; exceptions.

(b) The custodian may deny the right of inspection of the following records, unless otherwise provided by law, on the ground that disclosure to the applicant would be contrary to the public interest:

(vii) An application for the position of president of an institution of higher education, letters of recommendation or references concerning the applicant and records or information relating to the process of searching for and selecting the president of an institution of higher education, if the records or information could be used to identify a candidate for the position. As used in this paragraph “institution of higher education” means the University of Wyoming and any community college in this state.

Section 2. This act shall apply to all records or information as stated in this act relating to the search and selection process for which a board of trustees of an institution of higher education or its agent is considering applications on or after the effective date of this act, and shall include all such records or information whether developed or submitted prior to or after the effective date of this act.

Section 3. 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.

Became law without Governor’s signature February 8, 2013.

Chapter 3

OIL AND GAS CONSERVATION COMMISSION-FILINGS

Original Senate File No. 2

AN ACT relating to oil and gas; providing that a registered professional engineer is not required to sign or stamp filings with the oil and gas conservation commission; providing that the oil and gas conservation commission may require that only Wyoming registered professional engineers shall testify as an expert at a hearing before the commission; and providing for an effective date.

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

Section 1. W.S. 30-5-104 by creating a new subsection (e) and 30-5-111 by creating a new subsection (j) are amended to read:

30-5-104. Oil and gas conservation commission; powers and duties; investigations; rules and regulations.

(e) The commission shall not require that filings with the commission be signed or stamped by a registered professional engineer.

30-5-111. Rules of practice and procedure; hearings; emergency orders; notice; public inspection.
(j) The commission shall require that an engineer testifying as an expert at a hearing before the commission be a registered professional engineer in the state of Wyoming.

Section 2. This act is effective July 1, 2013.

Approved February 11, 2013.

Chapter 4

STATE OIL AND GAS SUPERVISOR-QUALIFICATIONS

Original Senate File No. 3

AN ACT relating to oil and gas; amending the qualifications necessary for a person to be appointed supervisor of the Wyoming oil and gas conservation commission; and providing for an effective date.

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

Section 1. W.S. 30-5-108 is amended to read:

30-5-108. State oil and gas supervisor; appointment; duties; authority of commission to appoint other employees; payment of traveling and living expenses.

To enable the commission to carry out its duties and powers under the laws of this state with respect to conservation of oil and gas, and to enforce the rules and regulations so prescribed, the commission shall appoint one (1) chief administrator who shall be a qualified and registered professional petroleum engineer or petroleum geologist with at least ten (10) years of experience in his respective field of expertise who shall be designated and known as the “State Oil and Gas Supervisor.” Such supervisor shall hold office at the pleasure of the commission and shall receive a salary, to be fixed by the commission. The state oil and gas supervisor shall be charged with such duties as are delegated by the commission, and in addition thereto he shall investigate charges and complaints of violation of the laws of this state with respect to conservation of oil and gas, and any order, rules and regulation of the commission made in connection therewith, and report concerning all such violations to the commission. The commission may at any time, when it finds that the public interest will be served thereby appoint such other employees as are found to be necessary, to assist the commission and the state oil and gas supervisor in the discharge of their respective duties. All employees or assistants authorized by this act shall be paid their necessary traveling and living expenses when traveling on official business, at such rates and within such limits as may be fixed by the commission, subject to existing law.

Section 2. 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.

Approved February 11, 2013.
Chapter 5

SCHOOL CAPITAL CONSTRUCTION-CAPACITY

AN ACT relating to school capital construction; clarifying utilization factors within building capacity criteria used by the school facilities commission in building needs prioritization; and providing for an effective date.

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

Section 1. W.S. 21-15-115(a)(vi) and 21-15-117(e)(iv) are amended to read:


(a) The commission shall by rule and regulation establish and maintain uniform statewide standards for the adequacy of school buildings and facilities necessary for providing educational programs prescribed by law for the public schools. If a building owned by a district meets the applicable standards under this subsection for use by the district to educate students and was previously used for the purpose of educating students, no municipal or county zoning requirements shall be construed or applied so as to prevent the district from using the building for the purpose of educating students, or to require the district to make any modification to the building as a condition of using the building for the purpose of educating students. The uniform standards shall at minimum include:

(vi) Building capacity criteria aligned to the prescribed state educational program, with consideration given to utilization differences between school sizes and school levels in accordance with W.S. 21-15-117(e)(iv);

21-15-117. Annual evaluation of school buildings and facilities; remediation schedule; needs prioritization; combining facilities; implementation of remedy.

(e) For any building subject to paragraph (a)(iii) of this section, and when prioritizing buildings and facilities based upon condition pursuant to subsection (a) of this section, the commission shall consider criteria for building capacity established by commission rule and regulation which include:

(iv) An examination of loading and utilization factors for that building to encourage the efficient use of classrooms with a factor of eighty-five percent (85%) of the instructional area applied to middle and high school level buildings, and a factor of one hundred percent (100%) of the home room instructional area applied to elementary school buildings; and

Section 2. 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.

Approved February 11, 2013.
AN ACT relating to the supreme court; eliminating mandatory distribution of opinions and session laws as specified; repealing archaic provision; and providing for an effective date.

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

Section 1. W.S. 5-2-402 and 5-2-502 are amended to read:

5-2-402. Distribution of copies of reports.
The books delivered to the librarian shall be used by him for the purpose of distribution as follows: distributed as provided in this section. One (1) copy of each volume shall upon request be delivered to each justice of the supreme court; and to each district judge there shall upon request be delivered as many copies as he has counties in his district, and to each state officer, said books to be labeled as the property of the state, and to The books shall be retained in the offices of said officials and by them delivered to their respective successors in office.; One (1) copy shall may be furnished to the library of the supreme court of the United States at Washington, one (1) copy to the office of the attorney general of the United States, and one (1) copy to the office of the United States district court for the district of Wyoming. The remaining copies shall may be used in exchange for the reports of other states and territories and governments as shall may be determined upon by the justices of the supreme court, and a reasonable number shall may be kept in the state law library.

5-2-502. Session law exchange.
Upon request, the state law librarian shall may send to the library of each state and territory of the United States, free of expense, one (1) copy of the session laws of this state in exchange for the laws of the requesting state or territory. All the laws received in the exchange shall be deposited by the state law librarian in the state law library and become the property of this state.

Section 2. W.S. 5-2-403 is repealed.

Section 3. This act is effective July 1, 2013.

Approved February 11, 2013.
Section 1. W.S. 20-2-304(a)(intro), 20-2-309(f) and 20-2-310(c) are amended to read:

20-2-304. Presumptive child support.

(a) Child support shall be expressed in a specific dollar amount. The following child support tables shall be used to determine the total child support obligation considering the combined income of both parents. The appropriate table is based upon the number of children for whom the parents share joint legal responsibility and for whom support is being sought. After the combined net income of both parents is determined it shall be used in the first column of the tables to find the appropriate line from which the total child support obligation of both parents can be computed from the third column. The child support obligation computed from the third column of the tables shall be divided between the parents in proportion to the net income of each. The noncustodial parent’s share of the joint child support obligation shall be paid to the custodial parent through the clerk of court as defined by W.S. 20-6-102(a)(x):

20-2-309. Contents of orders; change of address or employment; income withholding entered; payment.

(f) All child support payments shall be paid to the clerk of the district court as defined by W.S. 20-6-102(a)(x).

20-2-310. Enforcement of child support.

(c) In any case in which child support has been ordered to be paid to the clerk of the court, any periodic payment or installment under the provisions of an order concerning maintenance is, on the date it is due, a judgment by operation of law.

Section 2. This act is effective July 1, 2013.

Approved February 11, 2013.

Chapter 8
UNIFORM COMMERCIAL CODE-REVISIONS
Original Senate File No. 13

AN ACT relating to the Uniform Commercial Code; providing definitions; providing for perfecting security interests when collateral is moved between jurisdictions; providing for governing law when filing of financing statements; providing for control of electronic chattel paper; providing transition provisions; and providing for an effective date.

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

Section 1. W.S. 34.1-9-801 through 34.1-9-809 are created to read:

PART 8
TRANSITION PROVISIONS FOR 2013 AMENDMENTS
34.1-9-801. Effective date of amendments.

(a) In this part, “2013 amendments” means the amendments to this title that are enacted by the act of the 2013 legislative session that enacted this part 8.

(b) The 2013 amendments are effective July 1, 2013.

34.1-9-802. Savings clause.

(a) Except as otherwise provided in this part, the 2013 amendments apply to a transaction or lien within its scope, even if the transaction or lien was entered into or created before July 1, 2013.

(b) The 2013 amendments do not affect an action, case or proceeding commenced before July 1, 2013.


(a) A security interest that is a perfected security interest immediately before July 1, 2013, is a perfected security interest under this title as amended by the 2013 amendments if, on July 1, 2013, the applicable requirements for attachment and perfection under this title, as amended by the 2013 amendments, are satisfied without further action.

(b) Except as otherwise provided in W.S. 34.1-9-805, if, immediately before July 1, 2013, a security interest is a perfected security interest, but the applicable requirements for perfection under this title, as amended by the 2013 amendments, are not satisfied on July 1, 2013, the security interest remains perfected thereafter only if the applicable requirements for perfection under this title, as amended by the 2013 amendments, are satisfied within one (1) year after July 1, 2013.


(a) A security interest that is an unperfected security interest immediately before July 1, 2013, becomes a perfected security interest:

(i) Without further action, on July 1, 2013, if the applicable requirements for perfection under this title, as amended by the 2013 amendments, are satisfied before or at that time; or

(ii) When the applicable requirements for perfection are satisfied if the requirements are satisfied after that time.

34.1-9-805. Effectiveness of action taken before July 1, 2013.

(a) The filing of a financing statement before July 1, 2013, is effective to perfect a security interest to the extent the filing would satisfy the applicable requirements for perfection under this title, as amended by the 2013 amendments.

(b) The 2013 amendments do not render ineffective an effective financing statement that, before July 1, 2013, is filed and satisfies the applicable require-
ments for perfection under the law of the jurisdiction governing perfection as provided in this title, as it existed before the 2013 amendments. However, except as otherwise provided in subsections (c) and (d) of this section and W.S. 34.1-9-806, the financing statement ceases to be effective:

(i) If the financing statement is filed in this state, at the time the financing statement would have ceased to be effective had the 2013 amendments not taken effect; or

(ii) If the financing statement is filed in another jurisdiction, at the earlier of:

(A) The time the financing statement would have ceased to be effective under the law of that jurisdiction; or

(B) June 30, 2018.

(c) The filing of a continuation statement on or after July 1, 2013, does not continue the effectiveness of the financing statement filed before July 1, 2013. However, upon the timely filing of a continuation statement on or after July 1, 2013, and in accordance with the law of the jurisdiction governing perfection as provided in this title, as amended by the 2013 amendments, the effectiveness of a financing statement filed in the same office in that jurisdiction before July 1, 2013, continues for the period provided by the law of that jurisdiction.

(d) Subparagraph (b)(ii)(B) of this section applies to a financing statement that, before July 1, 2013, is filed against a transmitting utility and satisfies the applicable requirements for perfection under the law of the jurisdiction governing perfection as provided in this title, as it existed before the 2013 amendments, only to the extent that this title, as amended by the 2013 amendments, provides that the law of a jurisdiction other than the jurisdiction in which the financing statement is filed governs perfection of a security interest in collateral covered by the financing statement.

(e) A financing statement that includes a financing statement filed before July 1, 2013, and a continuation statement filed on or after July 1, 2013, is effective only to the extent that it satisfies the requirements of W.S. 34.1-9-501 through 34.1-9-526, as amended by the 2013 amendments, for an initial financing statement. A financing statement that indicates that the debtor is a decedent's estate indicates that the collateral is being administered by a personal representative within the meaning of W.S. 34.1-9-503(a)(ii), as amended by the 2013 amendments. A financing statement that indicates that the debtor is a trust or is a trustee acting with respect to a property held in trust indicates that the collateral is held in a trust within the meaning of W.S. 34.1-9-503(a)(iii), as amended by the 2013 amendments.

34.1-9-806. When initial financing statement suffices to continue effectiveness of financing statement.
(a) The filing statement of an initial financing statement in the office specified in W.S. 34.1-9-501 continues the effectiveness of a financing statement filed before the 2013 amendments take effect if:

(i) The filing of an initial financing statement in that office would be effective to perfect a security interest under this title, as amended by the 2013 amendments;

(ii) The pre-effective-date financing statement was filed in an office in another state; and

(iii) The initial financing statement satisfies subsection (c) of this section.

(b) The filing of an initial financing statement under subsection (a) of this section continues the effectiveness of the pre-effective-date financing statement:

(i) If the initial financing statement is filed before July 1, 2013, for the period provided in W.S. 34.1-9-515 as that section was in effect on June 30, 2013, with respect to an initial financing statement; and

(ii) If the initial financing statement is filed on or after July 1, 2013, for the period provided in W.S. 34.1-9-515, as amended by the 2013 amendments, with respect to an initial financing statement.

(c) To be effective for purposes of subsection (a) of this section, an initial financing statement must:

(i) Satisfy the requirements of W.S. 34.1-9-501 through 34.1-9-526, as amended by the 2013 amendments, for an initial financing statement;

(ii) Identify the pre-effective-date financing statement by indicating the office in which the financing statement was filed and providing the dates of filing and file numbers, if any, of the financing statement and of the most recent continuation statement filed with respect to the financing statement; and

(iii) Indicate that the pre-effective-date financing statement remains effective.

34.1-9-807. Amendment of pre-effective-date financing statement.

(a) In this section, “pre-effective-date financing statement” means a financing statement filed before July 1, 2013.

(b) On and after July 1, 2013, a person may add or delete collateral covered by, continue or terminate the effectiveness of, or otherwise amend the information provided in a pre-effective-date financing statement only in accordance with the law of the jurisdiction governing perfection as provided in this title, as amended by the 2013 amendments. However, the effectiveness of a pre-effective-date financing statement also may be terminated in accordance with the law of the jurisdiction in which the financing statement is filed.

(c) Except as otherwise provided in subsection (d) of this section, if the law
of the state governs perfection of a security interest, the information in a pre-effective-date financing statement may be amended on and after July 1, 2013, only if:

(i) The pre-effective-date financing statement and an amendment are filed in the office specified in W.S. 34.1-9-501;

(ii) An amendment is filed in the office specified in W.S. 34.1-9-501 concurrently with, or after the filing in that office of, an initial financing statement that satisfies W.S. 34.1-9-806(c); or

(iii) An initial financing statement that provides the information as amended and satisfies W.S. 34.1-9-806(c) is filed in the office specified in W.S. 34.1-9-501.

(d) If the law of the state governs perfection of a security interest, the effectiveness of a financing statement filed before July 1, 2013, may be continued only under W.S. 34.1-9-805(c) or (e) and 34.1-9-806.

(e) Whether or not the law of the state governs perfection of a security interest, the effectiveness of a financing statement filed before July 1, 2013, in the state may be terminated on or after July 1, 2013, by filing a termination statement in the office in which the pre-effective-date financing statement is filed, unless an initial financing statement that satisfies W.S. 34.1-9-806(c) has been filed in the office specified by the law of the jurisdiction governing perfection as provided in this title, as amended by the 2013 amendments, as the office in which to file a financing statement.

34.1-9-808. Person entitled to file initial financing statement or continuation statement.

(a) A person may file an initial financing statement or a continuation statement under this part if:

(i) The secured party of record authorizes the filing; and

(ii) The filing is necessary under this part:

(A) To continue the effectiveness of a financing statement filed before July 1, 2013; or

(B) To perfect or continue the perfection of a security interest.

34.1-9-809. Priority.

The 2013 amendments determine the priority of conflicting claims to collateral. However, if the relative priorities of the claims were established before July 1, 2013, this title, as it was in effect on June 30, 2013, determines priority.

Section 2. W.S. 34.1-9-102(a)(vii)(B), (x), (l), (lxxiii) and by creating a new paragraph (lxxiv), 34.1-9-105, 34.1-9-307(f)(ii), 34.1-9-311(a)(iii), 34.1-9-316 by creating new subsections (h) and (j), 34.1-9-317(b) and (d), 34.1-9-326, 34.1-9-406(e), 34.1-9-408(b), 34.1-9-502(c)(iii), 34.1-9-503(a)(i)
through (iii), by creating a new paragraph (iv), by amending and renumbering (iv) as (v), (b)(ii) and by creating new subsections (f) through (h), 34.1-9-507(c), 34.1-9-515(f), 34.1-9-516(b)(iii)(C), (v)(A) and (B), 34.1-9-518(a), (b)(intro), (i)(B), (ii), by creating new subsections (c) and (d) and by amending and renumbering (c) as (e), 34.1-9-521 by creating new subsections (c) through (e) and 34.1-9-607(b)(ii)(A) are amended to read:

34.1-9-102. Definitions and index of definitions.

(a) In this article:

(vii) “Authenticate” means:

(B) To execute or otherwise adopt a symbol, or encrypt or similarly process a record in whole or in part, with the present intent of the authenticating person to identify the person and to adopt or accept a record, or to attach to or logically associate with the record an electronic sound, symbol or process.

(x) “Certificate of title” means a certificate of title with respect to which a statute provides for the security interest in question to be indicated on the certificate as a condition or result of the security interest’s obtaining priority over the rights of a lien creditor with respect to the collateral. The term includes another record maintained as an alternative to a certificate of title by the governmental unit that issues certificates of title if a statute permits the security interest in question to be indicated on the record as a condition or result of the security interest’s obtaining priority over the rights of lien creditor with respect to the collateral;

(l) “Jurisdiction of organization”, with respect to a registered organization, means the jurisdiction under whose law the organization is formed or organized;

(lxxiii) “Registered organization” means an organization formed or organized solely under the law of a single state or the United States and as to which the state or the United States must maintain a public record showing the organization to have been organized by the filing of an organic record with, the issuance of a public organic record by, or the enactment of legislation by the state or the United States. The term includes a business trust that is formed or organized under the law of a single state if a statute of the state governing business trusts requires that the trust’s organic record be filed with the state;

(lxxxiv) “Public organic record” means a record that is available to the public for inspection and is:

(A) A record consisting of the record initially filed with or issued by a state or the United States to form or organize any organization and any record filed with or issued by the state or the United States which amends or restates the initial record;

(B) An organic record of a business trust consisting of the record initial-
ly filed with a state and any record filed with the state which amends or restates the initial record, if a statute of the state governing business trusts requires that the record be filed with the state; or

(C) A record consisting of legislation enacted by the legislature of a state or the congress of the United States which forms or organizes an organization, any record amending the legislation and any record filed with or issued by the state or the United States which amends or restates the name of the organization.

34.1-9-105. Control of electronic chattel paper.

(a) A secured party has control of electronic chattel paper if a system employed for evidencing the transfer of interest in the chattel paper reliably establishes the secured party as the person to which the chattel paper was assigned.

(b) A system satisfies subsection (a) of this section if the record or records comprising the chattel paper are created, stored and assigned in such a manner that:

   (i) A single authoritative copy of the record or records exists which is unique, identifiable and, except as otherwise provided in paragraphs (iv), (v) and (vi), unalterable;

   (ii) The authoritative copy identifies the secured party as the assignee of the record or records;

   (iii) The authoritative copy is communicated to and maintained by the secured party or its designated custodian;

   (iv) Copies or revisions of the authoritative copy can be made only with the consent of the secured party;

   (v) Each copy of the authoritative copy and any copy of a copy is readily identifiable as a copy that is not the authoritative copy; and

   (vi) Any revision of the authoritative copy is readily identifiable as an authorized or unauthorized revision.

34.1-9-307. Location of debtor.

(f) Except as otherwise provided in subsection (j), a registered organization that is organized under the law of the United States and a branch or agency of a bank that is not organized under the law of the United States or a state are located:

   (ii) In the state that the registered organization, branch or agency designates, if the law of the United States authorizes the registered organization, branch or agency to designate its state of location, including by designating its main office, home office or other comparable office; or

34.1-9-311. Perfection of security interests in property subject to certain
statutes, regulations and treaties.

(a) Except as otherwise provided in subsection (d), the filing of a financing statement is not necessary or effective to perfect a security interest in property subject to:

(iii) A certificate of title statute of another jurisdiction which provides for a security interest to be indicated on the certificate of title as a condition or result of the security interest's obtaining priority over the rights of a lien creditor with respect to the property.

34.1-9-316. Effect of change in governing law.

(h) The following rules apply to collateral to which a security interest attaches within four (4) months after the debtor changes its location to another jurisdiction:

(i) A financing statement filed before the change pursuant to the law of the jurisdiction designated in W.S. 34.1-9-301(a) or 34.1-9-305(c) is effective to perfect a security interest in the collateral if the financing statement would have been effective to perfect a security interest in the collateral if the debtor had not changed its location:

(ii) If a security interest perfected by a financing statement that is effective under paragraph (i) of this subsection becomes perfected under the law of the other jurisdiction before the earlier of the time the financing statement would have become ineffective under the law of the jurisdiction designated in W.S. 34.1-9-301(a) or 34.1-9-305(c) or the expiration of the four (4) month period, it remains perfected thereafter. If the security interest does not become perfected under the law of the other jurisdiction before the earlier time or event, it becomes unperfected and is deemed never to have been perfected as against a purchaser of the collateral for value.

(j) If a financing statement naming an original debtor is filed pursuant to the law of the jurisdiction designated in W.S. 34.1-9-301(a) or 34.1-9-305(c) and the new debtor is located in another jurisdiction, the following rules apply:

(i) The financing statement is effective to perfect a security interest in collateral in which the new debtor has or acquires rights before or within four (4) months after the new debtor becomes bound under W.S. 34.1-9-203(d), if the financing statement would have been effective to perfect a security interest in the collateral if the collateral had been acquired by the original debtor;

(ii) A security interest that is perfected by the financing statement and which becomes perfected under the law of the other jurisdiction before the earlier of the expiration of the four (4) month period or the time the financing statement would have become ineffective under the law of the jurisdiction designated in W.S. 34.1-9-301(a) or 34.1-9-305(c) remains perfected thereafter. A security interest that is perfected by the financing statement but which does not
become perfected under the law of the other jurisdiction before the earlier time or event becomes unperfected and is deemed never to have been perfected as against a purchaser of the collateral for value.

34.1-9-317. Interests that take priority over or take free of security interest or agricultural lien.

(b) Except as otherwise provided in subsection (e), a buyer, other than a secured party, of tangible chattel paper, documents, goods, instruments or a security certificate or certificated security takes free of a security interest or agricultural lien if the buyer gives value and receives delivery of the collateral without knowledge of the security interest or agricultural lien and before it is perfected.

(d) A licensee of a general intangible or a buyer, other than a secured party, of accounts, electronic chattel paper, general intangibles or investment property collateral other than tangible chattel paper, tangible documents, goods, instrument or a certificated security takes free of a security interest if the licensee or buyer gives value without knowledge of the security interest and before it is perfected.

34.1-9-326. Priority of security interests created by new debtor.

(a) Subject to subsection (b), a security interest that is created by a new debtor or which is in collateral in which the new debtor has or acquires rights and is perfected solely by a filed financing statement that is effective solely under section 34.1-9-508 in collateral in which a new debtor has or acquires rights would be ineffective to perfect the security interest but for the application of W.S. 34.1-9-316(j)(j) or 34.1-9-508 is subordinate to a security interest in the same collateral which is perfected other than by such a filed financing statement that is effective solely under section 34.1-9-508.

(b) The other provisions of this part determine the priority among conflicting security interests in the same collateral perfected by filed financing statements that are effective solely under section 34.1-9-508 described in subsection (a) of this section. However, if the security agreements to which a new debtor became bound as debtor were not entered into by the same original debtor, the conflicting security interests rank according to priority in time of the new debtor’s having become bound.

34.1-9-406. Discharge of account debtor; notification of assignment; identification and proof of assignment; restrictions on assignment of accounts, chattel paper, payment intangibles and promissory notes ineffective.

(e) Subsection (d) does not apply to the sale of a payment intangible or promissory note, other than a sale pursuant to a disposition under W.S. 34.1-9-610 or an acceptance of collateral under W.S. 34.1-9-620.

34.1-9-408. Restrictions on assignment of promissory notes, health-care-insurance receivables and certain general intangibles ineffective.
(b) Subsection (a) applies to a security interest in a payment intangible or promissory note only if the security interest arises out of a sale of the payment intangible or promissory note, other than a sale pursuant to a disposition under W.S. 34.1-9-610 or an acceptance of collateral under W.S. 34.1-9-620.

34.1-9-502. Contents of financing statement; record of mortgage as financing statement.

(c) A record of a mortgage is effective, from the date of recording, as a financing statement filed as a fixture filing or as a financing statement covering as-extracted collateral or timber to be cut only if:

(iii) The record satisfies the requirements for a financing statement in this section other than an indication but:

(A) The record need not indicate that it is to be filed in the real property records; and

(B) The record sufficiently provides the name of a debtor who is an individual if it provides the individual name of the debtor or the surname and first personal name of the debtor, even if the debtor is an individual to whom W.S. 34.1-9-503(a)(iv) applies; and

34.1-9-503. Name of debtor and secured party.

(a) A financing statement sufficiently provides the name of the debtor:

(i) Except as otherwise provided in paragraph (iii) of this subsection, if the debtor is a registered organization or the collateral is held in a trust that is a registered organization, only if the financing statement provides the name of the debtor indicated that is stated to be the registered organization’s name on the public organic record of the debtor’s most recently filed with or issued or enacted by the registered organization’s jurisdiction of organization which shows the debtor to have been organized purports to state, amend or restate the registered organization’s name;

(ii) Subject to subsection (f) of this section, if the debtor is a decedent’s estate collateral is being administered by the personal representative of a decedent, only if the financing statement provides, as the name of the debtor, the name of the decedent and, in a separate part of the financing statement, indicates that the debtor is an estate collateral is being administered by a personal representative:

(iii) If the debtor is a trust or a trustee acting with respect to property held in trust collateral is held in a trust that is not a registered organization, only if the financing statement:

(A) Provides the name specified for the trust in its organic documents or, if no name is specified, provides the name of the settlor and additional information sufficient to distinguish the debtor from other trusts having one (1) or more of the same settlors as for the debtor:
(I) If the organic record of the trust specifies a name for the trust, the
name specified; or
(II) If the organic record of the trust does not specify a name for the
trust, the name of the settlor or testator; and
(B) In a separate part of the financing statement:
(I) If the name is provided in accordance with subparagraph (A)(I) of
this paragraph, indicates that the collateral is held in trust; or
(II) If the name is provided in accordance with subparagraph (A)(II)
of this paragraph, provides additional information sufficient to distinguish the
trust from other trusts having one (1) or more of the same settlors or the same
testator and indicates that the collateral is held in a trust, unless the additional
information so indicates; and

(C) Indicates, in the debtor’s name or otherwise, that the debtor is a
trust or is a trustee acting with respect to property held in trust; and
(iv) If the debtor is an individual, only if the financing statement:
(A) Provides the individual name of the debtor;
(B) Provides the surname and first personal name of the debtor; or
(C) Subject to subsection (g) of this section, provides the name of the
individual which is indicated on a driver’s license or identification card that
this state has issued to the individual and which has not expired; and

(iv)(v) In other cases:
(A) If the debtor has a name, only if it the financing statement provides
the individual or organizational name of the debtor; and
(B) If the debtor does not have a name, only if it the financing statement
provides the names of the partners, members, associates or other persons com-
prising the debtor in a manner that each name provided would be sufficient if
the person named were the debtor.

(b) A financing statement that provides the name of the debtor in accordance
with subsection (a) is not rendered ineffective by the absence of:

(ii) Unless required under subparagraph (a)(iv)(B), names of
partners, members, associates or other persons comprising the debtor.

(f) The name of the decedent indicated on the order appointing the personal
representative of the decedent issued by the court having jurisdiction over the
collateral is sufficient as the name of the decedent under paragraph (a)(ii) of
this section.

(g) If the state has issued to an individual more than one (1) driver’s license
or identification card of a kind described in subparagraph (a)(iv)(C), the
one (1) that was issued most recently is the one (1) to which subparagraph
(h) In this section, the “name of the settlor or testator” means:

(i) If the settlor is a registered organization, the name of the registered organization indicated on the public organic record filed with or issued or enacted by the registered organization’s jurisdiction of organization; or

(ii) In other cases, the name of the settlor or testator indicated in the trust’s organic record.

34.1-9-507. Effect of certain events on effectiveness of financing statement.

(c) If a debtor so changes its name that a filed financing statement provides for a debtor becomes insufficient as the name of the debtor under W.S. 34.1-9-503(a) so that the financing statement becomes seriously misleading under section 34.1-9-506:

(i) The financing statement is effective to perfect a security interest in collateral acquired by the debtor before, or within four (4) months after, the change filed financing statement becomes seriously misleading; and

(ii) The financing statement is not effective to perfect a security interest in collateral acquired by the debtor more than four (4) months after the change filed financing statement becomes seriously misleading, unless an amendment to the financing statement which renders the financing statement not seriously misleading is filed within four (4) months after the change filed financing statement becomes seriously misleading.

34.1-9-515. Duration and effectiveness of financing statement; effect of lapsed financing statement.

(f) If a debtor is a transmitting utility and a filed initial financing statement so indicates, the financing statement is effective until a termination statement is filed.

34.1-9-516. What constitutes filing; effectiveness of filing.

(b) Filing does not occur with respect to a record that a filing office refuses to accept because:

(iii) The filing office is unable to index the record because:

(C) In the case of an initial financing statement that provides the name of a debtor identified as an individual or an amendment that provides a name of a debtor identified as an individual which was not previously provided in the financing statement to which the record relates, the record does not identify the debtor’s last name surname; or

(v) In the case of an initial financing statement or an amendment that provides a name of a debtor which was not previously provided in the financing statement to which the amendment relates, the record does not:
(A) Provide a mailing address for the debtor; or

(B) Indicate whether the name provided as the name of the debtor is the name of an individual or an organization; or

34.1-9-518. Claim concerning inaccurate or wrongfully filed record.

(a) A person may file in the filing office a **correction** or an **information** statement with respect to a record indexed there under the person's name if the person believes that the record is inaccurate or was wrongfully filed.

(b) A correction or an information statement under subsection (a) of this section must:

(i) Identify the record to which it relates by:

(B) If the correction or information statement relates to a record filed or recorded in a filing office described in section 34.1-9-501(a)(i), the date and time that the initial financing statement was filed or recorded and the information specified in section 34.1-9-502(b).

(ii) Indicate that it is a correction or information statement; and

(c) A person may file in the filing office an information statement with respect to a record filed there if the person is a secured party of record with respect to the financing statement to which the record relates and believes that the person that filed the record was not entitled to do so under W.S. 34.1-9-509(d).

(d) An information statement under subsection (c) of this section shall:

(i) Identify the record to which it relates by:

(A) The file number assigned to the initial financing statement to which the record relates; and

(B) If the information statement relates to a record filed or recorded in a filing office described in W.S. 34.1-9-501(a)(i), the date and time that the initial financing statement was filed or recorded and the information specified in W.S. 34.1-9-502(b).

(ii) Indicate that it is an information statement; and

(iii) Provide the basis for the person’s belief that the person that filed the record was not entitled to do so under W.S. 34.1-9-509(d).

(e) The filing of a correction or information statement does not affect the effectiveness of an initial financing statement or other filed record.

34.1-9-521. Uniform form of written financing statement and amendment.

(c) A filing office that accepts written records may not refuse to accept a written initial financing statement in the form and format prescribed by the state except for a reason set forth in W.S. 34.1-9-516(b).
(d) A filing office that accepts written records may not refuse to accept a writ-
ten record in the form and format prescribed by the state except for a reason set forth in W.S. 34.1-9-516(b).

(e) The secretary of state is authorized to prescribe forms and formats de-
scribed in subsections (c) and (d) of this section by rule and regulation.

34.1-9-607. Collection and enforcement by secured party.

(b) If necessary to enable a secured party to exercise under paragraph (a)(iii) the right of a debtor to enforce a mortgage nonjudicially, the secured party may record in the office in which a record of the mortgage is recorded:

(ii) The secured party’s sworn affidavit in recordable form stating that:

(A) A default has occurred with respect to the obligation secured by the mortgage; and

Section 3. W.S. 34.1-9-516(b)(v)(C), 34.1-9-521(a) and (b) are repealed.

Section 4. This act is effective July 1, 2013.

Approved February 11, 2013.

Chapter 9

CORRECTIONAL INDUSTRIES

Original Senate File No. 14

AN ACT relating to penal institutions; expanding correctional industries program; clarifying provisions; amending procurement requirements relating to correctional industries program; and providing for an effective date.

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

Section 1. W.S. 7-16-206(a)(ii) and (e), 9-2-1016(b)(iv)(F), 25-1-104(g) and 25-13-104 are amended to read:

7-16-206. Permitted institutional industries; powers of department.

(a) The department of corrections, for purposes of assisting in the rehabilita-
tion of residents of state penal institutions, may:

(ii) Contract with private industry for the sale of products manufactured in state penal institutions and for the provision of services pursuant to W.S. 25-13-104;

(e) Proceeds from the sale of products manufactured or services provided at a state penal institution pursuant to subsection (a) of this section shall be deposited in the appropriate account for the use of the industries program of the same institution, correctional industries account in accordance with W.S. 25-13-103(a).

9-2-1016. General services division.
(b) For the purpose of this subsection the term “agencies” does not include the University of Wyoming, community college districts, or school districts. It does not include the department of transportation except as to paragraphs (xi), (xii) and (xiii) of this subsection. The department through the general services division shall:

(iv) Adopt standard forms and procedures providing that bids or contracts for supplies or services shall be awarded through the use of competitive sealed bidding, competitive negotiation, noncompetitive negotiation or small purchase procedures as hereafter provided:

(F) This paragraph shall not apply to the procurement by the department of corrections of raw materials used in a correctional industries program to manufacture goods or to provide services under W.S. 7-16-206(a)(i), the procurement of goods or services from the department of corrections under W.S. 7-16-206(a)(i) when the goods or services produced are not available from other Wyoming manufacturers or service providers, the procurement of professional services under W.S. 9-2-1027 through 9-2-1033, nor to purchases of feed by the game and fish department for winter elk ranges. Subparagraph (E) of this paragraph shall not apply to the procurement of services or supplies by the offices of state elected officials. Subparagraph (D) of this paragraph shall not apply to the procurement of services by the offices of state elected officials if the contract is for twenty thousand dollars ($20,000.00) or less;

25-1-104. Creation of department of corrections; duties; inspections of state institutions; regulation of prisoner produced goods.

(g) The department shall establish rules and regulations regarding the provision of services and the production of goods by prisoners at all state corrections institutions including but not limited to labor requirements, wage rates, use of goods within the institution of origin, sales price and method of distribution to other institutions or the general public. In promulgating rules relating to correctional industries programs authorized by W.S. 25-13-101 through 25-13-107, the department shall adhere to the requirements of the private sector prison industry enhancement certification program of the federal bureau of justice assistance. Rules and regulations promulgated under this subsection shall place limitations on competition with the private sector and will ensure that no contract entered into under W.S. 25-13-101 through 25-13-107 will result in the displacement of employed workers in the state in excess of limitations established by the correctional industries advisory board created by W.S. 25-13-102.

25-13-104. Agreements with private employers; leases.

The department, in consultation with the correctional industries advisory board, may establish programs for the employment of inmates by private employers and enter into agreements with private employers under which the em-
Ch. 9

ployer owns, constructs, leases to or from the department or otherwise establishes facilities to manufacture or process goods, provide services or conduct any other business, commercial or agricultural enterprise and employ inmates from a correctional facility. Facilities established under this section may be located within or outside the exterior boundaries of a state correctional facility property. Construction of facilities by private employers under this section shall not be subject to competitive bid requirements applicable to construction by the state. Inmate labor may be used pursuant to W.S. 7-16-202 for construction of facilities that occurs within the exterior boundaries of a state correctional facility property under this section.

Section 2. This act is effective July 1, 2013.

Approved February 11, 2013.

Chapter 10

INMATE TRANSFERS

Original Senate File No. 15

AN ACT relating to penal institutions; amending notification requirements for prisoners sentenced to custody of department of corrections; and providing for an effective date.

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

Section 1. W.S. 7-13-103(a) and (b) is amended to read:

7-13-103. Notice of sentence; transportation to institution; maintenance of prisoner in county jail.

(a) If a person is sentenced to the custody of the department of corrections to serve a term of imprisonment in a state penal institution, the sheriff shall notify the department of corrections and the warden of the Wyoming state penitentiary, medium correctional institution or the Wyoming women's center.

(b) Except as provided in subsection (c) of this section, the director of the department of corrections shall arrange for the transportation of the person to a state penal institution, at state expense, within ten (10) days after notification by the sheriff that the judgment and sentence is has been signed by the judge. The court shall notify the sheriff immediately upon signing of the sentence by the judge. Except as provided in subsection (c) of this section, prior to being transported to the institution the prisoner shall be maintained in the county jail at the expense of the county.

Section 2. 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.

Approved February 11, 2013.
Chapter 11

PROFESSIONAL ENGINEERS AND SURVEYORS PRACTICE ACT

Original Senate File No. 18

AN ACT relating to surveyors and engineers; repealing and recreating statutes governing engineering and land surveying; modifying definitions, provisions relating to the licensing board, licensing requirements, discipline and the practice of professional engineering and the practice of professional land surveying; making conforming amendments; providing rulemaking authority; renumbering and amending statutes relating to corners; and providing for an effective date.

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

Section 1. W.S. 33-29-201, 33-29-301 through 33-29-308, 33-29-401 through 33-29-406, 33-29-501 and 33-29-502, 33-29-601 through 33-29-604, 33-29-701 through 33-29-709 and 33-29-801 are created to read:

CHAPTER 29
SURVEYORS AND ENGINEERS

ARTICLE 2
GENERAL PROVISIONS

33-29-201. Definitions.

(a) As used in this act:

(i) “Board” means the Wyoming board of professional engineers and professional land surveyors;

(ii) “Business entity” means a corporation, limited liability company, partnership, limited partnership, limited liability partnership or any other form of business except a sole proprietorship;

(iii) “Engineer intern” means an individual who is certified by the board as an engineer intern;

(iv) “Jurisdiction” means a licensing agency, including agencies outside of the United States;

(v) “Land surveyor intern” means an individual who is certified by the board as a land surveyor intern;

(vi) “Licensee” means a professional engineer or professional land surveyor licensed by the board;

(vii) “Practice of professional engineering” means performing for others or offering to perform for others any “professional service” or “professional creative work” requiring engineering education, training and experience and special knowledge of mathematics, physics and engineering sciences. An individual performs “a professional service” or “professional creative work” in the practice of professional engineering if he:

(A) Represents himself to be a professional engineer by sign, advertisement, letterhead, card, verbal claim or any other manner;
(B) Quotes a fee for a professional engineering service;
(C) Executes a contract or agreement for a professional engineering service;
(D) Teaches upper division engineering design subjects as a professional engineer at a college or university;
(E) Performs research investigations as a professional engineer;
(F) Testifies as an expert in professional engineering; or
(G) Holds himself out as able to perform or does perform, as a professional engineer, any similar service defined by board rule as the practice of professional engineering.

(viii) “Practice of professional land surveying” means performing for others or offering to perform for others “professional services” which involve the application of special knowledge or principles of mathematics and methods of measurement for the determination and preservation of land boundaries and for the determination of land features and forms. An individual performs a “professional service” in the practice of professional land surveying if he:

(A) As a professional land surveyor, makes geometric measurements and gathers related information pertaining to the physical or legal features of the earth, improvements on the earth and the space above, on or below the earth;
(B) Teaches, as a professional land surveyor, upper division university level land surveying design subjects;
(C) Performs professional land surveying research as a professional land surveyor;
(D) As a professional land surveyor, creates work product relating to land surveying such as graphics, data, maps, plans, reports and descriptions;
(E) Represents himself to be a professional land surveyor by sign, advertisement, letterhead, card, verbal claim or any other way;
(F) Testifies as an expert in professional land surveying; or
(G) Holds himself out as able to perform or does perform, as a professional land surveyor, any similar service defined by board rule as professional land surveying.

(ix) “Professional engineer” means an individual who, by reason of intensive preparation in the use of mathematics, physics and engineering sciences including the principles and methods of engineering analysis and design, is qualified to practice professional engineering and is licensed under this act;

(x) “Professional land surveyor” means an individual who by reason of specialized knowledge in the technique of measuring land, mathematics, phys-
ical and applied sciences, and legal requirements of surveying real property, is qualified to practice professional land surveying and is licensed under this act;

(xii) “Responsible charge” means the exercise of direct control or the personal supervision of engineering work by a professional engineer or surveying work by a professional land surveyor;

(xii) “This act” means W.S. 33-29-201 through 33-29-801.

ARTICLE 3
WYOMING BOARD OF PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS

33-29-301. Creation of board.
(a) The Wyoming board of professional engineers and professional land surveyors is created to regulate the practice of professional engineering and professional land surveying in order to safeguard life, health and property and to promote the public welfare. The board shall consist of eight (8) members appointed by the governor for a term of four (4) years and the state engineer who shall serve during his term in office. The board shall be composed of:

(i) The state engineer;
(ii) Four (4) professional engineers. One (1) shall teach engineering at the university level. Two (2) shall be in private practice;
(iii) Three (3) professional land surveyors. Two (2) shall be in private practice; and
(iv) One (1) member who is neither a professional engineer nor a professional land surveyor.
(b) The governor may remove any board member he appoints in accordance with W.S. 9-1-202.

33-29-302. Qualifications of board members.
(a) Appointed members of the board shall have been residents of Wyoming for at least five (5) years immediately prior to appointment, shall be residents during their appointment and shall be citizens of the United States.

(b) Professional engineer members shall have engaged in the practice of engineering as licensed professional engineers for at least twelve (12) years and shall have been in responsible charge for at least five (5) years.

(c) Professional land surveyor members shall have engaged in the practice of land surveying as licensed professional land surveyors for at least twelve (12) years and shall have been in responsible charge for at least five (5) years.

33-29-303. Compensation of board members.
Members of the board shall receive compensation for each day or part of a day in which they engage in the performance of their board duties at the same rate provided members of the state legislature under W.S. 28-5-101 and shall be
reimbursed for actual and necessary expenses incurred in the performance of their board duties. Compensation and expenses incurred by the board or any member shall be approved by the board. Compensation and expenses shall be paid only from the fees collected by the board. This section shall not apply to the state engineer.

33-29-304. Organization of board.

(a) The board shall meet as often as needed, but not less than four (4) times a year.

(b) The board shall elect the following officers biennially to serve not more than two (2) consecutive terms: a chairperson, a vice chairperson and a secretary-treasurer.

(c) Six (6) members of the board constitute a quorum.

(d) The board is hereby transferred to the department of the state engineer under a Type 3 transfer as defined in W.S. 9-2-1707(b)(iii).

33-29-305. Powers of board.

(a) The board shall have the powers necessary to enforce this act, including the power to:

   (i) Promulgate rules and regulations necessary to enforce this act;

   (ii) Promulgate rules and regulations necessary to regulate the practice of professional engineering and professional land surveying, including qualifications for intern certificates and professional licenses, professional conduct, continuing education, discipline and license status categories;

   (iii) Conduct hearings, take testimony, administer oaths, subpoena witnesses and issue subpoenas for the production of documents or data;

   (iv) Use investigators, the office of the attorney general and consultants to investigate and evaluate possible violations of this act or the board’s rules;

   (v) Adopt an official seal for the board and adopt a professional seal for the use of licensees;

   (vi) Employ a board administrator and such additional staff as necessary to administer and enforce this act and board rules;

   (vii) Appoint advisory committees comprised of persons who may or may not be members of the board to undertake tasks assigned by the board. The board may reimburse committee members for reasonable incidental expenses incurred in the conduct of board business;

   (viii) Establish and collect fees pursuant to W.S. 33-1-201. All fees collected by the board shall be deposited by the state treasurer to the credit of the Wyoming board of professional engineers and professional land surveyors account;
(ix) Pay for membership to regional and national organizations and expenses incurred by board members to attend organization meetings;
(x) Use electronic transmissions.

33-29-306. Professional engineers and professional land surveyors account.

All fees and other revenues received by the board shall be deposited by the state treasurer to the credit of the Wyoming board of professional engineers and professional land surveyors account. All monies in the account may be appropriated for the use of the board. The account shall be used by the board to defray costs incurred in the administration of this act. Disbursements from the account shall not exceed the monies credited to it.


Any person reporting information to the board under oath and members, agents, investigators and employees of the board are immune from personal liability with respect to acts done and actions taken in good faith without fraud or malice.

33-29-308. Confidentiality of records.

(a) The following records and papers of the board are confidential and are not public records:

(i) Letters of inquiry and reference concerning applicants;
(ii) Completed applications and verification and inquiry forms;
(iii) Transcripts of educational institutions;
(iv) Investigative and disciplinary matters dismissed without action; and
(v) Files relating to complaints and investigations until a formal hearing is concluded or until final disciplinary action is taken if no hearing is commenced. This paragraph does not prevent use of the board files in a hearing.

ARTICLE 4
LICENSE REQUIREMENTS

33-29-401. Professional license required.

Except as provided in this act, no individual shall engage in the practice of professional engineering or professional land surveying unless the individual holds the appropriate license issued by the board.

33-29-402. Requirements for intern certificate.

(a) An applicant for a certificate as an engineer intern shall submit evidence satisfactory to the board showing that the applicant:

(i) Is of good moral character and repute;
(ii) Has graduated from a curriculum approved by the board of at least
four (4) years; and

(iii) Has passed an examination in the fundamentals of engineering.

(b) An applicant for a certificate as a land surveyor intern shall submit evidence satisfactory to the board showing that the applicant:

(i) Is of good moral character and repute;
(ii) Has passed an examination in the fundamentals of land surveying;
(iii) Has one (1) of the following educational/experience backgrounds:

(A) Has graduated from a curriculum approved by the board of at least four (4) years that contains at least thirty (30) semester credit hours in surveying approved by the board; or

(B) Has graduated from a curriculum approved by the board of at least two (2) years that contains at least thirty (30) semester credit hours in surveying approved by the board plus two (2) years of combined office and field experience in land surveying, of which one (1) year shall have been in charge of land surveying projects under the supervision of a licensed professional land surveyor.

(c) An engineer intern or land surveyor intern shall not practice as a professional engineer or a professional land surveyor.

33-29-403. Requirements for professional license.

(a) An applicant for a license as a professional engineer who has not graduated from a doctoral curriculum in engineering approved by the board shall submit evidence satisfactory to the board showing that the applicant:

(i) Is of good moral character and repute;
(ii) Has passed an examination in the principles and practice of engineering; and
(iii) Has met the requirements for an engineer intern certificate and has four (4) years of engineering experience in increasing responsibility and scope of a grade and character that evidence the applicant is competent to practice as a professional engineer.

(b) An applicant for a license as a professional engineer who has graduated from a doctoral curriculum in engineering approved by the board shall submit evidence satisfactory to the board showing that the applicant:

(i) Is of good moral character and repute;
(ii) Has passed any examinations required by rule of the board to establish competence at a professional level in Wyoming licensing laws and professional ethics; and
(iii) Has four (4) years of engineering experience in increasing responsibility and scope of a grade and character that evidence the applicant is compe-
tent to practice as a professional engineer.

(c) An applicant for a license as a professional land surveyor shall submit evidence satisfactory to the board showing that the applicant:

(i) Is of good moral character and repute;

(ii) Has passed the examination in the principles and practice of land surveying;

(iii) Has met the requirements for a land surveyor intern certificate; and

(iv) Has four (4) years of land surveying experience in increasing responsibility and scope of a grade and character that evidence the applicant is competent to practice as a professional land surveyor. This experience shall be in addition to that described in W.S. 33-29-402(b)(iii).

(d) The board may by rule and regulation modify the requirements of this section as they relate to the licensure of a member of the faculty of the University of Wyoming teaching upper division engineering or land surveying courses.

33-29-404. Application for license.

(a) An applicant for a license or certificate under this act shall submit an application on a form and in the manner prescribed by the board.

(b) In addition to information required by the board, the application shall contain a statement under oath of the applicant’s education and engineering or land surveying work experience.

(c) The board may accept an applicant’s records from the national council of examiners for engineering and surveying or its successor organization as a substitute for the information required in this act.

33-29-405. Fees.

The board shall establish fees in accordance with W.S. 33-1-201 as necessary to provide for the administration of this act, including license and certificate application fees and fees for services provided by the board. Application fees shall accompany the application. Application fees are nonrefundable.

33-29-406. License on the basis of comity.

(a) An applicant who holds a license issued by another jurisdiction to practice professional engineering or professional land surveying may be issued a professional license provided:

(i) The applicant has not been disciplined by another jurisdiction;

(ii) The applicant has passed any examinations required by rule of the board to establish competence at a professional level in Wyoming licensing laws and professional ethics; and

(iii) The applicant:
(A) Meets the education, experience and examination requirements equivalent to the requirements in effect in Wyoming at the time the applicant’s license was issued by the other jurisdiction; or

(B) Meets requirements established by the national council of examiners for engineering and surveying or its successor organization that the board has determined are equivalent to the requirements for a professional license in Wyoming.

(b) An applicant who holds a license issued by another jurisdiction to practice professional engineering or professional land surveying, and who has held the license for fifteen (15) years immediately prior to submitting the application, may be issued a professional license provided the applicant:

(i) Has not been disciplined in any jurisdiction; and

(ii) Has passed any examination required by rule of the board to establish competence at a professional level in Wyoming licensing laws and professional ethics.

ARTICLE 5
LICENSE RENEWAL

33-29-501. Renewal of licenses.
(a) The board shall provide for the biennial renewal of a license. The board may adopt a system under which licenses are renewed on a staggered basis.

(b) An individual whose license has expired shall not engage in activities that require a license until the license has been renewed or until a new license has been obtained.

(c) An individual whose license has been expired for less than two (2) years may renew the license by paying the required annual renewal fee and a late fee.

(d) An individual whose license has been expired for more than two (2) years may not renew the license. The individual may obtain a new license by complying with the requirements of this act for obtaining an original license.

(e) An individual who renews his license shall comply with the continuing professional competency requirements adopted by board rule for license renewals.

Any individual holding a certificate of registration in this state that is valid and active on July 1, 2013, shall be deemed to be licensed under this act.

ARTICLE 6
PRACTICE OF PROFESSIONAL ENGINEERING AND PROFESSIONAL LAND SURVEYING

33-29-601. Professional seal.
(a) The board shall adopt a seal for the use of professional engineers and professional land surveyors.

(b) Whenever the professional seal is applied, the licensee's signature and the date shall also be included.

(c) The professional seal, signature and date shall be placed on all final designs, specifications, maps, land surveys, reports, plats, drawings and plans filed or recorded pursuant to W.S. 33-29-801.

(d) The application of a professional seal shall constitute certification that:

   (i) The work was done by the professional licensee or under his responsible charge; and

   (ii) The licensee is competent in the subject matter.

(e) A licensee shall not:

   (i) Permit the use of his seal by another; or

   (ii) Use his seal when his license has expired, is inactive or has been revoked or suspended.

(f) An individual who is not licensed shall not use the seal of a licensee.

33-29-602. Practice through business entities; registration.

(a) Professional engineers and professional land surveyors may practice professional engineering or professional land surveying through a business entity provided:

   (i) The business entity has registered with the board;

   (ii) The business entity has submitted the following to the board:

      (A) A description of the engineering or land surveying services to be practiced in the state; and

      (B) A designation of an individual or individuals in responsible charge. A change in the individual or individuals in responsible charge shall be filed with the board within thirty (30) days of the change.

   (iii) All final maps, plats, plans, designs and other documents filed or recorded under W.S. 33-29-801 shall be dated and bear the signature and seal of a professional engineer or professional land surveyor in responsible charge of the work; and

   (iv) All personnel of the business entity who act on its behalf as engineers or land surveyors in this state shall be licensed professional engineers or licensed professional land surveyors or shall be exempted from the license requirement under W.S. 33-29-604(a)(iii). No business entity shall be relieved of responsibility for the conduct or acts of its employees, officers or agents by reason of its compliance with this act. Nor shall any individual engaged in engineering or land surveying be relieved of responsibility for engineering or
land surveying services performed by reason of his employment or relationship with a business entity.

33-29-603. Public works.

(a) Drawings, plans, specifications and estimates for public works of the state or a political subdivision of the state involving professional engineering shall be prepared by or under the personal direction of a professional engineer. The construction of the engineering works shall be executed under the direct supervision of a professional engineer.

(b) Surveys or maps for public works of the state or a political subdivision of the state shall be prepared by or under the personal direction of a professional land surveyor. The surveying work shall be executed under the direct supervision of a professional land surveyor.

33-29-604. Exemptions and limitations.

(a) The provisions of this act shall not apply to:

(i) An officer or employee of the United States practicing within the scope of his authority and employment;

(ii) An officer or employee of the state of Wyoming performing regulatory reviews within the scope of his authority and employment provided the officer or employee shall not represent himself to be a licensed professional engineer or licensed professional surveyor unless he is so licensed and except when filing water right petitions with the state of Wyoming as provided in title 41 of the Wyoming statutes;

(iii) An individual working for a business entity or licensee provided a licensee exercises responsible charge over all final designs, drawings, maps, plats and plans filed under W.S. 33-29-801;

(iv) A utility company or telecommunications company regulated by the Wyoming public service commission or the company’s employees practicing within the scope of their employment and authority;

(v) An individual who performs actions described in W.S. 33-29-201(a)(viii)(A) upon lands owned or leased by him or upon lands owned or leased by an entity, which is not a publicly traded corporation, of which he owns an interest; or

(vi) An irrigation company or employee of an irrigation company when determining elevations and distances necessary to market equipment.

ARTICLE 7
PROHIBITED ACTS AND DISCIPLINARY PROCEDURES

33-29-701. Disciplinary powers of the board.

(a) On a determination that a ground for disciplinary action exists under W.S. 33-29-702, the board may:
(i) Deny an application for a license, intern certificate or business entity registration;

(ii) Revoke, suspend or refuse to renew a license, intern certificate or business entity registration;

(iii) Impose probation;

(iv) Restrict the scope of a license, intern certificate or business entity registration;

(v) Impose peer review;

(vi) Require continuing education;

(vii) Formally or informally reprimand a licensee, intern or registered business entity;

(viii) Impose civil penalties as provided in W.S. 33-29-707.

33-29-702. Grounds for disciplinary action.

(a) An individual or business entity is subject to disciplinary action for:

(i) A violation of this act, board rule, order or code of ethics;

(ii) Fraud or misrepresentation relating to the practice of engineering or land surveying, including in the submission of information to the board and signing of documents;

(iii) Allowing or assisting another to violate this act or a rule or order of the board;

(iv) Incompetence, habitual or gross negligence or other misconduct in the practice of engineering or land surveying;

(v) Habitual intoxication or addiction to the use of drugs or alcohol which affects the ability to practice engineering or land surveying;

(vi) Conviction of a felony that is related to the ability to practice engineering or land surveying;

(vii) Discipline or restriction of a license, intern certificate or business entity registration by another jurisdiction if the ground for the action was the same or substantially equivalent to a ground for discipline in this section.

33-29-703. Disciplinary proceedings.

(a) Any final disciplinary action shall be preceded by notice and an opportunity for a hearing. Hearings shall be conducted as a contested case.

(b) The board may conduct investigations and issue subpoenas for the attendance of witnesses and the production of evidence.

(c) The board may settle a disciplinary matter without a formal hearing.

(d) The board shall notify the clerk of each county in the state and the sec-
Secretary of state, in the case of a business entity, of suspension or revocation of a license, intern certificate or business entity registration and of the reissuance of a suspended or revoked license, certificate or business entity registration.


Except as provided by W.S. 33-29-706, any final action or order of the board is subject to judicial review as provided in W.S. 16-3-114.

33-29-705. Reinstatement.

A licensee, intern or business entity may apply for reinstatement of a license, intern certificate or business registration upon fulfilling disciplinary conditions imposed by the board. The board may grant or deny the application and may modify its original findings.

33-29-706. Court ordered suspension of license.

Upon receipt from the department of family services of a certified copy of an order from a court under W.S. 20-6-112 to withhold, suspend or otherwise restrict a license issued by the board, the board shall notify the party named in the court order of the withholding, suspension or restriction in accordance with the terms of the court order. No appeal under the Wyoming Administrative Procedure Act shall be allowed for action taken under this section.

33-29-707. Civil penalties.

(a) In addition to any disciplinary action taken with respect to a license, intern certificate or business entity registration, the board may impose a civil penalty upon any person who violates this act or a rule or order of the board. The penalty may be up to two thousand dollars ($2,000.00) for each violation and may include the board’s costs and expenses for the investigation and prosecution and reasonable attorney’s fees.

(b) The board shall notify the person accused of a violation in writing of the nature of the alleged violation. Upon receipt of a notice of violation the person receiving it shall pay the assessed civil penalty to the board within sixty (60) days or file an appeal to the board. The appeal shall be conducted as a contested case before a hearing examiner of the office of administrative hearings, who shall recommend a decision to the board.

(c) A civil penalty may be recovered in an action brought in the name of the board in the district court.

33-29-708. Criminal penalties.

Any person who violates any provision of this act is guilty of a misdemeanor punishable by a fine of not more than one thousand dollars ($1,000.00), by imprisonment of not more than one (1) year, or both. Each violation shall constitute a separate offense.

33-29-709. Injunctions; enforcement of subpoenas.
(a) In addition to the discipline and penalties in W.S. 33-29-701, 33-29-707 and 33-29-708, the board may seek an injunction in the district court to enjoin any person from violating this act or the board’s rules or orders. The board is authorized to apply for injunctive relief without bond. It shall not be necessary to allege or prove an adequate remedy at law does not exist or irreparable harm would result from the continued violation of this act.

(b) In case of refusal to obey a subpoena served by the board upon any person, the district court for any county in which the person is found or resides or transacts business, upon application by the board, may issue an order requiring the person to appear and give testimony or to appear and produce documents or both. Any failure to obey the order of the court may be punished by the court as contempt.

ARTICLE 8
FILING AND RECORDING

33-29-801. Maps, plats, plans and designs for filing or recording to be certified by professional engineer or professional land surveyor; exception; size of maps.

(a) Except for filings with the oil and gas commission pursuant to rules of the oil and gas commission, all maps, plats, plans, designs and all other engineering and surveying documents required to be filed or recorded in the state engineer’s office, the office of state lands and investments, all county clerks’ offices, all city or town offices, or any other office of public record in the state of Wyoming, shall comply with the following requirements:

(i) Be made by or under the responsible charge of a professional engineer or professional land surveyor and be signed by and bear the seal of the professional engineer or professional land surveyor;

(ii) Hardcopy originals shall be drawn in either waterproof black ink or acetate ink or shall be an acceptable photographic or other kind of reproduction on good quality polyester base drafting film in a minimum thickness of four-thousandths (.004) inch or as otherwise required by the receiving entity;

(iii) Maps formatted as required by the receiving entity may be submitted in electronic form as provided by the Uniform Electronic Transactions Act, W.S. 40-21-101 through 40-21-119;

(iv) Hardcopy documents shall conform to the sizes provided by board rule.

(b) The requirement in paragraph (a)(i) of this section that all maps, plans, plats and designs be made by or under the responsible charge of a professional engineer or professional land surveyor shall not apply to applications which meet the provisions of this subsection and comply with subsections (c) and (d) of this section and which are filed in the state engineer’s office:
(i) To construct small reservoirs for stock purposes only or fishing preserve waters where the capacity of the reservoir does not exceed twenty (20) acre feet or twenty (20) feet in fill height;

(ii) To develop springs for stock water purposes of up to twenty-five (25) gallons per minute; or

(iii) To construct flood water detention dams storing fifty (50) acre feet or less and not to exceed twenty (20) feet in fill height provided the dam has a minimum outlet of eighteen (18) inches diameter and the dead storage does not exceed twenty (20) acre feet.

(c) The application shall be signed by the applicant or an agent acting for him and shall be accompanied, at a minimum, by aerial photographs or United States geological survey quadrangle maps, of a scale provided by board rule, with designation of the township, range, section and section corner or quarter corner and the location of the installation designated in the quarter section on the photographs or United States geological survey quadrangle maps and a description of:

(i) The dam including height, width, depth, construction materials, depth to be submerged and height of the free board; and

(ii) The reservoir including length, width, average depth, submerged area and capacity.

(d) Aerial photographs or United States geological survey maps shall comply with the following requirements:

(i) Two (2) aerial photographs or United States geological survey quadrangle maps mounted on eight (8) inch by ten (10) inch sheets shall accompany each application;

(ii) The minimum scale on the aerial photographs or United States geological survey quadrangle maps shall not be less than two (2) inches to the mile;

(iii) An identified section corner or quarter corner shall be shown on each aerial photograph or United States geological survey quadrangle map;

(iv) The entire section in which the facility is located shall be shown on each aerial photograph or United States geological survey quadrangle map along with subdivision lines showing forty (40) acre tracts; and

(v) The location of the facility shall be shown within the proper forty (40) acre subdivision.

(e) The state engineer may adopt rules and regulations which provide exceptions to paragraph (a)(i) of this section for projects which, because of their size, nature or location, an exception would not impede upon public safety or the integrity of a water right. The exceptions provided pursuant to this subsection shall be in addition to the exception provided in subsection (b) of this section.
Section 2. W.S. 9-2-1028(a)(v)(B), 15-1-418(b), 18-3-402(a)(xxiv), 33-41-117(a)(iv) and 33-41-121 are amended to read:

(a) As used in this act:
(v) “Professional services” means:
(B) The practice of professional engineering or professional land surveying pursuant to W.S. 33-29-114 through 33-29-149 33-29-201 through 33-29-801.

15-1-418. Annexing contiguous cities or towns; annexation ordinance; filing.
(b) A certified copy of the annexation ordinance including a legal description of the area and the map prepared pursuant to W.S. 15-1-402(c)(i) and in accordance with W.S. 33-29-139 33-29-801 shall be filed with the county clerk of the county in which the action has taken place.

18-3-402. Duties generally.
(a) The county clerk shall:
(xxiv) File maps as defined in W.S. 33-29-139 33-29-801. The county clerk shall charge a fee of twenty-five dollars ($25.00) for filing the maps.

33-41-117. Exemptions.
(a) The following are exempt from the licensing provisions of this act if they do not use the title of professional geologist or are not directly represented or held out to the public to be legally qualified to engage in the practice of geology before the public:
(iv) Qualified Professional engineers and land surveyors, registered licensed by the board of registration for professional engineers and professional land surveyors pursuant to W.S. 33-29-114 through 33-29-139 33-29-201 through 33-29-801 are exempt from the registration provisions of this act, providing, that no name, title, or words are used which tend to convey the impression that a nonregistered individual is offering to perform services as a professional geologist;

33-41-121. Applicability.
This act shall not be construed as repealing or amending any law affecting or regulating licensed professional engineers and professional land surveyors pursuant to the provisions of W.S. 33-29-114 through 33-29-139 33-29-201 through 33-29-801, nor shall this act be construed to affect or prevent the practice of any other legally recognized profession by the members of the profession licensed by the state or under its authority.

Section 3. W.S. 33-29-140 through 33-29-143 as 33-29-901 through
33-29-904 and 33-29-146 through 33-29-148 as 33-2-907 through 33-29-909 are amended and renumbered to read:

ARTICLE 9
CORNER PERPETUATION AND FILING ACT

33-29-140. Short title.
W.S. 33-29-140 through 33-29-149 may be cited as the “Corner Perpetuation and Filing Act”.

33-29-141. Definitions.
(a) Except where the context indicates a different meaning, terms used in W.S. 33-29-140 through 33-29-149 shall be defined as follows:

(i) A “property corner” is a geographic point on the surface of the earth, and is on, a part of, and controls a property line;

(ii) A “property controlling corner” for a property is a public land survey corner, or any property corner, which does not lie on a property line of the property in question, but which controls the location of one (1) or more of the property corners of the property in question;

(iii) A “public land survey corner” is any corner actually established and monumented in an original survey or resurvey used as a basis of legal description for issuing a patent for the land to a private person from the United States government;

(iv) A “corner,” unless otherwise qualified, means a property corner, or a property controlling corner, or a public land survey corner, or any combination of these;

(v) An “accessory to a corner” is any exclusively identifiable physical object whose spatial relationship to the corner is recorded. Accessories may be bearing trees, bearing objects, monuments, reference monuments, line trees, pits, mounds, charcoal-filled bottles, steel or wooden stakes, or other objects;

(vi) A “monument” is an accessory that is presumed to occupy the exact position of a corner;

(vii) A “reference monument” is a special monument that does not occupy the same geographical position as the corner itself, but whose spatial relationship to the corner is recorded and which serves to witness the corner;

(viii) A “registered professional land surveyor” is a surveyor who is registered to practice professional land surveying under W.S. 33-29-114 through 33-29-139, has a current certificate for that calendar year;

(ix) The “board” is the state board of registration for Wyoming board of professional engineers and professional land surveyors.
33-29-142-33-29-903. Completion of “corner file”.
A professional land surveyor shall complete, sign, and file with the county clerk where the corner is situated, a written record of corner establishment or restoration to be known as a “corner file” for every public land survey corner and accessory to such corner which is established, reestablished, monumented, remonumented, restored, rehabilitated, perpetuated or used as control in any survey by such surveyor, and within ninety (90) days thereafter, unless the corner and its accessories are substantially as described in an existing corner record filed in accordance with the provisions of W.S. 33-29-140 through 33-29-910.

33-29-143-33-29-904. Filing of corner reference.
A professional land surveyor may file such corner record as to any property corner, property controlling corner, reference monument or accessory to a corner.

33-29-146-33-29-907. Reconstruction or rehabilitation of monument.
In every case where a corner record of a public land survey corner is required to be filed under the provisions of W.S. 33-29-140 through 33-29-910, the professional land surveyor must reconstruct or rehabilitate the monument of such corner, and accessories to such corner, so that the same shall be left by him in such physical condition that it remains as permanent a monument as is reasonably possible and so that the same may be reasonably expected to be located with facility at all times in the future.

33-29-147-33-29-908. Signature on corner record required.
No corner record shall be filed unless the same is signed by a registered professional land surveyor, or, in the case of an agency of the United States government or the state of Wyoming, the certificate may be signed by the survey party chief making the survey.

33-29-148-33-29-909. Previously existing corners.
Corner records may be filed concerning corners established, reestablished or restored before the effective date of W.S. 33-29-140 through 33-29-910.

Section 4. W.S. 33-29-144 and 33-29-145 are renumbered as 33-29-905 and 33-29-906 and 33-29-149 is renumbered as 33-29-910.

Section 5. W.S. 33-29-114 through 33-29-139 are repealed.

Section 6. Notwithstanding W.S. 33-29-301, the initial terms of the two (2) additional members of the Wyoming board of professional engineers and professional land surveyors appointed pursuant to this act, and the first terms of other board members appointed after the effective date of this act, shall be for a number of years which allows for staggered terms of all appointed board mem-
bers, with two (2) appointed members’ terms expiring each year. Thereafter all board members’ terms shall be for four (4) years.

Section 7. This act is effective July 1, 2013.

Approved February 11, 2013.

Chapter 12

CONTAGIOUS AND INFECTIOUS DISEASES AMONG LIVESTOCK

Original House Bill No. 12

AN ACT relating to contagious and infectious diseases among livestock; revising provisions related to contagious and infectious diseases among livestock and other animals as specified; increasing certain penalties related to diseases among livestock and other animals as specified; repealing obsolete provisions; and providing for an effective date.

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


11-1-103. Penalty for violations.

A person who violates any of the following sections commits a misdemeanor punishable by imprisonment for not more than six (6) months, a fine of not more than seven hundred fifty dollars ($750.00), or both for the first offense, or by imprisonment for not more than one (1) year, a fine of not more than one thousand five hundred dollars ($1,500.00), or both for second or subsequent offenses: W.S. 11-6-210(a) or (f), 11-18-112, 11-19-101, 11-19-102, 11-19-103, 11-19-111, 11-19-210, 11-19-215, 11-19-304, 11-19-306, 11-19-401, 11-20-114, 11-20-117, 11-20-229, 11-20-230, 11-21-104, 11-22-118, 11-23-106, 11-23-207, 11-24-106, 11-30-114 and 11-48-102. A person who violates board rules promulgated pursuant to W.S. 11-18-103(a)(v) shall be subject to the penalties specified in this section.

11-19-103. Quarantine of diseased animals generally; treatment, testing and vaccination thereof; effect of failure to obey order of state veterinarian; appeal; stay of action.

(a) In all cases of infectious and contagious disease among domestic animals in this state, the state veterinarian may order the quarantine of the infected premises. If the disease becomes _epidemic_ or _epizootic_ in any locality in this state, the state veterinarian shall immediately notify the governor who shall issue his proclamation forbidding transfer of any animal of the kind among which the
epidemic epizootic disease exists from the locality without permission from the state veterinarian.

(e) If the owner or persons in charge of animals ordered treated, tested, vaccinated or quarantined after reasonable notice determined by the veterinarian, fail to treat, test, vaccinate or quarantine such animals as ordered, the veterinarian may seize or cause such animals to be seized and treated, tested, vaccinated or quarantined and may hold and sell the animals, or part thereof as necessary to pay all costs of inspection, seizing, caring for, treating, testing, vaccinating or quarantine together with cost of sale. The sale shall be made at the time and place and in the manner prescribed by the veterinarian. Not less than three (3) days nor more than fifteen (15) days notice of the time, place and purpose of the sale shall be given by the veterinarian to the owner or persons in charge of the animals, by personal service within the county in which the animals are being held if possible, and if not possible then such notice may be given either by personal service outside of the county or by advertisement in any paper selected by the veterinarian. The state veterinarian shall only sell the livestock animals after all other remedies have been exhausted.

11-19-104. Slaughter of diseased animals; authority of veterinarian; slaughtering order; when consent of owner required.

(a) In any case of epidemic epizootic disease where premises have been previously quarantined by the state veterinarian, he may order the slaughter of any diseased animals upon the premises and all animals that have been exposed to contagion or infection under the following restrictions:


Each member of a board of arbitration shall receive five dollars ($5.00) one hundred dollars ($100.00) for each day actually engaged and employed in the investigation of any claim, paid by the state veterinarian out of an appropriation for that purpose.

11-19-111. Regulation of importation of animals; prohibited acts; penalties; applicability.

(a) The governor, upon recommendation of the Wyoming livestock board, may regulate by proclamation the importation into Wyoming from any other state any livestock, or any virulent blood or live virus of animal, blood, microorganism or biologic agent capable of causing any disease affecting livestock or other animals, or any thing other item suspected of being infected or contaminated with livestock disease germs biologic agents capable of causing animal disease, except under such conditions as he deems proper for the protection of the livestock, livestock animals as defined in W.S. 11-29-101(a)(vi) and other domestic animals of Wyoming. All requirements in the governor’s proclamation shall be enforced by the Wyoming livestock board.

(b) After a proclamation is issued by the governor it is unlawful for any
person to import into Wyoming or receive imports within this state from any other state any livestock, virulent blood or live virus of animal, blood, microorganism or biologic agent capable of causing any diseases affecting livestock or other animals, or any product or thing item suspected of being infected or contaminated with livestock disease germs—biologic agents capable of causing animal disease, except under such conditions as may be imposed by the proclamation. Any person who violates this section shall be punished as provided in W.S. 11-1-103. The violator is civilly liable for all damages and loss sustained by any person by reason of violation of the proclamation.

(d) The state veterinarian may inspect, treat, test, vaccinate, quarantine or sell any livestock or other domestic animals imported into Wyoming in violation of W.S. 11-19-111 or any rules promulgated thereunder. Any order or regulation made by the state veterinarian is subject to review, modification or annulment by the governor or the board at any subsequent meeting.

11-19-112. Cooperation with animal and plant health inspection service.
The state consents to having the bureau of animal industry animal and plant health inspection service (APHIS) of the United States department of agriculture and its employees come within Wyoming for all purposes connected with the importation and exportation of diseased livestock and for all purposes connected with the eradication, suppression and control of dangerously infectious and contagious diseases of livestock.

(a) As used in this act:
   (i) “Dairy cow-animal” means any cow, sheep or goat, the milk or milk products from which is sold or used for human consumption;
   (ii) “Livestock animal” means as defined in W.S. 11-29-101(a)(vi);

11-19-208. Ear tags; record to be kept of livestock animals tested.
Each livestock animal which passes the tested for tuberculosis test satisfactorily shall have an official ear tag inserted in its ear. The state testing veterinarian shall see that a correct record is kept of all cattle tested, the date and place of testing, the names and addresses of owners and the number of the ear tag inserted in the ear of each animal, and shall report this information in his regular biennial report keep an official record of all livestock animals tested and submit a copy of the record to state and federal animal health officials.

11-19-209. Tests of livestock animals.
Whenever the state veterinarian suspects that tuberculosis exists or has been introduced by imported dairy cattle among any dairy cattle in this state to livestock animals, he shall order the retesting-testing of same, regardless of any former tests made the livestock animals.

All livestock animals in Wyoming lawfully found to be affected with or exposed to tuberculosis may be shipped, disposed on the origin premises or transported under the direction of the state veterinarian in accordance with federal regulations, to livestock markets and there sold for salvage and destroyed or transferred directly to an approved slaughter facility, rendering facility or veterinary diagnostic laboratory in accordance with federal regulations. Producers may be eligible for indemnification as provided in W.S. 11-19-106 for any livestock animal ordered disposed pursuant to this section.


Any person who intentionally interferes with, refuses to assist in gathering and testing his cattle livestock animals, or hinders the work of the state veterinarian or his employees under this act, or who attempts to defeat the object of the tuberculin test by a previous injection of tuberculin commonly known as “plugging,” or in any way attempts to prevent an accurate and truthful determination of the condition of the cattle livestock animals tested, shall be fined not less than ten dollars ($10.00) nor more than one hundred dollars ($100.00), or imprisoned not more than thirty (30) days, or both punished as provided in W.S. 11-1-103.


The board of county commissioners may appropriate as much money as it deems necessary for the control and eradication of any infectious, contagious or communicable diseases of livestock. The funds shall be used in cooperation with the state veterinarian or the veterinary services, United States department of agriculture, animal and plant health inspection service (APHIS) in testing animals and disposing of diseased animals disclosed by the tests as provided by law.

11-19-304. Prohibition on importation of cattle or bison; penalties.

Any person bringing cattle or bison into any “tuberculosis modified accredited area” – tuberculosis accredited-free area except in compliance with the rules and regulations made by the state veterinarian shall upon conviction be punished by imprisonment for not more than one (1) year, or by a fine of not more than one hundred dollars ($100.00), or both as provided in W.S. 11-1-103.


Any person who violates any lawful rule or regulation made by the state veterinarian pursuant to W.S. 11-19-305 is guilty of a misdemeanor and upon conviction, shall be punished by imprisonment for not more than one (1) year, or by a fine of not more than one hundred dollars ($100.00), or both as provided in W.S. 11-1-103.

11-19-401. Tagging, branding and disposition of cattle reacting to test;
penalties for failure to comply.

All cattle livestock animals in Wyoming reacting to an agglutination a confirmatory test for brucellosis (Bang’s disease) except reactors under thirty (30) months of age which have been officially vaccinated with brucella abortus vaccine, strain 19, and except officially vaccinated adult animals which were negative to the agglutination test for brucellosis within ten (10) days prior to vaccination, must shall be immediately tagged in the left ear with a Bang’s reactor tag and permanently branded with a hot iron letter “B” on the left jaw-tailhead by or in the presence of an officially authorized veterinarian. All such reactors must reactor livestock animals shall be disposed of for slaughter or diagnostic purposes only, upon and according to written instruction from the Wyoming livestock board. Any person who violates any provision of this section shall be punished as provided in W.S. 11-1-103. As used in this section, “confirmatory test” means a test for brucellosis that has the specificity and sensitivity to verify the presence or absence of brucella abortus in animal serum or tissues and is used to confirm results from an initial brucellosis test.

11-19-402. Breeding cattle and bison entering state to show evidence of negative test or vaccination for brucellosis; exceptions.

All breeding cattle and buffalo bison entering Wyoming shall be accompanied by a proper health certificate showing evidence of a negative blood test for brucellosis made within thirty (30) days prior to entry, or evidence of being officially vaccinated by a licensed veterinarian during calfhood against brucellosis. Breeding cattle and buffalo bison originating from modified certified brucellosis areas, certified brucellosis free areas and from certified brucellosis free herds entering Wyoming may be exempt from this section but must be accompanied by a proper health certificate.

11-19-403. When cattle or bison exempt from provisions.

Breeding cattle and buffalo bison entering Wyoming for the purpose of feeding only may be exempt from the requirements of W.S. 11-19-402 if they are placed under quarantine by the rules and regulations promulgated by the Wyoming livestock board.


Section 3. This act is effective July 1, 2013.

Approved February 12, 2013.
AN ACT relating to brands; revising how brands are recorded and rerecorded; providing for delinquent brands; authorizing fees for rerecording; requiring stock drovers to return comingled livestock; providing for fees; amending a definition; repealing obsolete provisions; and providing for an effective date.

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

Section 1. W.S. 11-20-107, 11-20-110, 11-20-111, 11-20-114(a), 11-20-115(a), 11-20-117(a), 11-20-118, 11-20-125(a)(intro), 11-20-212(a), 11-20-401 by creating a new subsection (c), 11-20-409 and 11-24-101(a)(v) are amended to read:

11-20-107. Brands; records kept by board; inspection thereof.
The board shall keep an accurate record of all certified livestock brands, the names of the owners and their current contact information including addresses, which shall be open to public inspection.

11-20-110. Recorded brand; bill of sale; when title vests.
Any recorded brand may be conveyed to another by a bill of sale executed by the vendor, properly acknowledged, but the conveyance is not complete nor does title to the brand vest in the vendee until the bill of sale is filed for record and the ownership of the brand is transferred in the office of the board.

11-20-111. State brand book; contents.
The executive officer of the board shall procure a suitable book, to be known as the state brand book, in which shall be recorded the brand and the definite place of the brand upon the animal, used for the branding of livestock in this state. A suitable book under this section may, at the discretion of the board, include a printed copy, an electronic copy or both.

11-20-114. Failure to record brand deemed abandonment.
(a) No person shall claim or own any brand which has not been recorded in the office of the Wyoming livestock board. Failure to record a brand is an abandonment of the same. No person shall claim or use any abandoned brand until after he has caused the same to be recorded as required by law.

11-20-115. Rerecording; when required; notice; abandonment.
(a) Except as provided by subsection (b) of this section, every tenth year after recording a brand, every owner of a brand shall rerecord the brand, and failure to do so is an abandonment of the brand as provided in this section. At least sixty (60) days preceding the expiration date of the brand, the board shall notify by mail, at the address shown on the brand records, the party owning the brand that the brand must be rerecorded and if the brand has not been rerecorded within
sixty (60) days from the expiration date of the brand, the brand will be declared delinquent. The board shall send a second notice by certified mail to the party owning the brand at the address shown on the brand records within thirty (30) days following the expiration date of the brand. A delinquent brand may be re-recorded by the brand owner who shall submit a rerecording application and pay a delinquent fee as established by rule of the board not to exceed one hundred fifty dollars ($150.00). If a delinquent brand is not rerecorded within one (1) year from the expiration date of the brand, the brand will be declared abandoned, and will be allowed to other applicants. The livestock board is authorized to promulgate rules and regulations necessary to implement this section including rules for issuing abandoned brands to other applicants.

11-20-117. Use of unrecorded brands prohibited; penalties.

(a) It is unlawful for any person in Wyoming to use an unrecorded brand for the purpose of claiming ownership of or to identify livestock with a brand not recorded in his name when the brand is a duplicate of or in conflict with any brand lawfully recorded in Wyoming for the same species of livestock except as otherwise provided in W.S. 11-20-125.

11-20-118. Drover’s stock; to be kept separate.

Every stock drover shall keep his livestock separate and distinct from other livestock, and if his livestock becomes mixed with other livestock the stock drover shall forthwith separate the same and return any comingled livestock to their lawful owner.

11-20-125. Use of a seasonal brand; application for an annual permit to use an out-of-state brand.

(a) A person may apply to the board for permission to use his out-of-state brand on cattle, horses, asses or mules, provided the brand is legally registered in the state of origin. If a conflict is found with a registered Wyoming brand the board, notwithstanding W.S. 11-20-104 and 11-20-117 and as established by rule and regulation, may authorize use of the brand and require further identification. The permit shall be valid for a one hundred eighty (180) day period during the calendar year. The permit is not transferable. The annual fee for the permit shall be the same as the fee for a new brand as prescribed in W.S. 11-20-103. The permit may be issued and renewed annually if the board finds the requirements of this section are met:

11-20-212. In-state range movement permits.

(a) The board may issue an in-state range movement permit for the movement of livestock from a location in Wyoming to a noncontiguous location in another county provided the applicant and the ranch meet the requirements of this subsection and criteria established by rules of the board. The movement shall be for the purpose of pasturing, grazing, feeding the livestock, veterinary care, commercial lease or use or other board approved movement that is considered necessary for normal ranch
management operating conditions. The movement shall not be for the purpose of changing ownership. A permit under this section may be issued only to bona fide owners or Wyoming resident lessees of qualified ranch lands headquarterd within Wyoming or their authorized employees. As used in this section, a qualified ranch means a ranch that has been used for a period of time or purpose specified by the board and which use can be verified by brand inspection records. A permit may be denied by the board after a finding that the person applying for a permit has violated a brand inspection or animal health law, including a provision of this section, or a board brand inspection or animal health rule or regulation or a board order.

   (c) The board may allow the inspection, permitting, payment and reporting requirements of this chapter to be conducted electronically as provided by the Uniform Electronic Transactions Act, W.S. 40-21-101 through 40-21-119, and any applicable federal electronic requirements.

   Except as otherwise provided in W.S. 11-20-401(c), all fees required by W.S. 11-6-210, 11-20-201 through 11-20-230, 11-20-401 and 11-20-402 shall be due and payable upon the issuance of a certificate of brand inspection or clearance. No fees required by W.S. 11-6-210 shall be collected on the same livestock more than once in any twelve (12) month period.

   (a) As used in this act:
      (v) “Livestock” means as defined in W.S. 23-1-102(a)(xvi) 11-20-101(a)(iv);

Section 2. W.S. 11-20-212(e) and 11-20-223(e) are repealed.

Section 3. 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.

Approved February 12, 2013.

Chapter 14

USE OF WATER OUTSIDE THE STATE

Original House Bill No. 38

AN ACT relating to water; providing that applications for the use of water outside the state may be aggregated for review as specified; providing rulemaking authority; and providing for an effective date.

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

Section 1. W.S. 41-3-115(b) is amended to read:
41-3-115. Applications for use of water outside the state.

(b) None of the water of the state either surface or underground may be appropriated, stored or diverted for use outside of the state or for use as a medium of transportation of mineral, chemical or other products to another state without the specific prior approval of the legislature. Provided, however, neither approval by the legislature nor compliance with the application procedures under subsections (m) through (r) of this section shall be required for appropriations that will transfer or use outside the state less than one thousand (1,000) acre-feet of water per year unless the applications are part of a collection of related applications or appropriations from the same source of supply for the same or similar use where the total use or transfer outside the state exceeds one thousand (1,000) acre-feet per year in aggregate. The state engineer is authorized to adopt rules and regulations necessary to carry out the provisions of this subsection.

Section 2. 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.

Approved February 12, 2013.

Chapter 15

SCHOOL CAPITAL CONSTRUCTION-ENROLLMENT METHODOLOGY

Original House Bill No. 17

AN ACT relating to school capital construction; prescribing methodology for the analysis of enrollment projections as used in prioritization of facility remedies by the school facilities commission; and providing for an effective date.

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

Section 1. W.S. 21-15-116(a)(i), 21-15-117(a)(iii) and 21-15-123(f)(ii) are amended to read:

21-15-116. School district facility plans; development, review and approval; plan criteria; administrative review.

(a) In accordance with rules and regulations of the commission, long range comprehensive school building and facility plans for each school district shall be developed by the department in coordination with the applicable district, which address district wide building and facility needs. The facility plan shall identify building and facility needs in accordance with the statewide adequacy standards, actions to remediate building and facility needs including construction, renovation and major building and facility repair and replacement expenditures, and any local enhancements to buildings and facilities beyond statewide adequacy standards. The facility plan shall include a response to each
building and facility need identified on a building-by-building, space-by-space basis. The plan shall also review and to the extent practical, identify nonconstruction alternatives to building and facility needs such as building closure, modification of school boundaries, modification of school grade configurations and similar approaches. Demolition or use, lease or other methods of disposition of surplus buildings and facilities shall be incorporated as part of the district plan, including the disposition of any existing land owned by the district. The plan shall not include the abandonment or demolition of any school facility or building unless there has first been a public hearing on the issue. The plan shall also specify identified alternative methods of building disposition, proposed allocation of costs incurred or revenues resulting from disposition and allocation of disposition revenues to offset any costs paid by the department. In addition, district facility plans shall include:

(i) Student enrollment projections for a period of not less than five (5) years commencing on the date as determined by the commission of anticipated completion of project construction using commission approved measures and techniques, including a description of the methods used in making projections. The commission may adjust projections computed under this paragraph as necessary to reflect more precise analysis and evaluation of historical, economic, social and other data impacting the community in which the buildings are or are to be located;

21-15-117. Annual evaluation of school buildings and facilities; remediation schedule; needs prioritization; combining facilities; implementation of remedy.

(a) Through the identification of school building and facility conditions and needs provided by the assessment conducted and maintained under W.S. 21-15-115, and a comparison of the identified conditions and needs with the established statewide building adequacy standards and the district facility plans developed under W.S. 21-15-116, the commission shall, based upon reports provided by the department and in coordination and cooperation with the districts, evaluate the adequacy of school buildings and facilities within local school districts. Based upon this evaluation, the commission shall establish a schedule for building and facility remediation. Remediation shall bring all buildings and facilities to conditions such that over time, only routine maintenance is required to maintain building adequacy. The schedule shall identify and prioritize building and facility remedies on a statewide basis, based upon a building condition score developed by the commission subject to the following:

(iii) Analysis of student enrollment changes, as based upon commission approved enrollment projection methodology, to determine the need for changes in building capacities over time for compliance with statewide adequacy standards over a five (5) year projection period commencing on the date of anticipated completion of project construction. The commission may
adjust projections computed under this paragraph as necessary to reflect more precise analysis and evaluation of historical, economic, social and other data impacting the community in which the building is or is to be located. Analysis under this paragraph shall prioritize remediation for those buildings requiring additional space to comply with statewide adequacy standards;

21-15-123. School facilities department; creation; control; director; duties and authority.

(f) The school facilities department shall:

(ii) Subject to W.S. 21-15-117(a)(iii), establish a consistent, systematic research approach for student enrollment projections used by districts in developing district facility plans and forecasting building and facility needs to comply with statewide building adequacy standards;

Section 2. This act is effective July 1, 2013.

Approved February 12, 2013.

Chapter 16

STATE GOVERNMENT FRAUD REDUCTION ACT-REPORTING REQUIREMENTS

Original House Bill No. 221

AN ACT relating to administration of government; amending the State Government Fraud Reduction Act to allow reporting to the office of governor and the office of secretary of state as specified; prohibiting discrimination against an employee for participating in an investigation or hearing as specified; and providing for an effective date.

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

Section 1. W.S. 9-11-103(a)(iv) and (b) is amended to read:

9-11-103. Discrimination against certain employees prohibited; civil action against employer.

(a) No state employer may discharge, discipline or retaliate against an employee by unreasonably altering the terms, location or conditions of employment because the employee acting in good faith and within the scope of duties of employment:

(iv) Participates or is requested to participate in any investigation, hearing or inquiry; held concerning an issue subject to reporting under this subsection; or

(b) Subsection (a) of this section does not apply to an employee who has reported or caused to be reported a violation or unsafe condition or practice, unless the employee has first brought the alleged violation, condition or practice to the attention of a person having supervisory authority over the employee
and has allowed the state employer a reasonable opportunity to correct that violation, condition or practice. Prior notice to a person having supervisory authority is not required if the employee reasonably believes that the report may not result in prompt correction of the violation, condition or practice. In such cases, the employee shall report the violation, condition or practice to the department or agency director of the state entity with which he is employed or to the office of the governor. In the event the alleged violation, condition or practice occurred within the office of the governor, the employee may report the violation, condition or practice to the office of the secretary of state.

Section 2. 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.

Approved February 12, 2013.

Chapter 17

MOTOR VEHICLE-LEMON LAW

AN ACT relating to trade practices; providing for extension of time based on force majeure provisions in new motor vehicle warranty requirements; and providing for an effective date.

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

Section 1. W.S. 40-17-101 by creating a new subsection (j) and by renumbering (j) as (k) is amended to read:

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

(j) Any period of time provided in subsection (d) of this section shall be extended by any period of time during which the vehicle could not reasonably be repaired due to war, invasion, act of terror, civil unrest, strike, fire, flood or natural disaster.

(k) Any consumer injured by a violation of this section may bring a civil action to enforce this section and may recover reasonable attorney’s fees from the manufacturer who issued the express warranty.

Section 2. This act is effective July 1, 2013.

Approved February 14, 2013.
Chapter 18

JUVENILE PAROLE ELIGIBILITY

Original House Bill No. 23

AN ACT relating to crimes and offenses; modifying provisions relating to life sentences for juvenile offenders generally; eliminating life sentences without parole for juvenile offenders; and providing for an effective date.

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

Section 1. W.S. 6-2-101(b), 6-2-306(d)(intro) and (e), 6-10-201(b)(ii), 6-10-301(c) and 7-13-402(a) are amended to read:

6-2-101. Murder in the first degree; penalty.

(b) A person convicted of murder in the first degree shall be punished by death, life imprisonment without parole or life imprisonment according to law, except that no person shall be subject to the penalty of death for any murder committed before the defendant attained the age of eighteen (18) years.

A person convicted of murder in the first degree who was under the age of eighteen (18) years at the time of the offense shall be punished by life imprisonment.

6-2-306. Penalties for sexual assault.

(d) An actor who is convicted of sexual assault under W.S. 6-2-302 through 6-2-304, or sexual abuse of a minor under W.S. 6-2-316 through 6-2-317, shall be punished by life imprisonment without parole if the actor has two (2) or more previous convictions for any of the following designated offenses, which convictions resulted from charges separately brought and which arose out of separate occurrences in this state or elsewhere and which convictions were for offenses committed after the actor reached the age of eighteen (18) years:

(e) An actor who is convicted of sexual abuse of a minor under W.S. 6-2-314 or 6-2-315 shall be punished by life imprisonment without parole if the actor has one (1) or more previous convictions for a violation of W.S. 6-2-302 through 6-2-304, 6-2-314 or 6-2-315, or a criminal statute containing the same or similar elements as the crimes defined by W.S. 6-2-302 through 6-2-304, 6-2-314 or 6-2-315, which convictions resulted from charges separately brought and which arose out of separate occurrences in this state or elsewhere and which convictions were for offenses committed after the actor reached the age of eighteen (18) years.

6-10-201. “Habitual criminal” defined; penalties.

(b) An habitual criminal shall be punished by imprisonment for:

(ii) Life, if he has three (3) or more previous convictions for offenses committed after the person reached the age of eighteen (18) years.

6-10-301. Life imprisonment without parole; life imprisonment.
(c) Any sentence other than a sentence specifically designated as a sentence of life imprisonment without parole is not subject to commutation by the governor. A sentence of life or life imprisonment which is not specifically designated as a sentence of life imprisonment without parole is subject to commutation by the governor. A person sentenced to life or life imprisonment for an offense committed after the person reached the age of eighteen (18) years is not eligible for parole unless the governor has commuted the person’s sentence to a term of years. A person sentenced to life imprisonment for an offense committed before the person reached the age of eighteen (18) years shall be eligible for parole after commutation of his sentence to a term of years or after having served twenty-five (25) years of incarceration, except that if the person committed any of the acts specified in W.S. 7-13-402(b) after having reached the age of eighteen (18) years the person shall not be eligible for parole.

7-13-402. General powers and duties of board; eligibility for parole; immunity.

(a) The board may grant a parole to any person imprisoned in any institution under sentence, except a sentence of life imprisonment without parole or a life sentence, ordered by any district court of this state, provided the person has served the minimum term pronounced by the trial court less good time, if any, granted under rules promulgated pursuant to W.S. 7-13-420. The board may also grant parole to a person serving a sentence for an offense committed before the person reached the age of eighteen (18) years of age as provided in W.S. 6-10-301(c).

Section 2. This act is effective July 1, 2013.

Approved February 14, 2013.

Chapter 19

CHILD SUPPORT GUIDELINE TABLES

Original House Bill No. 20

AN ACT relating to child support; amending child support guidelines; and providing for an effective date.

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

Section 1. W.S. 20-2-304(a) and (b) is amended to read:

20-2-304. Presumptive child support.

(a) Child support shall be expressed in a specific dollar amount. The following child support tables shall be used to determine the total child support obligation considering the combined income of both parents. The appropriate table is based upon the number of children for whom the parents share joint legal responsibility and for whom support is being sought. After the combined
net income of both parents is determined it shall be used in the first column of the tables to find the appropriate line from which the total child support obligation of both parents can be computed from the third column. The child support obligation computed from the third column of the tables shall be divided between the parents in proportion to the net income of each. The noncustodial parent’s share of the joint child support obligation shall be paid to the custodial parent through the clerk of court:

(i) One (1) child:

<table>
<thead>
<tr>
<th>Net Monthly Income of Both Parents</th>
<th>Percentage of Income Allocated for One Child</th>
<th>Base Support Plus Marginal Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>$833.00</td>
<td>26.2</td>
<td>$218.00 + 24.3% over $833.00</td>
</tr>
<tr>
<td>$2,083.00</td>
<td>25.1</td>
<td>$522.00 + 23.3% over $2,083.00</td>
</tr>
<tr>
<td>$2,917.00</td>
<td>24.6</td>
<td>$716.00 + 12.9% over $2,917.00</td>
</tr>
<tr>
<td>$3,750.00</td>
<td>22.9</td>
<td>$824.00 + 10.7% over $3,750.00</td>
</tr>
<tr>
<td>$5,000.00</td>
<td>19.2</td>
<td>$958.00 + 9.9% over $5,000.00</td>
</tr>
<tr>
<td>$6,667.00</td>
<td>16.8</td>
<td>$1,122.00 + 9.4% over $6,667.00</td>
</tr>
<tr>
<td>$8,958.00</td>
<td>14.9</td>
<td>$1,338.00 + 5.9% of anything over $8,958.00</td>
</tr>
<tr>
<td>$846.00</td>
<td>22.0</td>
<td>$186.00 + 21.3% over $846.00</td>
</tr>
<tr>
<td>$2,961.00</td>
<td>21.5</td>
<td>$637.00 + 14.3% over $2,961.00</td>
</tr>
<tr>
<td>$4,652.00</td>
<td>18.9</td>
<td>$879.00 + 11.8% over $4,652.00</td>
</tr>
<tr>
<td>$5,498.00</td>
<td>17.8</td>
<td>$979.00 + 10.2% over $5,498.00</td>
</tr>
<tr>
<td>$7,613.00</td>
<td>15.7</td>
<td>$1,195.00 + 9.3% over $7,613.00</td>
</tr>
<tr>
<td>$10,151.00</td>
<td>14.1</td>
<td>$1,431.00 + 7.5% over $10,151.00</td>
</tr>
<tr>
<td>$12,900.00</td>
<td>12.7</td>
<td>$1,638.00 + 5.9% of anything over $12,900.00</td>
</tr>
</tbody>
</table>

(ii) Two (2) children:

<table>
<thead>
<tr>
<th>Net Monthly Income of Both Parents</th>
<th>Percentage of Income Allocated for One Child</th>
<th>Base Support Plus Marginal Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>$833.00</td>
<td>36.8</td>
<td>$307.00 + 33.8% over $833.00</td>
</tr>
<tr>
<td>$2,083.00</td>
<td>35.0</td>
<td>$729.00 + 31.9% over $2,083.00</td>
</tr>
<tr>
<td>$2,917.00</td>
<td>34.1</td>
<td>$995.00 + 16.4% over $2,917.00</td>
</tr>
<tr>
<td>$3,750.00</td>
<td>30.2</td>
<td>$1,131.00 + 13.1% over $3,750.00</td>
</tr>
<tr>
<td>$5,000.00</td>
<td>25.9</td>
<td>$1,295.00 + 12.5% over $5,000.00</td>
</tr>
<tr>
<td>$6,667.00</td>
<td>22.5</td>
<td>$1,503.00 + 12.5% over $6,667.00</td>
</tr>
<tr>
<td>$8,958.00</td>
<td>20.0</td>
<td>$1,790.00 + 7.9% of anything over $8,958.00</td>
</tr>
</tbody>
</table>
### Three (3) children:

<table>
<thead>
<tr>
<th>Net Monthly Income of Both Parents</th>
<th>Percentage of Income Allocated for One Child</th>
<th>Base Support Plus Marginal Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>$833.00</td>
<td>42.7</td>
<td>$356.00 + 38.7% over $833.00</td>
</tr>
<tr>
<td>$2,083.00</td>
<td>40.3</td>
<td>$840.00 + 36.4% over $2,083.00</td>
</tr>
<tr>
<td>$2,917.00</td>
<td>39.2</td>
<td>$1,144.00 + 16.8% over $2,917.00</td>
</tr>
<tr>
<td>$3,750.00</td>
<td>34.2</td>
<td>$1,284.00 + 13.3% over $3,750.00</td>
</tr>
<tr>
<td>$5,000.00</td>
<td>29.0</td>
<td>$1,450.00 + 13.7% over $5,000.00</td>
</tr>
<tr>
<td>$6,667.00</td>
<td>25.2</td>
<td>$1,677.00 + 12.2% over $6,667.00</td>
</tr>
<tr>
<td>$8,958.00</td>
<td>21.9</td>
<td>$1,958.00 + 7.7% of anything over $8,958.00</td>
</tr>
<tr>
<td>$846.00</td>
<td>40.2</td>
<td>$340.00 + 39.4% over $846.00</td>
</tr>
<tr>
<td>$2,961.00</td>
<td>39.6</td>
<td>$1,173.00 + 23.9% over $2,961.00</td>
</tr>
<tr>
<td>$4,652.00</td>
<td>33.9</td>
<td>$1,577.00 + 20.9% over $4,652.00</td>
</tr>
<tr>
<td>$5,498.00</td>
<td>31.9</td>
<td>$1,754.00 + 17.9% over $5,498.00</td>
</tr>
<tr>
<td>$7,613.00</td>
<td>28.0</td>
<td>$2,132.00 + 16.8% over $7,613.00</td>
</tr>
<tr>
<td>$10,151.00</td>
<td>25.2</td>
<td>$2,558.00 + 11.6% over $10,151.00</td>
</tr>
<tr>
<td>$12,900.00</td>
<td>22.3</td>
<td>$2,877.00 + 11.6% of anything over $12,900.00</td>
</tr>
</tbody>
</table>

### Four (4) children:

<table>
<thead>
<tr>
<th>Net Monthly Income of Both Parents</th>
<th>Percentage of Income Allocated for One Child</th>
<th>Base Support Plus Marginal Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>$833.00</td>
<td>47.6</td>
<td>$397.00 + 43.2% over $833.00</td>
</tr>
<tr>
<td>$2,083.00</td>
<td>45.0</td>
<td>$937.00 + 40.6% over $2,083.00</td>
</tr>
<tr>
<td>$2,917.00</td>
<td>43.7</td>
<td>$1,275.00 + 18.7% over $2,917.00</td>
</tr>
<tr>
<td>$3,750.00</td>
<td>38.2</td>
<td>$1,431.00 + 14.8% over $3,750.00</td>
</tr>
<tr>
<td>$5,000.00</td>
<td>32.3</td>
<td>$1,616.00 + 15.2% over $5,000.00</td>
</tr>
<tr>
<td>$6,667.00</td>
<td>28.1</td>
<td>$1,870.00 + 13.7% over $6,667.00</td>
</tr>
</tbody>
</table>
(v) Five (5) or more children:

<table>
<thead>
<tr>
<th>Net Monthly Income of Both Parents</th>
<th>Percentage of Income Allocated for One Child</th>
<th>Base Support Plus Marginal Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>$833.00</td>
<td>52.4</td>
<td>$436.00 + 47.5% over $833.00</td>
</tr>
<tr>
<td>$2,083.00</td>
<td>49.5</td>
<td>$1,030.00 + 44.7% over $2,083.00</td>
</tr>
<tr>
<td>$2,917.00</td>
<td>48.1</td>
<td>$1,403.00 + 20.6% over $2,917.00</td>
</tr>
<tr>
<td>$3,750.00</td>
<td>42.0</td>
<td>$1,575.00 + 16.3% over $3,750.00</td>
</tr>
<tr>
<td>$5,000.00</td>
<td>35.6</td>
<td>$1,778.00 + 16.8% over $5,000.00</td>
</tr>
<tr>
<td>$6,667.00</td>
<td>30.9</td>
<td>$2,057.00 + 15.0% over $6,667.00</td>
</tr>
<tr>
<td>$8,958.00</td>
<td>26.8</td>
<td>$2,402.00 + 9.4% of anything over $8,958.00</td>
</tr>
<tr>
<td>$846.00</td>
<td>49.4</td>
<td>$418.00 + 48.3% over $846.00</td>
</tr>
<tr>
<td>$2,961.00</td>
<td>48.6</td>
<td>$1,439.00 + 29.6% over $2,961.00</td>
</tr>
<tr>
<td>$4,652.00</td>
<td>41.7</td>
<td>$1,940.00 + 24.8% over $4,652.00</td>
</tr>
<tr>
<td>$5,498.00</td>
<td>39.1</td>
<td>$2,150.00 + 22.2% over $5,498.00</td>
</tr>
<tr>
<td>$7,613.00</td>
<td>34.4</td>
<td>$2,619.00 + 20.4% over $7,613.00</td>
</tr>
<tr>
<td>$10,151.00</td>
<td>30.9</td>
<td>$3,137.00 + 14.5% over $10,151.00</td>
</tr>
<tr>
<td>$12,900.00</td>
<td>27.4</td>
<td>$3,535.00 + 14.3% of anything over $12,900.00</td>
</tr>
</tbody>
</table>

(b) Where the combined income of the custodial parent and the noncustodial parent is less than eight hundred thirty-three dollars ($833.00) to eight hundred forty-six dollars ($846.00), the support obligation of the noncustodial parent shall be twenty-two percent (22%) of net income for one (1) child and twenty-five percent (25%) of net income for two (2) or more children, but in no case shall the support obligation be less than fifty dollars ($50.00) per month for each family unit in which there are children to whom the noncustodial parent owes a duty of support.

Section 2. This act is effective July 1, 2013.

Approved February 14, 2013.
Chapter 20

COMMUNITY JUVENILE SERVICES

Original Senate File No. 17

AN ACT relating to community juvenile services; authorizing counties to be direct grant recipients of community juvenile services grants; modifying grant eligibility and requirements; conforming provisions; and providing for an effective date.

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

Section 1. W.S. 5-6-114, 7-13-304(c), 14-9-103(a) by creating a new paragraph (vii) and by renumbering (vii) as (viii), 14-9-105(a)(intro) and by creating a new subsection (b), 14-9-106(b)(intro), (ii), by creating a new subsection (c) and by renumbering (c) as (d) and 14-9-108(a)(i), (iii), (iv)(intro) and (c) are amended to read:

5-6-114. Special probation for minor defendants.

As a condition of probation or suspension of sentence, the court may require a defendant who is a minor to successfully complete a juvenile service program offered by a community juvenile services board under the Community Juvenile Services Act.

7-13-304. Imposition or modification of conditions; performance of work by defendant.

(c) As a condition of probation or suspension of sentence, the court may require a defendant who is a minor to successfully complete a juvenile service program offered by a community juvenile services board under the Community Juvenile Services Act.

14-9-103. Definitions.

(a) As used in this act:

(vii) “Advisory board” means a board established by a board of county commissioners which meets the requirements of W.S. 14-9-105(b);


14-9-105. Community juvenile services boards; advisory boards.

(a) A county may, in accordance with the Wyoming Joint Powers Act, enter into an agreement with one (1) or more counties, any or all cities within the county or counties, and any or all school districts within the county or counties, to form a joint powers board to serve as a community juvenile services board under this act. The board shall include, at a minimum, representation from five (5) of the following entities within the jurisdictional boundaries of the community juvenile services board:

(b) As an alternative to a community board, the county commissioners of a county may form a juvenile services advisory board. In forming an advisory
board the county commissioners shall include representation from at least five (5) of the entities specified in subsection (a) of this section.

14-9-106. Community board powers; requirements of boards and counties.

(b) Subject to this act, a community board or a board of county commissioners which has appointed an advisory board in accordance with W.S. 14-9-105(b) shall:

(ii) Develop a community juvenile services strategic plan and provide for periodic review of the plan, to accomplish the following purposes:

(A) Use of a uniform screening instrument;
(B) Assessments of referred children by licensed professionals who may include medical, mental health, social service and educational personnel;
(C) Procedures to facilitate referrals of youth and families of youth needing services by:
   (I) School districts;
   (II) Law enforcement;
   (III) Licensed mental health care providers;
   (IV) Licensed health care providers
   (V) A court;
   (VI) The department of family services;
   (VII) Community youth organizations;
   (VIII) Families of youth needing services;
   (IX) Self-referred youth.

(D) Periodic review of the strategic plan.

(c) A juvenile services advisory board shall provide advice to the board of county commissioners concerning the availability and need for juvenile services within the county and the expenditure of any funds received by the county pursuant to this act. The advisory board may also assist the board of county commissioners, or the appropriate county official as directed by the county commissioners, in preparing the strategic plan required by this section and the grant application required under W.S. 14-9-108.

(d) The community board shall not provide any services to any child without first obtaining written consent from the child’s parent or guardian unless participation in the program or service offered by the community board is a condition of court ordered probation or suspension of sentence. A court of limited jurisdiction may authorize the community board to provide services to a child if, after a hearing, the court finds that the child’s parent or guardian unreasonably refused to provide written consent for the child to receive services.
14-9-108. Grant eligibility; allocation of funds.

(a) To qualify for a grant under this act, an applicant shall:

(i) Be created as a community board as provided by W.S. 14-9-105 or be a board of county commissioners which has appointed an advisory board in accordance with W.S. 14-9-105(b);

(iii) Receive certification from the department of family services that the strategic plan developed by the community board or county addresses the purposes of this act;

(iv) Develop a system approved by the department for:

(c) For grants awarded to community boards, services for juveniles under this section shall be paid cooperatively by the departments of family services, health and education to the providers of those services. For grants awarded to counties acting with an advisory board, services shall be paid by the county from grant funds provided to the county.

Section 2. W.S. 14-9-106(b)(iii) and (iv) is repealed.

Section 3. This act is effective July 1, 2013.

Approved February 14, 2013.

Chapter 21

UNIFORM ADULT GUARDIANSHIP JURISDICTION ACT

Original Senate File No. 39

AN ACT relating to guardianship and conservators; creating the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act; providing definitions; amending related provisions; providing for applicability; and providing for an effective date.

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

Section 1. W.S. 3-8-101 through 3-8-106, 3-8-201 through 3-8-209, 3-8-301 and 3-8-302, 3-8-401 through 3-8-403 and 3-8-501 and 3-8-502 are created to read:

CHAPTER 8
UNIFORM ADULT GUARDIANSHIP AND PROTECTIVE PROCEEDINGS JURISDICTION ACT

ARTICLE 1
GENERAL PROVISIONS

3-8-101. Short title.

This act may be cited as the “Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act”.

3-8-102. Definitions.

(a) As used in this act:

(i) “Adult” means an individual who has attained eighteen (18) years of age;

(ii) “Conservator” means a person appointed by the court to administer the property of an adult, including a person appointed under W.S. 3-3-101 through 3-3-1106;

(iii) “Guardian” means a person appointed by the court to make decisions regarding the person of an adult, including a person appointed under W.S. 3-2-101 through 3-2-303;

(iv) “Guardianship order” means an order appointing a guardian;

(v) “Guardianship proceeding” means a judicial proceeding in which an order for the appointment of a guardian is sought or has been issued;

(vi) “Incompetent person” means an adult for whom a guardian has been appointed;

(vii) “Party” means the respondent, petitioner, guardian, conservator or any other person allowed by the court to participate in a guardianship or protective proceeding;

(viii) “Protected person” means an adult for whom a protective order has been issued;

(ix) “Protective order” means an order appointing a conservator or other order related to management of an adult’s property;

(x) “Protective proceeding” means a judicial proceeding in which a protective order is sought or has been issued;

(xi) “Record” means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form;

(xii) “Respondent” means an adult for whom a protective order or the appointment of a guardian is sought;

(xiii) “State” means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, a federally recognized Indian tribe, or any territory or insular possession subject to the jurisdiction of the United States;

(xiv) “This act” means W.S. 3-8-101 through 3-8-502.

3-8-103. International application of act.

A court of this state may treat a foreign country as if it were a state for the purpose of applying this article and articles 2, 3 and 5 of this act.
3-8-104. Communication between courts.

(a) A court of this state may communicate with a court in another state concerning a proceeding arising under this act. The court may allow the parties to participate in the communication. Except as otherwise provided in subsection (b) of this section, the court shall make a record of the communication. The record may be limited to the fact that the communication occurred.

(b) Courts may communicate concerning schedules, calendars, court records and other administrative matters without making a record.

3-8-105. Cooperation between courts.

(a) In a guardianship or protective proceeding in this state, a court of this state may request the appropriate court of another state to do any of the following:

   (i) Hold an evidentiary hearing;

   (ii) Order a person in that state to produce evidence or give testimony pursuant to procedures of that state;

   (iii) Order that an evaluation or assessment be made of the respondent;

   (iv) Order any appropriate investigation of a person involved in a proceeding;

   (v) Forward to the court of this state a certified copy of the transcript or other record of a hearing under paragraph (i) of this subsection or any other proceeding, any evidence otherwise produced under paragraph (ii) of this subsection, and any evaluation or assessment prepared in compliance with an order under paragraph (iii) or (iv) of this subsection;

   (vi) Issue any order necessary to assure the appearance in the proceeding of a person whose presence is necessary for the court to make a determination, including the respondent or the incompetent or protected person;

   (vii) Issue an order authorizing the release of medical, financial, criminal or other relevant information in that state, including protected health information as defined in 45 C.F.R. 160.103, as amended.

(b) If a court of another state in which a guardianship or protective proceeding is pending requests assistance of the kind provided in subsection (a) of this section, a court of this state has jurisdiction for the limited purpose of granting the request or making reasonable efforts to comply with the request.

3-8-106. Taking testimony in another state.

(a) In a guardianship or protective proceeding, in addition to other procedures that may be available, testimony of a witness who is located in another state may be offered by deposition or other means allowable in this state for testimony taken in another state. The court on its own motion may order that the testimony of a witness be taken in another state and may prescribe the manner
in which and the terms upon which the testimony is to be taken.

(b) In a guardianship or protective proceeding, a court in this state may permit a witness located in another state to be deposed or to testify by telephone or audiovisual or other electronic means. A court of this state shall cooperate with the court of the other state in designating an appropriate location for the deposition or testimony.

(c) Documentary evidence transmitted from another state to a court of this state by technological means that do not produce an original writing may not be excluded from evidence on an objection based on the best evidence rule.

ARTICLE 2
JURISDICTION

3-8-201. Definitions; significant connection factors.

(a) As used in this article:

(i) “Emergency” means a circumstance that likely will result in substantial harm to a respondent’s health, safety or welfare and for which the appointment of a guardian is necessary because no other person has authority and is willing to act on the respondent’s behalf;

(ii) “Home state” means the state in which the respondent was physically present, including any period of temporary absence, for at least six (6) consecutive months immediately before the filing of a petition for a protective order or the appointment of a guardian; or if none, the state in which the respondent was physically present, including any period of temporary absence, for at least six (6) consecutive months ending within the six (6) months prior to the filing of the petition;

(iii) “Significant-connection state” means a state, other than the home state, with which a respondent has a significant connection other than mere physical presence and in which substantial evidence concerning the respondent is available.

(b) In determining under W.S. 3-8-203 and 3-8-301(e) whether a respondent has a significant connection with a particular state, the court shall consider:

(i) The location of the respondent’s family and other persons required to be notified of the guardianship or protective proceeding;

(ii) The length of time the respondent at any time was physically present in the state and the duration of any absence;

(iii) The location of the respondent’s property; and

(iv) The extent to which the respondent has ties to the state such as voting registration, state or local tax return filing, vehicle registration, driver’s license, social relationship and receipt of services.

3-8-202. Exclusive basis.
This act provides the exclusive jurisdictional basis for a court of this state to appoint a guardian or issue a protective order for an adult.

**3-8-203. Jurisdiction.**

(a) A court of this state has jurisdiction to appoint a guardian or issue a protective order for a respondent if:

(i) This state is the respondent’s home state;

(ii) On the date the petition is filed, this state is a significant-connection state and:

(A) The respondent does not have a home state or a court of the respondent’s home state has declined to exercise jurisdiction because this state is a more appropriate forum; or

(B) The respondent has a home state, a petition for an appointment or order is not pending in a court of that state or another significant-connection state, and before the court makes the appointment or issues the order:

(I) A petition for an appointment or order is not filed in the respondent’s home state;

(II) An objection to the court’s jurisdiction is not filed by a person required to be notified of the proceeding; and

(III) The court in this state concludes that it is an appropriate forum under the factors set forth in W.S. 3-8-206.

(iii) This state does not have jurisdiction under either paragraph (i) or (ii) of this subsection, the respondent’s home state and all significant-connection states have declined to exercise jurisdiction because this state is the more appropriate forum, and jurisdiction in this state is consistent with the constitutions of this state and the United States; or

(iv) The requirements for special jurisdiction under W.S. 3-8-204 are met.

**3-8-204. Special jurisdiction.**

(a) A court of this state lacking jurisdiction under W.S. 3-8-203(a)(i) through (iii) has special jurisdiction to do any of the following:

(i) Appoint a guardian in an emergency for a term not exceeding ninety (90) days for a respondent who is physically present in this state;

(ii) Issue a protective order with respect to real or tangible personal property located in this state;

(iii) Appoint a guardian or conservator for an incompetent or protected person for whom a provisional order to transfer the proceeding from another state has been issued under procedures similar to W.S. 3-8-301.

(b) If a petition for the appointment of a guardian in an emergency is brought in this state and this state was not the respondent’s home state on the date the
petition was filed, the court shall dismiss the proceeding at the request of the court of the home state, if any, whether dismissal is requested before or after the emergency appointment.

3-8-205. Exclusive and continuing jurisdiction.

Except as otherwise provided in W.S. 3-8-204, a court that has appointed a guardian or issued a protective order consistent with this act has exclusive and continuing jurisdiction over the proceeding until it is terminated by the court or the appointment or order expires by its own terms.

3-8-206. Appropriate forum.

(a) A court of this state having jurisdiction under W.S. 3-8-203 to appoint a guardian or issue a protective order may decline to exercise its jurisdiction if it determines at any time that a court of another state is a more appropriate forum.

(b) If a court of this state declines to exercise its jurisdiction under subsection (a) of this section, it shall either dismiss or stay the proceeding. The court may impose any condition the court considers just and proper, including the condition that a petition for the appointment of a guardian or issuance of a protective order be filed promptly in another state.

(c) In determining whether it is an appropriate forum, the court shall consider all relevant factors, including:

(i) Any expressed preference of the respondent;

(ii) Whether abuse, neglect or exploitation of the respondent has occurred or is likely to occur and which state could best protect the respondent from the abuse, neglect or exploitation;

(iii) The length of time the respondent was physically present in or was a legal resident of this or another state;

(iv) The distance of the respondent from the court in each state;

(v) The financial circumstances of the respondent’s estate;

(vi) The nature and location of the evidence;

(vii) The ability of the court in each state to decide the issue expeditiously and the procedures necessary to present evidence;

(viii) The familiarity of the court of each state with the facts and issues in the proceeding; and

(ix) If an appointment were made, the court’s ability to monitor the conduct of the guardian or conservator.

3-8-207. Jurisdiction declined by reason of conduct.

(a) If at any time a court of this state determines that it acquired jurisdiction to appoint a guardian or issue a protective order because of unjustifiable con-
duct, the court may:

(i) Decline to exercise jurisdiction;

(ii) Exercise jurisdiction for the limited purpose of fashioning an appropriate remedy to ensure the health, safety and welfare of the respondent or the protection of the respondent’s property or prevent a repetition of the unjustifiable conduct, including staying the proceeding until a petition for the appointment of a guardian or issuance of a protective order is filed in a court of another state having jurisdiction; or

(iii) Continue to exercise jurisdiction after considering:

(A) The extent to which the respondent and all persons required to be notified of the proceedings have acquiesced in the exercise of the court’s jurisdiction;

(B) Whether it is a more appropriate forum than the court of any other state under the factors set forth in W.S. 3-8-206(c); and

(C) Whether the court of any other state would have jurisdiction under factual circumstances in substantial conformity with the jurisdictional standards of W.S. 3-8-203.

(b) If a court of this state determines that it acquired jurisdiction to appoint a guardian or issue a protective order because a party seeking to invoke its jurisdiction engaged in unjustifiable conduct, it may assess against that party necessary and reasonable expenses, including attorney’s fees, investigative fees, court costs, communication expenses, witness fees and expenses and travel expenses. The court may not assess fees, costs or expenses of any kind against this state or a governmental subdivision, agency or instrumentality of this state unless authorized by law other than this act.

3-8-208. Notice of proceeding.

If a petition for the appointment of a guardian or issuance of a protective order is brought in this state and this state was not the respondent’s home state on the date the petition was filed, in addition to complying with the notice requirements of this state, notice of the petition shall be given to any person who would be entitled to notice of the petition if a proceeding were brought in the respondent's home state. The notice shall be given in the same manner as notice is required to be given in this state.

3-8-209. Proceedings in more than one state.

(a) Except for a petition for the appointment of a guardian in an emergency or issuance of a protective order limited to property located in this state under W.S. 3-8-204(a)(i) or (ii), if a petition for the appointment of a guardian or issuance of a protective order is filed in this state and in another state and neither petition has been dismissed or withdrawn, the following rules shall apply:
(i) If the court in this state has jurisdiction under W.S. 3-8-203, it may proceed with the case unless a court in another state acquires jurisdiction under provisions similar to that section before the appointment or issuance of the order;

(ii) If the court in this state does not have jurisdiction under W.S. 3-8-203, whether at the time the petition is filed or at any time before the appointment or issuance of the order, the court shall stay the proceeding and communicate with the court in the other state. If the court in the other state has jurisdiction, the court in this state shall dismiss the petition unless the court in the other state determines that the court in this state is a more appropriate forum.

ARTICLE 3
TRANSFER OF GUARDIANSHIP OR CONSERVATORSHIP

3-8-301. Transfer of guardianship or conservatorship to another state.

(a) A guardian or conservator appointed in this state may petition the court to transfer the guardianship or conservatorship to another state.

(b) Notice of a petition under subsection (a) of this section shall be given to any person that would be entitled to notice of a petition in this state for the appointment of a guardian or conservator.

(c) On the court's own motion or on request of the guardian or conservator, the incompetent or protected person or other person required to be notified of the petition, the court shall hold a hearing on a petition filed pursuant to subsection (a) of this section.

(d) The court shall issue an order provisionally granting a petition to transfer a guardianship and shall direct the guardian to petition for guardianship in the other state if the court is satisfied that the guardianship will be accepted by the court in the other state and the court finds that:

   (i) The incompetent person is physically present in or is reasonably expected to move permanently to the other state;

   (ii) An objection to the transfer has not been made or, if an objection has been made, the objector has not established that the transfer would be contrary to the interests of the incompetent person; and

   (iii) Plans for care and services for the incompetent person in the other state are reasonable and sufficient.

(e) The court shall issue a provisional order granting a petition to transfer a conservatorship and shall direct the conservator to petition for conservatorship in the other state if the court is satisfied that the conservatorship will be accepted by the court of the other state and the court finds that:

   (i) The protected person is physically present in or is reasonably expected to move permanently to the other state, or the protected person has a significant connection to the other state considering the factors in W.S. 3-8-201(b);
(ii) An objection to the transfer has not been made or, if an objection has been made, the objector has not established that the transfer would be contrary to the interests of the protected person; and

(iii) Adequate arrangements will be made for management of the protected person’s property.

(f) The court shall issue a final order confirming the transfer and terminating the guardianship or conservatorship upon its receipt of:

(i) A provisional order accepting the proceeding from the court to which the proceeding is to be transferred which is issued under provisions similar to W.S. 3-8-302; and

(ii) The documents required to terminate a guardianship or conservatorship in this state.

3-8-302. Accepting guardianship or conservatorship transferred from another state.

(a) To confirm transfer of a guardianship or conservatorship transferred to this state under provisions similar to W.S. 3-8-301, the guardian or conservator shall petition the court in this state to accept the guardianship or conservatorship. The petition shall include a certified copy of the other state’s provisional order of transfer.

(b) Notice of a petition under subsection (a) of this section shall be given to those persons that would be entitled to notice if the petition were a petition for the appointment of a guardian or issuance of a protective order in both the transferring state and this state. The notice shall be given in the same manner as notice is required to be given in this state.

(c) On the court’s own motion or on request of the guardian or conservator, the incompetent or protected person or other person required to be notified of the proceeding, the court shall hold a hearing on a petition filed pursuant to subsection (a) of this section.

(d) The court shall issue an order provisionally granting a petition filed under subsection (a) of this section unless:

(i) An objection is made and the objector establishes that transfer of the proceeding would be contrary to the interests of the incompetent or protected person; or

(ii) The guardian or conservator is ineligible for appointment in this state.

(e) The court shall issue a final order accepting the proceeding and appointing the guardian or conservator as guardian or conservator in this state upon its receipt from the court from which the proceeding is being transferred of a final order issued under provisions similar to W.S. 3-8-301 transferring the proceeding to this state.
(f) Not later than ninety (90) days after issuance of a final order accepting transfer of a guardianship or conservatorship, the court shall determine whether the guardianship or conservatorship needs to be modified to conform to the law of this state.

(g) In granting a petition under this section, the court shall recognize a guardianship or conservatorship order from the other state, including the determination of the incompetent or protected person's incompetency and the appointment of the guardian or conservator.

(h) The denial by a court of this state of a petition to accept a guardianship or conservatorship transferred from another state shall not affect the ability of the guardian or conservator to seek appointment as guardian or conservator in this state under W.S. 3-2-101 through 3-3-1106 if the court has jurisdiction to make an appointment other than by reason of the provisional order of transfer.

(j) In granting a petition under this section, the court may require any report or impose any duty under W.S. 3-2-109, 3-2-201, 3-2-202, 3-3-601 through 3-3-611 or 3-3-901 and 3-3-902.

ARTICLE 4
REGISTRATION AND RECOGNITION OF ORDERS FROM OTHER STATES

3-8-401. Registration of guardianship orders.
If a guardian has been appointed in another state and a petition for the appointment of a guardian is not pending in this state, the guardian appointed in the other state, after giving notice to the appointing court of an intent to register, may register the guardianship order in this state by filing as a foreign judgment in a court, in any appropriate county of this state, certified copies of the order and letters of office.

3-8-402. Registration of protective orders.
If a conservator has been appointed in another state and a petition for a protective order is not pending in this state, the conservator appointed in the other state, after giving notice to the appointing court of an intent to register, may register the protective order in this state by filing as a foreign judgment in a court of this state, in any county in which property belonging to the protected person is located, certified copies of the order and letters of office and of any bond.

3-8-403. Effect of registration.
(a) Upon registration of a guardianship or protective order from another state, the guardian or conservator may exercise in this state all powers authorized in the order of appointment except as prohibited under the laws of this state, including maintaining actions and proceedings in this state and, if the guardian or conservator is not a resident of this state, subject to any conditions imposed upon nonresident parties.
(b) A court of this state may grant any relief available under this act and other law of this state to enforce a registered order.

(c) Any court in this state issuing a guardianship or protective order pursuant to this act may require the guardian or conservator to file a certified copy of any report or accounting the guardian or conservator files with the court.

ARTICLE 5
MISCELLANEOUS PROVISIONS

3-8-501. Application.

(a) This act shall apply to any guardianship and protective proceeding begun on or after the effective date of this act.

(b) Articles 1, 3 and 4 of this act shall apply to any proceeding begun before the effective date of this act, regardless of whether a guardianship or protective order has been issued.

3-8-502. Relation to electronic signatures in global and national commerce act.

This act modifies, limits and supersedes the federal Electronic Signatures in Global and National Commerce Act, 15 U.S.C. section 7001, et seq., but does not modify, limit or supersede section 101(c) of that act, 15 U.S.C. section 7001(c) or authorize electronic delivery of any of the notices described in section 103(b) of that act, 15 U.S.C. section 7003(b).

Section 2. W.S. 3-1-102 and 3-2-101 by creating a new subsection (c) are amended to read:

3-1-102. Consent to jurisdiction.

(a) Except as provided by subsection (b) of this section, by accepting appointment, a guardian or conservator submits personally to the jurisdiction of the court in any proceeding relating to the guardianship or conservatorship that may be instituted by any interested person. Notice of any proceeding shall be delivered to the guardian or conservator or mailed to him by certified mail at his address listed in the court records and to his address as then known to the petitioner.

(b) In any matter concerning an adult, the provisions of chapter 8 of this title shall apply and shall supersede the terms of subsection (a) of this section.

3-2-101. Petition for appointment of guardian.

(c) In any matter concerning an adult, the provisions of chapter 8 of this title shall apply for the purposes of establishing jurisdiction over the matter.

Section 3. This act is effective July 1, 2013.

Approved February 14, 2013.
Chapter 22

OFF-ROAD VEHICLE GASOLINE TAX DISTRIBUTION-SUNSET

Original House Bill No. 110

AN ACT relating to gasoline tax distribution; modifying the sunset on off-road recreational vehicle gasoline tax distributions; and providing for an effective date.

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

Section 1. W.S. 39-17-111(c)(iv) is amended to read:

39-17-111. Distribution.

(c) The department shall certify to the state treasurer amounts to be credited to appropriate accounts based upon deductions from the taxes collected under this article in the following order:

(iv) Until June 30, 2013, Deduct an amount collected on fuel used in off-road recreational vehicles, computed by multiplying the number of off-road recreational vehicles for which user registration fees have been paid during the current fiscal year under W.S. 31-2-703(a) times ten dollars and forty cents ($10.40). The amount computed shall be credited to a separate account to be expended by the department of state parks and cultural resources to improve off-road recreational vehicle trails in Wyoming.

Section 2. 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.

Approved February 14, 2013.

Chapter 23

SEARCH AND RESCUE PROGRAM DONATIONS

Original Senate File No. 33

AN ACT relating to search and rescue fees; amending the minimum amount of the fees; clarifying that the fees are voluntary; providing for collection of search and rescue fees with snowmobile user fee payments and off-road recreational vehicle registrations; and providing for an effective date.

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

Section 1. W.S. 19-13-301(a), 23-2-101(h), 23-2-201(c), 31-2-404(c)(iii) and (f), 31-2-409(b) by creating a new paragraph (iii), (c) and by creating a new subsection (h), 31-2-703(b), (c) and by creating a new subsection (e), 41-13-109(b) and 41-13-110(b) are amended to read:

19-13-301. Search and rescue account; created; expenditures.

(a) The search and rescue account is created. Fees identified in W.S. 23-2-101,
23-2-201, 31-2-404, 31-2-409, 31-2-703, 41-13-109 and 41-13-110 shall be deposited in the state treasury to the credit of this account.

23-2-101. Fees; restrictions; nonresident application fee; nonresident licenses; verification of residency required.

(h) In addition to other fees under this section, persons applying for a license or tag under this section may pay one dollar ($1.00) a voluntary fee of two dollars ($2.00) or any greater amount to fund search and rescue activities in the state. The department shall provide information on the license or tag application form that the applicant may pay the fee under this subsection. Any voluntary fees collected under this subsection shall be deposited in the search and rescue account created by W.S. 19-13-301.

23-2-201. Fees; restrictions; verification of residency required.

(c) In addition to other fees under this section, persons purchasing a fishing license under this section may pay one dollar ($1.00) a voluntary fee of two dollars ($2.00) or any greater amount to fund search and rescue activities in the state. The department shall provide information on the license form that the purchaser may pay the fee under this subsection to be credited to the search and rescue account. Any voluntary fees collected under this subsection shall be deposited in the search and rescue account created by W.S. 19-13-301(a).

31-2-404. Amount of fee; ad valorem tax exemption; disposition of fees; duties of department of state parks and cultural resources.

(c) The registration selling agent shall forward to the department of state parks and cultural resources the original copy of the registration application together with:

(iii) All voluntary fees collected under subsection (f) of this section.

(f) In addition to the fees under subsection (a) of this section, persons registering snowmobiles in Wyoming may pay a voluntary fee of one dollar ($1.00) two dollars ($2.00) or any greater amount to fund search and rescue activities. Snowmobile registration forms shall contain information about the voluntary fee under this subsection.

31-2-409. Snowmobile user fee; amount of fee; disposition of fees; account created; duties of department of state parks and cultural resources; duration of decal; exemptions.

(b) The registration selling agent shall forward to the department of state parks and cultural resources the original copy of the snowmobile user fee form together with:

(iii) All voluntary fees collected under subsection (h) of this section.

(c) There is hereby created a snowmobile trails account. Except as provided in this subsection, the monies collected under this section and forwarded to the department of state parks and cultural resources shall be deposited in the ac-
count created by this section and may be expended by the department subject to approval by the legislature for the administration of the snowmobile trails program. All voluntary fees collected under subsection (h) of this section shall be deposited in the search and rescue account created by W.S. 19-13-301(a).

(h) In addition to the fees under subsection (a) of this section, persons paying a user fee for snowmobiles in Wyoming may pay a voluntary fee of two dollars ($2.00) or any greater amount to fund search and rescue activities. Snowmobile user fee forms shall contain information about the voluntary fee under this subsection.

31-2-703. Required user registration fee; disposition of fees; duties of department of state parks and cultural resources.

(b) The registration selling agent shall forward to the department of state parks and cultural resources the original copy of the user registration application together with fourteen dollars ($14.00) collected under subsection (a) of this section and all voluntary fees collected under subsection (e) of this section.

(c) There is created an off-road recreational vehicle trails account. Except as provided in this subsection, the fees received by the department of state parks and cultural resources under this article shall be deposited into the account created by this subsection and shall be expended by the department for the administration of the off-road recreational vehicle trails program. All voluntary fees collected under subsection (e) of this section shall be deposited in the search and rescue account created by W.S. 19-13-301(a).

(e) In addition to the fees under subsection (a) of this section, persons paying a registration fee for off-road recreational vehicles may pay a voluntary fee of two dollars ($2.00) or any greater amount to fund search and rescue activities. Off-road recreational vehicle registration fee forms shall contain information about the voluntary fee under this subsection.


(b) In addition to the fee under subsection (a) of this section, persons registering a motorboat in Wyoming may pay a voluntary fee of one dollar ($1.00) two dollars ($2.00) or any greater amount to fund search and rescue activities. Motorboat registration forms shall contain information about the voluntary fee under this subsection.

41-13-110. Disposition of registration fees.

(b) All voluntary fees received under W.S. 41-13-109(b) shall be deposited in the state treasury to the credit of the search and rescue account created by W.S. 19-13-301(a).

Section 2. This act is effective July 1, 2013.
Chapter 24

BANKING ACT AMENDMENTS

Original House Bill No. 59

AN ACT relating to banking and finance; amending banking statutes to comply with federal statutes and regulations; repealing conflicting provisions; and providing for an effective date.

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

Section 1. W.S. 13-1-101(a)(iii), 13-1-502(f), 13-2-702(a) and (m) and 13-2-803 are amended to read:


(a) As used in this act, unless another definition is specifically provided for a section, article or chapter of this act:

(iii) “Bank holding company” means a company that is a bank holding company under the federal Bank Holding Company Act of 1956, as amended, 12 U.S.C. 1841, et seq., and unless the context requires otherwise, for purposes of W.S. 13-2-801 through 13-2-810 and 13-9-306 through 13-9-316 includes a Wyoming bank holding company, an out-of-state bank holding company and a foreign bank holding company;


(f) A Wyoming financial institution, financial institution or person operating remote electronic terminals in this state may impose a transaction fee for the use of the remote electronic terminal. The amount of the transaction fee shall be disclosed visually by placard and by electronic display at a time and manner that allows a user to terminate or cancel the transaction without incurring the transaction fee.

13-2-702. Authorization; application; fee; activities; examination; criteria.

(a) With prior approval of the state banking commissioner a bank may establish and operate one (1) or more branches at any location in this state or in a state other than Wyoming.

(m) An out-of-state bank which has established a Wyoming branch by means of an interstate merger pursuant to article 8 of chapter 2 of this title, may establish and operate one (1) or more branches at any location in this state, subject to the requirements of subsections (g) through (k) of this section.

13-2-803. Authority of state banks to establish interstate branches.

With the prior approval of the commissioner, a Wyoming state bank may establish, maintain and operate one (1) or more branches in a state other than Wyoming, pursuant to an interstate merger transaction in which the Wyoming state bank is the resulting bank. Not later than the date on which the required
application for the interstate merger transaction establishment of a branch is filed with the responsible federal bank supervisory agency, the applicant Wyoming state bank shall file an application on a form prescribed by the commissioner and pay the fee prescribed by W.S. 13-4-104 and 13-2-702(b). The applicant shall also comply with the applicable provisions of W.S. 13-4-101 through 13-4-114.

Section 2. W.S. 13-2-801, 13-2-804(c) and 13-4-104(c) are repealed.

Section 3. This act is effective July 1, 2013.

Approved February 14, 2013.

Chapter 25

HIGH SCHOOL EQUIVALENCY CERTIFICATE

Original House Bill No. 54

AN ACT relating to high school graduation requirements; replacing the general educational development (GED) equivalency diploma with the high school equivalency certificate; imposing duties on the Wyoming community college commission; granting rulemaking authority; and providing for effective dates.

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

Section 1. W.S. 21-16-1301(a)(xvi), 21-16-1308(b)(intro), (iv)(intro), (A), (C)(intro) and (c)(ii) and 21-18-105(c)(ii) are amended to read:

21-16-1301. Definitions.

(a) As used in this article:

(xvi) “Semester hour” means each nonremedial semester hour attempted for credit toward a degree or certificate, excluding any semester hour attempted before earning a high school diploma or a general educational development (GED) high school equivalency diploma certificate;

21-16-1308. Administration; rules and regulations.

(b) The department shall, in consultation with University of Wyoming and community college admissions officers, the Wyoming community college commission and financial aid officers and school districts, promulgate rules and regulations necessary to implement this article, including:

(iv) Criteria and procedures under which students who receive a general educational development (GED) high school equivalency diploma certificate can qualify for scholarships under this article. A student receiving a GED high school equivalency certificate shall:

(A) Receive the GED certificate and make application for the initial scholarship no later than two (2) years after and no sooner than the graduation date of the student’s high school class, unless ordered by a court to complete
the requirements for a GED certificate prior to that graduation date or for other good cause shown as determined by the department. The student shall have attended an eligible high school prior to receiving his GED certificate and shall have received his GED certificate while residing in Wyoming;

(C) If otherwise eligible, be eligible for a scholarship as follows: at scores under alternative instruments included within the high school equivalency certificate, as set by rule and regulation of the Wyoming community college commission, which are comparable to GPA requirements specified under W.S. 21-16-1304 corresponding to the applicable Hathaway opportunity, performance and honor scholarship or under W.S. 21-16-1305 corresponding to the Hathaway provisional opportunity scholarship.

(c) The department shall establish annual reporting procedures for purposes of policy analysis and program evaluation and providing accurate data to the legislature and governor relative to the program’s impact on the state and on students. In developing the annual reporting procedure the department shall consult with the University of Wyoming and community college financial aid officers and registrars or their designees. It is the intention of the legislature that the reporting system and the requirements thereof shall be applicable to all recipients of scholarships under this article. Compliance with this section shall be made a condition of receiving a scholarship under this article. For any student attending more than one (1) eligible institution, the home institution shall be responsible for data reporting for that student, and any other eligible institution shall cooperate as necessary with the home institution to fulfill that duty. The reporting system shall include the following information:

(ii) Scholarships by students as they progress from semester to semester or other equivalent periods of time as may be applicable once enrolled at an eligible institution. The data shall be reported by institution attended, by the instructional program, and by scholarship category and shall include the percent of students losing scholarship eligibility due to not earning the minimum number of credit hours, the percent of students losing scholarship eligibility due to not having the required cumulative grade point average, the percent of students losing scholarship eligibility for failing to make satisfactory academic progress and the percentage of students losing scholarship eligibility for failing to enroll. The same information shall also be reported by categories showing those students qualifying through WORKKEYS scores and GED scores on high school equivalency certification, and by the group of students who attended a home-based educational program and did not graduate from an eligible high school;


(c) In addition to subsection (a) of this section, the community college commission shall administer and shall include in its budget request funding for the following programs:
(ii) General educational development High school equivalency certification program.

Section 2. W.S. 21-16-1308(b)(iv)(C)(I) through (III) is repealed.

Section 3. The Wyoming community college commission shall promulgate rules and regulations establishing alternative instruments comprising the state-authorized examination for determining certification of the equivalency of a high school diploma in sufficient time for use in the 2013-2014 academic year. In addition, commission rules and regulations shall set qualifying scores for the different Hathaway scholarships as required under W.S. 21-16-1308(b)(iv)(C), as amended by section 1 of this act.

Section 4.

(a) Except as provided by subsection (b) of this section, this act is effective July 1, 2013.

(b) Notwithstanding subsection (a) of this section, section 3 of 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.

Approved February 14, 2013.

Chapter 26

MONEY TRANSMITTERS ACT AMENDMENTS

Original House Bill No. 60

AN ACT relating to trade and commerce; amending the Wyoming Money Transmitters Act; authorizing the use of subdelegates by authorized delegates of licensees under the Money Transmitters Act; providing authority of the banking commissioner over subdelegates; providing a definition; and providing for an effective date.

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

Section 1. W.S. 40-22-102(a)(xiv), (xvi)(H) and by creating a new paragraph (xix), 40-22-103(b) through (e), 40-22-104(a)(iv), 40-22-107(a), 40-22-108(a)(v) and (viii), 40-22-111(a) and (b)(v), 40-22-112, 40-22-116(a)(i) and (iv) through (vi), 40-22-117(a), 40-22-118(a)(ii), 40-22-119(a), (b), (d) and by creating new subsections (e) and (f), 40-22-121, 40-22-122(a) and (b) and 40-22-128 are amended to read:


(a) As used in this act:

(xiv) “Outstanding payment instrument” means any payment instrument issued by the licensee which has been sold in the United States directly by the licensee or any payment instrument issued by the licensee which has been sold by an authorized delegate or subdelegate of the licensee in the United States,
which has been reported to the licensee as having been sold and which has not yet been paid by or for the licensee;

(xvi) “Permissible investments” means:

(H) Receivables which are due to a licensee from its authorized delegates, subdelegates, or authorized subdelegates, or authorized subdelegates, or both, pursuant to a contract described in W.S. 40-22-118, or subdelegates which are not past due or doubtful of collection; or

(xix) “Subdelegate” means an entity designated by an authorized delegate by written contract to engage in the business of money transmission on behalf of a licensee.

40-22-103. License required.

(b) A person is engaged in the business of money transmission if the person regularly advertises, offers or provides services to Wyoming residents, for personal, family or household use, through any medium including, but not limited to, internet or other electronic means.

(c) A licensee with a physical presence in this state may conduct its business at one (1) or more locations, directly or indirectly owned, or through one (1) or more authorized delegates or subdelegates, or both, pursuant to a single license granted to the licensee, provided that for each business name, a separate license shall be required.

(d) Every licensee, and authorized delegate and subdelegate shall comply with the Bank Secrecy Act, 12 U.S.C. 1951 et seq.

(e) Authorized delegates or subdelegates of a licensee, acting within the scope of authority conferred by a written contract as described in W.S. 40-22-118 shall not be required to obtain a license.

40-22-104. Exemptions.

(a) This act shall not apply to:

(iv) Banks, bank holding companies, credit unions, building and loan associations, savings and loan associations, savings banks or mutual banks organized under the laws of any state or the United States provided that they do not issue or sell payment instruments through authorized delegates or subdelegates who are not banks, bank holding companies, credit unions, building and loan associations, savings and loan associations, savings banks or mutual banks; and


(a) Each licensee shall at all times possess permissible investments having an aggregate market value calculated in accordance with generally accepted accounting principles, of not less than the aggregate face amount of all outstanding payment instruments and stored value issued or sold by the licensee in the United States. This requirement may be waived by the commissioner if the dollar volume of a licensee’s outstanding payment instruments and stored
value does not exceed the bond or other security devices posted by the licensee pursuant to W.S. 40-22-106.


(a) Each application for a license shall be made in writing and in a form prescribed by the commissioner. Each application shall include the following:

(v) A list identifying the applicant's proposed authorized delegates or sub-delegates in the state, if any, at the time of the filing of the license application;

(viii) The location at which the applicant and its authorized delegates and its subdelegates, if any, propose to conduct the licensed activities in the state; and

40-22-111. Renewal of license and annual report.

(a) Every year on October 1 each licensee shall pay an annual renewal fee not to exceed two thousand dollars ($2,000.00), plus not more than one hundred dollars ($100.00) for each authorized delegate and subdelegate not to exceed seven thousand dollars ($7,000.00), as set by rule of the commissioner.

(b) The renewal fee shall be accompanied by a report, in a form approved by the commissioner, which shall include:

(v) A list of the locations, if any, within this state at which business regulated by this act is being conducted by either the licensee or its authorized delegates or its subdelegates;

40-22-112. Licensee liability.

A licensee's liability to any person for a money transmission conducted on that person's behalf by the licensee or an authorized delegate or a subdelegate shall be limited to the amount of money transmitted or the face amount of the payment instrument or stored value purchased.


(a) Each licensee shall make, keep and preserve the following books, accounts and other records for a period of five (5) years and these records shall be open to inspection by the commissioner:

(i) A record of each payment instrument and stored value sold;

(iv) Outstanding payment instruments and stored value;

(v) Records of each payment instrument and stored value paid;

(vi) A list of the names and addresses of all authorized delegates and subdelegates; and

40-22-117. Confidentiality of records; exception.

(a) Except as provided in subsection (b) of this section, all information or reports obtained by the commissioner from an applicant, licensee or authorized delegate or subdelegate are confidential.
40-22-118. Authorized delegate contracts.

(a) A licensee shall designate an authorized delegate by express written contract including the following:

(ii) That neither a licensee nor an authorized delegate may not authorize subdelegates without the written consent of the commissioner; and

40-22-119. Authorized delegate and subdelegate conduct.

(a) An authorized delegate or subdelegate shall not make any fraudulent or false statement or misrepresentation to a licensee or to the commissioner.

(b) All money transmission activities conducted by an authorized delegate or subdelegate shall be in strict accord with the licensee's written procedures provided to the authorized delegate and subdelegate.

(d) An authorized delegate and subdelegate are deemed to consent to the commissioner's inspection with or without prior notice to the licensee or authorized delegate or subdelegate pursuant to W.S. 40-22-115.

(e) A subdelegate shall remit all money owing to the authorized delegate or licensee in accordance with the terms of the contract between the authorized delegate and the subdelegate.

(f) An authorized delegate shall not enter into contracts with subdelegates without the consent of the licensee and the commissioner.

40-22-121. Suspension or revocation of authorized delegates.

(a) The commissioner may issue an order to the licensee suspending or revoking the designation of an authorized delegate or subdelegate if the commissioner finds that:

(i) The authorized delegate or subdelegate violated this act or a rule adopted or an order issued under this act;

(ii) The authorized delegate or subdelegate has not cooperated with an examination or investigation by the commissioner;

(iii) The authorized delegate or subdelegate has engaged in fraud, intentional misrepresentation or gross negligence;

(iv) The authorized delegate or subdelegate has been convicted of a violation of a state or federal money laundering statute;

(v) The competence, experience, character or general fitness of the authorized delegate or subdelegate or a person in control of the authorized delegate or subdelegate indicates that it is not in the public interest to permit the authorized delegate or subdelegate to provide money transmission services; or

(vi) The authorized delegate or subdelegate has engaged in an unsafe or unsound practice.

(b) In determining whether an authorized delegate or subdelegate has en-
gaged in an unsafe or unsound practice the commissioner may consider the size and condition of the authorized delegate’s or subdelegate’s provision of money services, the magnitude of the loss, the gravity of the violation of this act and the previous conduct of the authorized delegate or subdelegate.

(c) An authorized delegate or subdelegate may apply for relief from a suspension or revocation designation as an authorized delegate or subdelegate according to procedures prescribed by the commissioner.

40-22-122. Orders to cease and desist.

(a) If the commissioner determines that a violation of this act or of a rule adopted or an order issued under this act by a licensee, or authorized delegate or subdelegate is likely to cause immediate and irreparable harm to the licensee, its customers or the public as a result of the violation or cause insolvency or significant dissipation of assets of the licensee, the commissioner may issue an order requiring the licensee, or authorized delegate or subdelegate to cease and desist from the violation. The order becomes effective upon service upon the licensee, or authorized delegate or subdelegate.

(b) The commissioner may issue an order against a licensee to cease and desist from providing money transmission services through an authorized delegate or subdelegate that is the subject of a separate order pursuant to W.S. 40-22-121 by the commissioner.

40-22-128. Hearings.

Except as otherwise provided in W.S. 40-22-111(c) and 40-22-122(c), the commissioner may not suspend or revoke a license, issue an order to cease and desist, suspend or revoke the designation of an authorized delegate or subdelegate, or assess a civil penalty without notice and an opportunity to be heard. The commissioner shall also hold a hearing when requested to do so by an applicant whose application for a license is denied.

Section 2. This act is effective July 1, 2013.

Approved February 14, 2013.

Chapter 27

BANKING DIVISION-NATIONWIDE LICENSING SYSTEM

Original House Bill No. 61

AN ACT relating to trade and commerce; authorizing use of a nationwide licensing system for licensing activities regulated by the division of banking under the Uniform Consumer Credit Code and the Money Transmitter Act; requiring fingerprinting and background checks including criminal history record checks for licensure; providing authority to the commissioner of the division of banking to implement nationwide licensing systems; providing conforming amendments; creating definitions; providing applicability; and providing for an effective date.
Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 7-19-106(a)(xxii), 7-19-201(a)(xvi), 40-14-140(a) by creating new paragraphs (xxi) and (xxii) and by renumbering (xxi) as (xxiii), 40-14-142(a)(lx) and (lxxiii), 40-14-604(a) by creating new paragraphs (vii) and (viii), 40-14-633, 40-14-634(h) and by creating new subsections (o) through (r), 40-22-102(a) by creating new paragraphs (xix) and (xx), 40-22-108 by creating new subsections (e) through (k), 40-22-111(a) and 40-22-129(b) are amended to read:


(a) Criminal history record information shall be disseminated by criminal justice agencies in this state, whether directly or through any intermediary, only to:

(xxii) The state banking commissioner for purposes of licensing and registration pursuant to W.S. 40-14-604, 40-14-634, 40-14-642, 40-22-108, 40-23-103 and 40-23-125;

7-19-201. State or national criminal history record information.

(a) The following persons shall be required to submit to fingerprinting in order to obtain state and national criminal history record information:

(xvi) Mortgage lenders, mortgage brokers, mortgage loan originators, money transmitters and persons identified in W.S. 40-23-107(b)(i), as necessary to perform the background checks required by W.S. 40-14-604(a)(vii), 40-14-634(p)(i), 40-14-642(c)(i), 40-22-108(e) and (h)(i), 40-23-103(a)(viii) and 40-23-125(c)(i);

40-14-140. General definitions.

(a) In addition to definitions appearing in subsequent articles, in this act:

(xxii) “Channeling agent” means the third party licensing system that gathers the application information and distributes it to Wyoming for review for the approval or denial decision;

(xxii) “Registry” means the nationwide licensing system and registry maintained by the State Regulatory Registry, LLC.;

(xxii)(xxiii) “This act” means W.S. 40-14-101 through 40-14-702.

40-14-142. Index of definitions.

(a) Definitions in this act and the sections in which they appear are:

(lx) “Channeling agent” – W.S. 40-14-640(a)(i)–40-14-140(a)(xxi);

(lxxiii) “Registry” – W.S. 40-14-640(a)(xiii)–40-14-140(a)(xxii);

40-14-604. Powers of administrator; harmony with federal regulations; reliance on rules; duty to report and cooperate.
(a) In addition to other powers granted by this act, the administrator within the limitations provided by law may:

(vii) Require a licensee under this act or an applicant for a license issued under this act to submit to a background investigation including fingerprint checks for state, national and international criminal history record checks as necessary. While exercising his authority under this paragraph, the administrator may utilize background checks completed by the division of criminal investigation, other government agencies in this state or in other states, the federal bureau of investigation, the registry or another entity designated by the registry;

(viii) Determine the content of application forms and the means by which an applicant applies for, renews or amends a license under this act. The administrator may allow applicants to utilize the registry or an entity designated by the registry for the processing of applications and fees.

40-14-633. Crediting of monies.

All fees and other monies received by the administrator under the provisions of this act shall be deposited by the administrator with the state treasurer and credited to the consumer credit administration account, except the amount paid for data processing by a national mortgage licensing system and database the registry or any other entity designated by the registry. The funds deposited in the account under this act shall be subject to appropriation by the legislature to the administrator and shall be expended only to carry out the duties of the administrator. Expenditures shall be made from the account by warrants drawn by the state auditor, upon vouchers issued and signed by the administrator.

40-14-634. License required; application; fee; conditions and execution; license nontransferable; display; renewal.

(h) Each license issued under this act shall expire on July 1 or December 31. The license shall be renewed annually not less than thirty (30) days before the stated expiration date. The renewal fee for each license shall not exceed five hundred dollars ($500.00), as set by rule of the administrator.

(o) In order to fulfill the purposes of this act, the administrator may establish relationships or contract with the registry or any other entity designated by the registry to collect and maintain records and process transaction fees or other fees related to licensees or other persons subject to this act.

(p) In addition to the other requirements of this section, in connection with an application for licensing, the applicant shall, at a minimum, furnish to the administrator or the registry information concerning the identity of the applicant, the owners or persons in charge of the applicant and individuals designated in charge of the applicant’s places of business, including:
(i) Fingerprint for submission to the federal bureau of investigation, and any governmental agency or entity authorized to receive such information for a state, national and international criminal history background check; and

(ii) Personal history and experience, including the submission of authorization for the registry or the administrator to obtain:

(A) An independent credit report obtained from a consumer reporting agency described in section 603(p) of the federal Fair Credit Reporting Act; and

(B) Information related to any administrative, civil or criminal findings by any governmental jurisdiction.

(q) For the purposes of this section and in order to reduce the points of contact which the federal bureau of investigation may have to maintain for purposes of paragraph (p)(i) of this section and subparagraph (p)(ii)(B) of this section, the administrator may use the registry as a channeling agent for requesting information from and distributing information to the department of justice or any governmental agency.

(r) For the purposes of this section and in order to reduce the points of contact which the administrator may have to maintain for purposes of paragraph (p)(ii) of this section, the administrator may use the registry as a channeling agent for requesting and distributing information to and from any source as directed by the administrator.


(a) As used in this act:

(xix) “Channeling agent” means the third party licensing system that gathers the application information and distributes it to Wyoming for review for the approval or denial decision;

(xx) “Registry” means the nationwide licensing system and registry maintained by the State Regulatory Registry, LLC.


(e) The commissioner may require a licensee under this act or an applicant for a license issued under this act to submit to a background investigation including fingerprint checks for state, national and international criminal history record checks as necessary. While exercising his authority under this subsection, the commissioner may utilize background checks completed by the division of criminal investigation, other government agencies in this state or in other states, the federal bureau of investigation or the registry or any other entity designated by the registry.

(f) The commissioner may determine the content of application forms and the means by which an applicant applies for, renews or amends a license under
this act. The administrator may allow applicants to utilize the registry or an entity designated by the registry for the processing of applications and fees.

(g) In order to fulfill the purposes of this act, the administrator may establish relationships or contract with the registry or any other entity designated by the registry to collect and maintain records and process transaction fees or other fees related to licensees or other persons subject to this act.

(h) In connection with an application for licensing the applicant shall, at a minimum, furnish the commissioner or the registry information concerning the identity of the applicant, the owners or persons in charge of the applicant and individuals designated in charge of the applicant's places of business, including:

(i) Fingerprint s for submission to the federal bureau of investigation, and any governmental agency or entity authorized to receive such information for a state, national and international criminal history background check; and

(ii) Personal history and experience, including the submission of authorization for the registry or the administrator to obtain:

(A) An independent credit report obtained from a consumer reporting agency described in section 603(p) of the federal Fair Credit Reporting Act; and

(B) Information related to any administrative, civil or criminal findings by any governmental jurisdiction.

(j) For the purposes of this section and in order to reduce the points of contact which the federal bureau of investigation may have to maintain for purposes of paragraph (h)(i) of this section and subparagraph (h)(ii)(B) of this section, the administrator may use the registry as a channeling agent for requesting information from and distributing information to the department of justice or any governmental agency.

(k) For the purposes of this section and in order to reduce the points of contact which the administrator may have to maintain for purposes of paragraph (h)(ii) of this section, the administrator may use the registry as a channeling agent for requesting and distributing information to and from any source as directed by the administrator.

40-22-111. Renewal of license and annual report.

(a) Every year on October 1. Each license issued under this act shall expire on December 31. The license shall be renewed annually not later than December 1. Each licensee shall pay an annual renewal fee not to exceed two thousand dollars ($2,000.00), plus not more than one hundred dollars ($100.00) for each authorized delegate not to exceed seven thousand dollars ($7,000.00), as set by rule of the commissioner.

40-22-129. Rulemaking and deposit of fees.
(b) All application, renewal, examination and licensing fees, except the amount paid for data processing by the registry or any other entity designated by the registry, shall be deposited by the commissioner with the state treasurer into the financial institutions administration account.

Section 2. W.S. 40-14-640(a)(i) and (xiii) is repealed.

Section 3. This act shall apply to new licenses issued by the division of banking under the Uniform Consumer Credit Code and the Money Transmitter Act on or after July 1, 2013. The provisions of law existing prior to amendment by this act shall apply to renewal of licenses issued by the division of banking under the Uniform Consumer Credit Code and the Money Transmitter Act prior to July 1, 2013.

Section 4. This act is effective July 1, 2013.

Approved February 13, 2013.

Chapter 28

ELECTION CODE-REVISIONS

Original House Bill No. 2

AN ACT relating to elections; providing for temporary registration for use of absentee ballots; repealing archaic language; providing for replacement of spoiled ballots; providing for approval of petitions for independent party candidates; extending time for special elections to fill vacancies of congressmen; and providing for an effective date.

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

Section 1. W.S. 22-3-102(a)(intro) and (d), 22-3-117(c), 22-5-301 by creating a new subsection (b), 22-11-105, 22-13-105, 22-18-105, 22-25-105(b) and 22-25-107(b) are amended to read:

22-3-102. Qualifications; temporary registration.

(a) A person may register to vote not less than thirty (30) days, and effective January 1, 2011 fourteen (14) days before an election, at any election specified in W.S. 22-2-101(a)(i) through (viii) or as provided by W.S. 22-3-117, who satisfies the following qualifications:

(d) An absent uniformed services or an overseas citizen voter who is qualified to register by mail, to request an absentee ballot, and to vote in Wyoming is entitled to register by mail using the Federal Postcard Application for the purpose of voting in one (1) election, or as many as the next two (2) federal election cycles, including the primary, and general and special federal elections, but thereafter the voter’s name shall be removed from the temporary registration list which shall be maintained as a segregated part of the voter registration list. The voter’s name shall not appear on the permanent official registry list until the voter has registered as provided in W.S. 22-3-103 and 22-3-104.
22-3-117. Absentee registration generally; use of federal postcard.

(c) Registration through the Federal Postcard Application constitutes temporary registration for the purpose of voting in one (1) election, or through as many as the next two (2) federal election cycles, including the primary, and general or special federal election, and the registration of such a registrant shall be maintained as provided in W.S. 22-3-102(d). The Federal Postcard Application shall be accepted if completed and signed by the applicant under penalty of perjury.

22-5-301. Independent partisan candidates; form.

(b) The petition shall be approved by the appropriate filing office prior to circulation.

22-11-105. Spoiled ballots.

Any voter who spoils his paper ballot or ballot card may return it and secure a replacement, but not more than twice. The word “Spoiled” shall be written across the face of the voided ballot, and it shall be placed in an envelope for spoiled ballots. Spoiled ballots shall be delivered with the returns to the county clerk.


Before delivering a paper ballot to an elector a judge of election or county clerk shall initial the ballot. No other identifying marks shall be made on an official ballot. An elector shall cast only one (1) ballot or set of ballots at each election. No ballot determined to be valid by the canvassing board shall be rejected solely due to an administrative error of not initialing the ballot.

22-18-105. Filling vacancy of congressman; whether filled at general or special election.

If the vacancy in the office of representative in congress occurs within six (6) months prior to the next general election, the vacancy shall be filled at the general election. Otherwise the special election shall occur not more than forty-five (45) days after the vacancy occurs. The governor shall declare the vacancy and issue the writ of election within five (5) days after the vacancy occurs.

22-25-105. Campaign reporting forms; instructions and warning.

(b) The secretary of state shall promulgate rules to allow the forms required pursuant to subsection (a) of this section and any other forms and reports required to be filed with him pursuant to this chapter to be filed electronically after December 31, 2009.

22-25-107. Where statements to be filed.

(b) Until December 31, 2009, statements required to be filed at least seven (7) days before any primary, general or special election may be filed by facsimile
transmission without the original signatures. Until December 31, 2009, statements and statements required to be filed after any primary, general or special election may be filed by facsimile transmission provided that an original with the required signatures is sent. After December 31, 2009, all statements filed with the secretary of state shall be filed electronically.

Section 2. This act is effective July 1, 2013.

Approved February 14, 2013.

Chapter 29

DATA CENTER CO-LOCATION TAX EXEMPTION

Original House Bill No. 64

AN ACT relating to economic development; providing that co-located data centers may be eligible to receive sales and use tax exemptions as specified; and providing for an effective date.

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

Section 1. W.S. 39-15-105(a)(viii)(S)(IV) and 39-16-105(a)(viii)(H)(IV) are amended to read:


(a) The following sales or leases are exempt from the excise tax imposed by this article:

(viii) For the purpose of exempting sales of services and tangible personal property as an economic incentive, the following are exempt:

(S) Subject to meeting the applicable provisions of this subparagraph, the following purchases by a data processing services center as defined in W.S. 39-15-101(a)(xliv):

(IV) For the purpose of claiming the exemptions in subdivisions (I) and (II) of this subparagraph, for data centers where one (1) or more than one (1) entity occupies the facility, but offer data services as a single entity, the purchaser shall demonstrate that all the requirements of subdivision (III) are met in the aggregate by the entities occupying the facility regardless of multiple ownerships of equipment and buildings.


(a) The following purchases or leases are exempt from the excise tax imposed by this article:

(viii) For the purpose of exempting sales of services and tangible personal property as an economic incentive, the following are exempt:

(H) Subject to meeting the applicable provisions of this subparagraph,
the following purchases by a data processing services center as defined in W.S. 39-15-101(a)(xlv):

(IV) For the purpose of claiming the exemptions in subdivisions (I) and (II) of this subparagraph, for data centers where one (1) or more than one (1) entity occupies the facility, but offer data services as a single entity, the purchaser shall demonstrate that all the requirements of subdivision (III) are met in the aggregate by the entities occupying the facility regardless of multiple ownerships of equipment and buildings.

Section 2. This act is effective July 1, 2013.

Approved February 14, 2013.

Chapter 30

EFFECTIVE FINANCING STATEMENTS-DURATION

Original House Bill No. 3

AN ACT relating to the Uniform Commercial Code; extending duration of effectiveness for filed financing statements; providing for future application; and providing for an effective date.

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

Section 1. W.S. 34.1-9-515(a), (d) and (e) is amended to read:

34.1-9-515. Duration and effectiveness of financing statement; effect of lapsed financing statement.

(a) Except as otherwise provided in subsections (b), (e), (f) and (g), a filed financing statement filed prior to July 1, 2013 is effective for a period of five (5) years after the date of filing and a financing statement filed on or after July 1, 2013 is effective for a period of ten (10) years.

(d) A continuation statement may be filed only within six (6) months before the expiration of the five (5) year period specified in subsection (a) or the thirty (30) year period specified in subsection (b), whichever is applicable.

(e) Except as otherwise provided in section 34.1-9-510, upon timely filing of a continuation statement prior to July 1, 2013, the effectiveness of the initial financing statement continues for a period of five (5) years commencing on the day on which the financing statement would have become ineffective in the absence of the filing. Except as otherwise provided in section 34.1-9-510, upon timely filing of a continuation statement on or after July 1, 2013, the effectiveness of the initial financing statement continues for a period of ten (10) years commencing on the day on which the financing statement would have become ineffective in the absence of the filing. Upon the expiration of the five (5) year specified period, the financing statement lapses in the same manner as provided in subsection (c), unless, before the lapse, another continuation state-
ment is filed pursuant to subsection (d). Succeeding continuation statements may be filed in the same manner to continue the effectiveness of the initial financing statement.

**Section 2.** This act is effective July 1, 2013.

Approved February 14, 2013.

---

**Chapter 31**

**ELECTION CODE-REVISIONS 2**

**Original House Bill No. 9**

AN ACT relating to elections; amending a definition; providing for compensation for counting board training; providing for posting of instruction cards and sample ballots; repealing provisions relating to diagrams; providing for entry of ballots on lists; providing for oaths by county canvassing boards; and providing for an effective date.

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

**Section 1.** W.S. 22-1-102(a)(xxxi), 22-8-113, 22-12-105, 22-14-104 and 22-16-101 are amended to read:

**22-1-102. Definitions.**

(a) The definitions contained in this chapter apply to words and phrases used in this Election Code and govern the construction of those words and phrases unless they are specifically modified by the context in which they appear. As used in this Election Code:

(xxiii) “Square” for purposes of chapter 6 of this code shall include a box, circle, or oval, arrow or other distinctive area used to designate the area for casting a vote;

**22-8-113. Training schools; generally and payment for attending.**

Not later than four (4) days before the primary and general election, the county clerk under the direction of the secretary of state shall conduct a training school for judges of election and members of counting boards to provide instruction in the performance of their duties. The training school, which is also open to the public, shall be held at the times and places announced by the county clerk, and the secretary of state shall prescribe the minimum curriculum for the school. Additional schools may be held at the discretion of the county clerk. Unless training is otherwise provided to the satisfaction of the county clerk, all judges of election and members of counting boards are obligated to attend at least one (1) such school. All judges and members of the counting board shall be paid not less than five dollars ($5.00) nor more than twenty-five dollars ($25.00) ten dollars ($10.00) as determined by the board of county commissioners for attending a school.
22-12-105. Posting instruction card and sample ballot.
Before the polls are opened, the judges of election shall post in each booth one (1) instruction card. They shall post elsewhere in the polling place at least three (3) one (1) instruction cards card and three (3) one (1) sample ballots ballot.

22-14-104. Entry of paper ballot votes.
Paper ballots shall be opened by the counting board and every vote for a candidate or ballot proposition shall be entered on a tally-list by a vertical mark, except that every fifth mark shall diagonally cross the preceding four (4). The counting board may determine the order of tallying candidates and ballot propositions. A vote which is not clearly marked shall not be tallied for that office or question but votes clearly marked on the remainder of the ballot shall be tallied. Ballots contained in separate ballot boxes shall be counted and tallied separately.

22-16-101. County canvassing board; compensation.
The county canvassing board is the county clerk and two (2) electors of different political parties resident in the county appointed by the county clerk. The two (2) electors shall receive the same compensation as election judges. All canvassing board members shall take an oath of office.

Section 2. W.S. 22-12-110(a)(ii) and 22-12-111 are repealed.
Section 3. This act is effective July 1, 2013.
Approved February 14, 2013.

Chapter 32

CRIME VICTIMS COMPENSATION AND RESTITUTION

Original House Bill No. 14

AN ACT relating to crime victims compensation; modifying probation and subrogation provisions to include long-term care restitution; and providing for an effective date.

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

Section 1. W.S. 1-40-112(c)(intro) and 7-13-301(a)(v) are amended to read:

1-40-112. Recovery from offender; restitution.
(c) Restitution by an offender under W.S. 7-9-101 through 7-9-112-7-9-115 shall:

7-13-301. Placing person found guilty, but not convicted, on probation.
(a) If a person who has not previously been convicted of any felony is charged with or is found guilty of or pleads guilty or no contest to any misdemeanor except any second or subsequent violation of W.S. 31-5-233 or any similar pro-
vision of law, or any second or subsequent violation of W.S. 6-2-501(a) or (b) by a household member as defined by W.S. 35-21-102 against any other household member or any similar provision of law, or any felony except murder, sexual assault in the first or second degree, aggravated assault and battery or arson in the first or second degree, the court may, with the consent of the defendant and the state and without entering a judgment of guilt or conviction, defer further proceedings and place the person on probation for a term not to exceed five (5) years upon terms and conditions set by the court. The terms of probation shall include that he:

(v) Pay restitution to each victim in accordance with W.S. 7-9-101 and 7-9-103 through 7-9-112.

Section 2. This act is effective July 1, 2013.

Approved February 14, 2013.

Chapter 33

GAME LICENSES-LANDOWNER COUPONS

Original House Bill No. 29

AN ACT relating to game and fish; repealing requirement for hunters to deliver landowner coupons to the department when antelope, deer or elk are killed on federal or state land; and providing for an effective date.

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

Section 1. W.S. 23-3-105(c) is repealed.

Section 2. 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.

Approved February 14, 2013.

Chapter 34

EMINENT DOMAIN-WIND ENERGY COLLECTOR SYSTEMS

Original House Bill No. 40

AN ACT relating to eminent domain; extending the moratorium on the exercise of the power of condemnation for wind energy collector systems; and providing for an effective date.

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

Section 1. W.S. 1-26-815(d) is amended to read:
1-26-815. Right of eminent domain granted; ways of necessity for authorized businesses; purposes; extent.

(d) No person qualified to exercise the condemnation authority granted by this section, except a public utility that has been granted a certificate of public convenience and necessity pursuant to W.S. 37-2-205, shall exercise the authority for the erection, placement or expansion of collector systems associated with commercial facilities generating electricity from wind. The prohibition imposed by this subsection shall be effective immediately and shall end June 30, 2013 or upon the effective date of legislation establishing additional conditions for the use of condemnation authority for the erection, placement or expansion of collector systems associated with commercial facilities generating electricity from wind, whichever occurs earlier. As used in this subsection, “collector systems associated with commercial facilities generating electricity from wind” means the conductor infrastructure, including conductors, towers, substations, switchgear and other components necessary to deliver power from any commercial facility generating electricity from wind up to but not including electric substations or interconnections facilities associated with existing or proposed transmission lines that serve load or that export energy from Wyoming.

Section 2. 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.

Approved February 14, 2013.

Chapter 35

LEGISLATURE-CERTIFICATES OF ATTENDANCE

Original House Bill No. 49

AN ACT relating to the legislature; repealing archaic provisions regarding certificates of attendance; and providing for an effective date.

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

Section 1. W.S. 28-5-104 and 28-5-105 are repealed.

Section 2. 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.

Approved February 14, 2013.
Chapter 36

DISTRIBUTION OF BILLS

Original House Bill No. 50

AN ACT relating to the legislature; repealing archaic statute requiring printed bills to be mailed to county clerks; and providing for an effective date.

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

Section 1. W.S. 28-1-104 is repealed.

Section 2. 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.

Approved February 14, 2013.

Chapter 37

CONSTITUENT SERVICE ALLOWANCE

Original House Bill No. 57

AN ACT relating to legislative compensation; clarifying provisions enacted in 2009 to be effective January 7, 2013 relating to payment of the constituent allowance; repealing obsolete and inconsistent provisions; and providing for an effective date.

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

Section 1. W.S. 28-5-106(a) and (b)(iv) is amended to read:

28-5-106. Constituent service allowance.

(a) There is created a constituent service allowance account. All interest earned on funds within this account shall be deposited in the account. Until January 7, 2013, the legislative service office shall oversee and provide reimbursement from the account as provided in paragraphs (b)(i) and (iii) of this section. After January 7, 2013, the legislative service office shall oversee and provide payment from the account as provided in paragraph (b)(iv) of this section.

(b) Each member of the legislature is entitled to receive a constituent service allowance as provided under this section. This allowance is intended to defray expenses incurred by each member in providing service to and on behalf of their constituents, which services are in addition to attending sessions of the legislature, attending meetings of interim committees and engaging in authorized interim work for which salary, per diem and mileage is authorized by law. The allowance is subject to the following:

(iv) The allowance of seven hundred fifty dollars ($750.00) per calendar
quarter or fractional portion thereof that the member is in office shall be paid quarterly from the constituent service allowance account to all incumbent legislators. To the extent funds appropriated for purposes of this section are not sufficient to pay the full quarterly allowance to all members, payment shall be made on a proportional basis.

Section 2. W.S. 28-5-106(b)(i) through (iii) is repealed.

Section 3. 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.

Approved February 14, 2013.

Chapter 38

INNOCENT LANDOWNER AMENDMENTS

Original House Bill No. 62

AN ACT relating to environmental quality; amending the definition of an innocent owner for purposes of immunity from liability for contamination on real property as specified; providing a definition; and providing for an effective date.

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

Section 1. W.S. 35-11-103(g) by creating a new paragraph (xii) and 35-11-1801(a)(iv), (v) and by creating a new paragraph (vi) are amended to read:

35-11-103. Definitions.

(g) Specific definitions applying to voluntary remediation, real property remediation account and innocent owners:

(xii) “Bona fide prospective purchaser” means a person who acquired ownership of contaminated real property after January 11, 2002 which the person knew to be contaminated at the time of acquisition and can establish each of the following:

(A) All release or disposal of contaminants located at the real property occurred before the person acquired the property;

(B) The owner or prospective purchaser stopped all continuing releases of contamination from the property;

(C) The owner or prospective purchaser prevented any threatened future release from the existing contamination;

(D) The owner or prospective purchaser prevented or limited human, environmental and natural resource exposure to previously released hazardous substances;
(E) The department has been notified in writing of the presence of contamination;

(F) The prospective purchaser is not potentially liable or affiliated with a potentially liable party for response costs at the property through:

(I) Familial relationships;

(II) Contractual, corporate or financial relationships; or

(III) The reorganization of a potentially liable business.

35-11-1801. Definition of innocent owner.

(a) “Innocent owner” means a person who did not cause or contribute to the source of contamination and who is one (1) of the following:

(iv) A lender or fiduciary who owns or holds a security interest in land, unless the lender or fiduciary participated in the management of a site at the time that the owner or operator thereof caused a release or migration of contaminants;

or

(v) A unit of state or local government which acquired ownership or control through bankruptcy, tax delinquency, abandonment or other circumstances in which the government acquires title by virtue of its function as sovereign, unless the state or local government contributed to the contamination;

or

(vi) A bona fide prospective purchaser.

Section 2. 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.

Approved February 14, 2013.

Chapter 39

STATE PRIMACY ON GREENHOUSE GAS REGULATION

Original House Bill No. 63

AN ACT relating to public health and safety; authorizing the department of environmental quality to submit an amended greenhouse gas regulation state implementation plan to the United States environmental protection agency; authorizing the department of environmental quality to promulgate new source performance standards for greenhouse gases; and providing for an effective date.

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

Section 1. W.S. 35-11-213(e), (f), (h)(intro) and (m)(intro) is amended to read:


(e) Notwithstanding the provisions of subsections (a) through (d) of this
section and pursuant to the provisions of subsections (e) through (k) of this section, the department and council shall adopt regulations to amend Wyoming’s Clean Air Act state implementation plan and Wyoming’s Title V operating permit program to the extent necessary to obtain state primacy over the regulation of greenhouse gases for those sources that would otherwise be subject to federal regulation for greenhouse gases by the United States environmental protection agency. Pursuant to the provisions of W.S. 16-3-104(b)(i), the regulations promulgated and adopted pursuant to the authority granted in this subsection shall be effective on the date the department receives authority to submit an amended state implementation plan to the United States environmental protection agency as provided by subsection (h) of this section. The department and council may promulgate new source performance standards for greenhouse gases that are no more stringent than federal greenhouse gas new source performance standards.

(f) In no event shall any greenhouse gas emission regulations, new source performance standards or potential to emit thresholds promulgated pursuant to subsection (e) of this section be more stringent than those imposed or required by federal law. Regulations under subsection (e) of this section shall only regulate those gases identified by the United States environmental protection agency as greenhouse gases.

(h) The department may submit an amended state implementation plan providing for regulation of greenhouse gases to the United States environmental protection agency for approval, only after the occurrence of the earlier of the following events:

(m) The governor shall certify to the secretary of state the occurrence of any act which repeals subsections (e) through (k) of this section pursuant to subsection (j) of this section. The effective date of such repeal of subsections (e) through (k) of this section shall be the date the governor’s certification is filed with the secretary of state.

Section 2. W.S. 35-11-213(h)(i), (ii), (m)(i) and (ii) is repealed.

Section 3. 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.

Approved February 14, 2013.

Chapter 40

HEALTHCARE PROVIDER RETENTION PROGRAM-SUNSET DATE

Original House Bill No. 80

AN ACT relating to the military department; extending the sunset date for the health care provider retention program; extending the reversion date for funds in the health care provider retention fund; and providing for an effective date.
Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 19-9-804 and 19-9-805 are amended to read:

19-9-804. National guard health care provider retention fund; creation; source of funds.

There is created the national guard health care provider retention account. The account shall be administered by the adjutant general and shall consist of monies appropriated or designated to the account by law. All monies in the account not immediately necessary for the purposes of this article, which amount is certified by the adjutant general to the state treasurer, shall be invested and any interest earned shall be credited to the account. All funds in the account are appropriated to the adjutant general to be used for the purposes authorized under this article. All monies in the account that are not expended, encumbered or obligated shall revert to the general fund in accordance with the provisions of W.S. 19-9-805 on June 30, 2013.


W.S. 19-9-801 through 19-9-804 are repealed effective June 30, 2013.

Section 2. 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.

Approved February 14, 2013.

Chapter 41

AUTHORIZATION FOR CERTAIN RADIOACTIVE WASTE FACILITIES

Original Senate File No. 26

AN ACT relating to radioactive waste; authorizing a radioactive waste facility under conditions as specified; and providing for an effective date.

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

Section 1. W.S. 35-11-1506(a), (b)(intro) and by creating a new subsection (e) is amended to read:

35-11-1506. Legislative approval of the siting of high-level radioactive waste storage facilities; conditions.

(a) Except as provided in subsection (e) of this section, no construction may commence, nor shall any high-level radioactive waste storage facility be sited within this state, unless the legislature has enacted legislation approving the siting, construction and operation of the facility in accord with this section. Any authorization of a facility under this section shall not be considered to grant to any person an exclusive right or franchise to store high-level radioactive wastes within the state.
(b) In addition to any facility which meets the requirements of subsection (e) of this section, the legislature may authorize one (1) or more facilities under subsection (a) of this section if it finds that:

(e) The legislature hereby authorizes the siting of temporary high-level radioactive waste storage facilities within this state subject to the following:

(i) A facility shall only be authorized if it is operated on the site of and to store the waste produced by a nuclear power generation facility operating within the state;

(ii) The applicant for the facility shall otherwise comply with the requirements of this act;

(iii) The department shall review the application submitted pursuant to W.S. 35-11-1502 and determine specifically if the facility meets the safety considerations in paragraph (b)(iv) of this section and any other potential safety or environmental concerns;

(iv) After preparation of the report under W.S. 35-11-1503 and public review under W.S. 35-11-1504, the department may authorize siting and construction of the facility;

(v) If a facility is authorized by the department under paragraph (iv) of this subsection, the benefits agreement shall be the agreement as negotiated with the applicant under W.S. 35-11-1503(d).

Section 2. This section is effective July 1, 2013.

Approved February 14, 2013.

Chapter 42

UNIVERSITY OF WYOMING BOARD OF TRUSTEES

Original Senate File No. 38

AN ACT relating to education; modifying the membership of the University of Wyoming board of trustees; providing qualifications; making the act contingent upon passage of a constitutional amendment as specified; specifying legislative findings; specifying implementation; and providing for an effective date.

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

Section 1. W.S. 21-17-201 is amended to read:

21-17-201. Composition; appointment and qualifications of members generally; members ex officio; quorum.

The government of the university is vested in a board of twelve (12) or thirteen (13) trustees appointed by the governor, no two (2) of whom may be residents of the same county of the state. No more than two (2) appointed trustees shall be residents of a state other than Wyoming. Any person appointed as trustee who is not a
responsible of Wyoming shall possess verifiable and demonstrable interest in and past interactions with the university which are reflective of commitment to the educational mission of the university. At least one (1) trustee shall be appointed from each appointment district pursuant to W.S. 9-1-218. Not more than seven (7) members of the board shall be registered in the same political party. The governor, the president of the university, the state superintendent of public instruction, and the president of the associated students of the university are members ex officio, having the right to speak, but not to vote. A majority of the board is a quorum.

Section 2. This act is effective only if the electors adopt a constitutional amendment at the 2014 general election removing the requirement that all trustees of the University of Wyoming must be a resident of the state of Wyoming, as provided in 2013 Senate Joint Resolution 1.

Section 3. Notwithstanding W.S. 21-17-202, the initial term of the board of trustee member appointed pursuant to this act shall expire on March 1, 2021. The governor shall nominate, and the additional board member shall be confirmed, in accordance with W.S. 21-17-202

Section 4. The legislature finds that the University of Wyoming prepares students for life in a global economy and that the university is integrally involved in a world extending well beyond the borders of Wyoming. Removing restrictions on qualifications for potential board of trustee members as provided in this act reflects those realities while at the same time ensuring that all or nearly all trustees will be Wyoming residents.

Section 5. Subject to section 2 of this act, this act is effective upon certification of the election results of the 2014 general election.

Approved February 14, 2013.

Chapter 43

GAME BIRD FARM LICENSES-EXPIRATION

Original Senate File No. 82

AN ACT relating to game bird farms; amending the date for expiration of licenses; and providing for an effective date.

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

Section 1. W.S. 23-5-105 is amended to read:

23-5-105. License fee; expiration; renewal of license.

Applicants for the license shall pay the proper fee. The license expires on February 1 of each year, but may be renewed each year in the discretion of the department upon the payment of the proper fee.
Section 2. This act is effective July 1, 2013.

Approved February 14, 2013.

Chapter 44

LIMITED MINING OPERATIONS

Original Senate File No. 27

AN ACT relating to environmental quality; authorizing modification or suspension of certain requirements for limited mining operations as specified; providing a per acre maximum dollar amount for a reclamation performance bond for limited surface mining operations which do not require a permit under the Environmental Quality Act; amending bonding requirements for small mining operations requiring a permit under the Environmental Quality Act; and providing for an effective date.

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

Section 1. W.S. 35-11-401(e)(vi) and 35-11-417(c)(i) and (ii) are amended to read:

35-11-401. Compliance generally; exceptions.

(e) The provisions of this article shall not apply to any of the following activities:

(vi) Surface limited mining operations, whether commercial or noncommercial, for the removal of sand, gravel, scoria, limestone, dolomite, shale, ballast or feldspar from an area of ten (10)-fifteen (15) acres or less of affected land, excluding roads used to access the mining operation, if the operator has written permission for the operation from the owner and lessee, if any, of the surface.

The operator shall notify the land quality division of the department of environmental quality and the inspector of mines within the department of workforce services of the location of the land to be mined and the postal address of the operator at least thirty (30) days before commencing operations. A copy of the notice shall also be mailed to all surface owners located within one (1) mile of the proposed boundary of the limited mining operation at least thirty (30) days before commencing operations. Limited mining operations authorized under this paragraph are subject to the following:

(A) That the affected lands shall not be within three hundred (300) feet of any existing occupied dwelling, home, public building, school, church, community or institutional building, park or cemetery unless the landowner’s consent has been obtained;

(B) Before commencing any limited mining operations, the operator shall file a bond to insure reclamation in accordance with the purposes of this act in the amount of two thousand dollars ($2,000.00) per acre, except for quarries for which the bond amount shall not exceed three thousand dollars ($3,000.00) per acre of affected land including roads used to access the mining operation. Within ninety (90) days after limited mining operations commence, the administrator may require the operator to post an additional bond per acre.
of affected land if he determines that such amount is necessary to insure reclamation. The operator shall post the additional bond not later than thirty (30) days after receipt of such notification;

(C) After the limited mining operations have ceased or within thirty (30) days after abandonment of the limited mining operation, the operator shall notify the administrator of such fact and commence reclamation and restoration in compliance with the rules and regulations of the land quality division of the department of environmental quality. The rules and regulations for reclamation shall at all times be reasonable; and

(D) Immediate reclamation will not be required if the landowner advises the department in writing of his intent to further utilize the product of the mine, and if he assumes the obligation of reclamation.


(c) The amount of any bond to be filed with the administrator prior to commencing any mining shall be:

(i) For an initial bond the amount equal to the estimated cost of reclaiming the affected land disturbed and restoring, as defined in W.S. 35-11-103(f)(iii), any groundwater disturbed by in situ mining during the first year of operation under each permit. The estimated cost shall be based on the operator's cost estimate submitted with the permit plus the administrator's estimate of the additional cost to the state of bringing in personnel and equipment should the operator fail or the site be abandoned. In no event shall the bond be less than ten thousand dollars ($10,000.00), except for sand and gravel, pumice, scoria or jade limited mining operations authorized and bonded under W.S. 35-11-401(e) or any noncoal mine, except surface coal mines, the affected land of which, excluding roads, is ten (10) acres or less, in which case the bond amount shall be set by the administrator with approval of the director to cover the cost of reclamation, and in no event less than two hundred dollars ($200.00) per acre, for affected land;

(ii) For renewal bonds the amount equal to the estimated cost of reclaiming the land to be disturbed during that renewal period, and the estimated cost of completing reclamation of unreleased lands and groundwater disturbed during prior periods of time. The estimated cost shall be based on the operator's cost estimate, which shall include any changes in the actual or estimated cost of reclamation of unreleased affected lands, plus the administrator's estimate of the additional cost to the state of bringing in personnel and equipment should the operator fail or the site be abandoned. In no event shall the bond be less than ten thousand dollars ($10,000.00), except for sand and gravel, pumice, scoria or jade limited mining operations authorized and bonded under W.S. 35-11-401(e) or any noncoal mine, except surface coal mines, the affected land of which, excluding roads, is ten (10) acres or less, in which case
the bond amount shall be set by the administrator with approval of the director
to cover the cost of reclamation, and in no event less than two hundred dollars
($200.00) per acre, for affected land.

Section 2. W.S. 35-11-401(e)(vii) through (ix) is repealed.

Section 3. This act is effective July 1, 2013.

Approved February 15, 2013.

Chapter 45

SPECIAL DISTRICTS

Original Senate File No. 30

AN ACT relating to special districts; requiring special districts to submit proposed budgets as specified;
requiring the department of audit to provide certain reports to boards of county commissioners; and
providing for an effective date.

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

Section 1. W.S. 9-1-507(a)(vii) and by creating a new paragraph (viii) and
18-3-504 by creating a new subsection (d) are amended to read:

9-1-507. Examination of books of state institutions, agencies and certain
districts and entities; independent audit authorized; guidelines.

(a) The director of the state department of audit shall:

(vii) Require each county, city and town, special district and joint powers
board in this state to report to the department revenues received and expendi-
tures made each fiscal year. The reports shall be made not later than September
30 for the prior fiscal year. The format of the reports required by this paragraph
shall be established by the department of audit by rule. Not later than Decem-
ber 31 of each year, the department shall provide a copy of the report on special
districts under this paragraph to the board of county commissioners for each
special district located in that county;

(viii) Beginning 2014, require each special district in this state, no matter
how formed, except districts created by and subject to administration by the
courts, to report to the department and to the board of county commissioners
of the county where the special district is located its proposed budget for the
next fiscal year. The report shall be made not later than June 1 of each year.
The format of the reports required by this paragraph shall be established by the
department of audit by rule no later than December 31, 2013.

18-3-504. Powers and duties generally.

(d) Each board of county commissioners shall, after receiving a proposed
budget for a special district under W.S. 9-1-507(a)(viii), ensure that the pro-
posed budget is posted on the appropriate area of the website of the county.
The posting of the budget shall include the date, time and location of a special district budget session during which final action will be taken on the proposed budget. If a proposed budget is not provided as required by W.S. 9-1-507(a), the board of county commissioners may not approve funding of the special district mill levy. Upon approval of the mill levy for each special district, the final approved budget shall be posted on the appropriate area of the website of the county.

Section 2. This act is effective July 1, 2013.

Approved February 15, 2013.

Chapter 46

PEACE OFFICER IMMUNITY

Original House Bill No. 21

AN ACT relating to peace officers; expanding immunity and benefits for peace officers providing law enforcement assistance on the Wind River Indian Reservation; requiring agreements between specified parties; specifying the courts in which claims may be brought; and providing for an effective date.

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

Section 1. W.S. 7-2-106(c) is amended to read:

7-2-106. Extraterritorial authority of peace officers; requests for assignment of peace officers; liability; compensation.

(c) A peace officer acting pursuant to subsection (a), (b) or (f) of this section outside his own jurisdiction, or a peace officer when providing law enforcement assistance on the Wind River Indian Reservation pursuant to a memorandum of understanding entered in advance and approved by the attorney general, between the department of the interior, Federal Bureau of Indian Affairs or the tribes and the state, county, city or town providing the assistance, shall be deemed to be acting within the scope of his duties for purposes of the Wyoming Governmental Claims Act and the state self-insurance program, W.S. 1-41-101 through 1-41-111, or the local government self-insurance program, W.S. 1-42-201 through 1-42-206. The memorandum of understanding shall contain a provision for immunity from suit in tribal court for activities occurring pursuant to any law enforcement assistance provided under this subsection. Any suit relating to those activities shall be brought only under the terms of the Wyoming Governmental Claims Act in the state district court having jurisdiction, or in the federal district court for the district of Wyoming, if appropriate. All privileges and immunities from liability, and all pension, disability, worker's compensation and other benefits which normally apply to peace officers while they perform their duties in their own jurisdiction shall also apply to them when acting as provided in subsection (a), (b) or (f) of this
section and shall apply to peace officers when providing law enforcement assistance on the Wind River Indian Reservation pursuant to this subsection. For purposes of W.S. 27-14-104 and subsection (a), (b) or (f) of this section, the requesting and assigning law enforcement agencies shall be a joint employer as defined under W.S. 27-14-102(a)(xix) and the designated peace officer shall be a joint employee as defined under W.S. 27-14-102(a)(xxi).

Section 2. This act is effective July 1, 2013.

Approved February 15, 2013.

Chapter 47

LIVESTOCK REVISIONS

Original House Bill No. 13

AN ACT relating to livestock and other animals; revising the process for licensure of livestock markets as specified; revising the responsibilities and fines for estrays; revising the penalty for stock and exotic livestock running at large; providing other technical changes as specified; providing definitions; and providing for an effective date.

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

Section 1. W.S. 11-1-103, 11-22-106(a)(intro), 11-22-113(a) and (b), 11-24-103, 11-24-104, 11-24-105, 11-24-108(b) and (d), 11-24-110, 11-24-112, 11-24-114, 11-26-101 and 11-31-214 are amended to read:

11-1-103. Penalty for violations.
A person who violates any of the following sections commits a misdemeanor punishable by imprisonment for not more than six (6) months, a fine of not more than seven hundred fifty dollars ($750.00), or both for the first offense, or by imprisonment for not more than one (1) year, a fine of not more than one thousand five hundred dollars ($1,500.00), or both for second or subsequent offenses: W.S. 11-6-210(a) or (f), 11-18-112, 11-19-101, 11-19-102, 11-19-103, 11-19-111, 11-19-401, 11-20-114, 11-20-117, 11-20-229, 11-20-230, 11-21-104, 11-22-118, 11-23-106, 11-23-207, 11-24-103, 11-24-106, 11-26-101(b), 11-30-114 and 11-48-102. A person who violates board rules promulgated pursuant to W.S. 11-18-103(a)(v) shall be subject to the penalties specified in this section.

11-22-106. License; cancellation.
(a) The following are grounds for fines, suspension or cancellation of the license to operate a livestock market if the board finds:

11-22-113. Inspection of livestock; report on unbranded livestock.
(a) All livestock and goats entering a livestock market shall be inspected for health and all livestock except swine and goats shall be inspected for brands be-
fore being offered for sale. The health inspection shall be made by a veterinarian approved by the board and appointed by the executive officer of the board as an authorized veterinarian for livestock markets. The brand inspection shall be made by a brand inspector.

(b) The Wyoming livestock board shall require a monthly report from brand inspectors employed at all Wyoming livestock markets of all branded and unbranded calves of the beef breeds that are not accompanied by their mothers, livestock inspected prior to sale. The report shall show for each consignment of such calves: livestock the date and place of sale, the county of origin, the name and address of consignor and the total number of calves inspected and sold.

11-24-103. Taking up estrays; penalties.

Any person who takes up or retains possession of any estray without the owner’s knowledge or consent, or who in any manner restrains from liberty for the purpose of using or making use of any estray without the knowledge and consent of the owner, is guilty of a misdemeanor and shall be fined not less than ten dollars ($10.00) nor more than one hundred dollars ($100.00), imprisoned for not exceeding sixty (60) days not more than seven hundred fifty dollars ($750.00), imprisoned for not more than six (6) months, or both punished as provided in W.S. 11-1-103.

11-24-104. Stallions and jacks generally.

If any horse or ass not gelded, two (2) years old or upwards, is found running at large, it is lawful for any person to take up the horse or ass and give notice to the owner or keeper if known. If the owner or keeper does not appear within six (6) days thereafter and pay thirty dollars ($30.00) for the feed and care of the animal to the person possessing the animal, the person shall advertise the horse or ass and the same proceedings shall be had as provided in the case of estray animals, or the person possessing the animal may after the expiration of thirty (30) days from the time of advertising, geld or have the horse or ass gelded, at the risk and expense of the owner, except when the horse or ass is in the owner’s herd, or in care of the owner’s herder. The owner of the horse or ass shall be liable for any damages caused by the animal to property or other livestock.

11-24-105. Unclaimed horses; permit for gathering; disposal.

(a) Any person desiring to gather unclaimed horses from the ranges within Wyoming must obtain written permission before commencing to do so shall obtain a permit from the livestock board, except as provided in subsection (e) of this section. The permit must be obtained applicant shall submit with the permit application written permission to access the range whereon the unclaimed horses are to be gathered from the person who has ownership or control of the surface rights of the range, whereon the unclaimed horses are
to be gathered. The permit shall be presented to an inspector and used for the basis for issuance of any brand inspection permit for removal of the unclaimed horses from the county wherein the unclaimed horses are gathered. The form of the permit shall be prescribed by the board.

(b) If after an inspection under subsection (c) or (e) of this section, the rightful owner cannot be found, or when found, refuses or fails to pay the charges for feed and care of the estray, the unclaimed horses shall be disposed of by the board under the laws pertaining to estrays.

(c) The permit and the unclaimed horses shall be presented to an inspector within the county in which they were gathered without unnecessary delay for determination of ownership.

(d) The permittee shall be responsible for all expenses associated with gathering, feed and care of the unclaimed horses until an inspection has occurred.

(e) A permit is not required for any person desiring to gather unclaimed horses located on private land on which the person has ownership or control of the surface rights. A person who has gathered unclaimed horses on private land on which he has ownership or control of the surface rights shall present the unclaimed horses to an inspector within the county in which they were gathered without unnecessary delay for determination of ownership and shall be responsible for all expenses associated with the gather and feed and care of the unclaimed horses until an inspection has occurred.

(f) Any horse claimed by the United States bureau of land management as belonging to a wild horse management unit is excluded from this section.

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

(b) Any person or corporation violating this section shall be fined not less than fifty dollars ($50.00) nor more than seven hundred fifty dollars ($750.00) and in addition shall pay all damage done by the livestock. The provisions of this section do not apply to livestock drifting into lanes or fenced roads in going to or returning from their accustomed ranges.

(d) A removal fee of not to exceed ten dollars ($10.00) per head shall be allowed for the expense incurred in removing livestock from any public highway and an impounding fee of not to exceed ten dollars ($10.00) per day per head for expenses incurred for the feed and care of the animal shall be allowed the person responsible for feed and care of the livestock removed. The inspector is responsible for collection and payment to the rightful claimants of removal and impounding fees when impounded livestock is surrendered to the owner. Upon disposal, the total amount of removal and impounding fees shall be made known to the selling agency at the market or slaughter plant by the inspector and shall constitute a first claim on the net
proceeds of the livestock after shipping and disposal expenses have been paid, and shall be forwarded by the selling agency to the claimant.

11-24-110. Monthly report of inspector; board to keep public record.
The inspector shall make a report every thirty (30) days of all estrays not otherwise reported to the livestock board, giving a description of the estrays, stating any brands or other marks by which the estrays may be identified. The board shall keep a record of all estrays reported, which shall at all times be open to the public for inspection.

11-24-112. Disposition of proceeds; payment to owner on proof of ownership; unclaimed proceeds generally.
If the lawful owner of any estray disposed of is found within one (1) year after the end of the calendar year in which disposal of the estray occurred, the net amount received from the disposal shall be paid to the owner upon his proving ownership to the satisfaction of the board or agency. If at the end of one (1) year after the end of the calendar year in which disposal of the estray occurred, the proceeds from the disposal of any estray remains unclaimed, the proceeds shall be disposed of as provided by law.

11-24-114. Publication of list of unclaimed estrays.
(a) The executive officer of the livestock board shall annually, during the last week of December, send two (2) lists of unclaimed estrays for which he has received payments, to the county clerk of each county, who shall post one (1) copy in a conspicuous place in the courthouse and place one (1) copy on file in his office. The executive officer shall also cause to be published in a newspaper of general circulation in each county from which any estray included in the list was shipped, a notice to the public that the list of estrays is available for examination.

(b) In addition to the notice under subsection (a) of this section, not less than once each month the livestock board shall ensure that if a new estray is taken up notice is posted at the courthouse in the county in which the estray was taken and at each livestock market. The notice under this subsection shall include the location recovered from and the name of the inspector.

11-26-101. Prohibited generally; liability of owner; penalty.
(a) It is unlawful for the owner of any swine, goats, or domestic elk or exotic livestock to allow such animals to run at large within Wyoming. As used in this section, “exotic livestock” means any nontraditional livestock animal including, without limitation, llama, alpaca and other camelids, ostrich and other ratites, bison hybrids and yaks. Any owner who permits or causes such animals to run at large within Wyoming, is liable for damages incurred by any person by reason thereof in a civil action.

(b) Any person violating subsection (a) of this section, after twenty-four (24)
hours written notice by a proper officer, shall be fined not less than ten dollars ($10.00) or more than two hundred fifty dollars ($250.00) for each offense punished as provided in W.S. 11-1-103.

11-31-214. Board authorized to adopt rules and regulations.

The board of county commissioners, with the advice of the county health officer, state veterinarian and department of health, may adopt such rules and regulations as necessary to implement the program for registration and immunization of dogs and cats in the rabies control district, including the requirement that registered dogs and cats be tagged or marked in such manner as to make them readily identifiable.

Section 2. This act is effective July 1, 2013.

Approved February 15, 2013.

Chapter 48

HOSPITAL DISTRICT-ELECTIONS

Original Senate File No. 19

AN ACT relating to special hospital districts; specifying the procedure for establishing a special hospital district and subsequent district elections; making conforming changes; and providing for an effective date.

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

Section 1. W.S. 35-2-401(d) is amended to read:


(d) A special hospital district may be established and subsequent elections held under the procedures for petitioning, hearing and election of special districts as set forth in the Special District Elections Act of 1994. created and subsequent district elections held through the following procedure:

(i) The board of county commissioners may, by resolution, submit the question of establishing the special hospital district to the electors of the proposed district at the next general election or another date as provided by W.S. 22-2-104.

The board shall provide notice that it will consider such a resolution at least thirty (30) days prior to the meeting at which the resolution will be considered. Notice of the election shall be given as required by W.S. 22-29-110;

(ii) If a majority of the voters in the proposed district voting at the election specified in paragraph (i) of this subsection vote for the establishment of the district the board of county commissioners shall enter that fact upon its record and the district is established;

(iii) Any subsequent election for a special hospital district created under this subsection shall be held as provided in the Special District Elections Act of 1994.
Section 2. 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.

Approved February 15, 2013.

Chapter 49

HIGHWAY FUNDING

Original House Bill No. 69

AN ACT relating to revenue for transportation purposes; increasing the fuel tax; amending certain distributions of fuel tax revenues accordingly; restricting the expenditure of additional revenue raised; requiring a report; and providing for an effective date.

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

Section 1. W.S. 39-17-104(a)(intro) and (i), 39-17-111(c)(ii) through (iv) and 39-17-204(a)(intro) and (i) are amended to read:

39-17-104. Taxation rate.

(a) Except as otherwise provided by this section and W.S. 39-17-105, the total tax on gasoline shall be fourteen cents ($0.14) per gallon. The rate shall be imposed as follows:

   (i) There is levied and shall be collected a license tax of thirteen cents ($0.13) per gallon on all gasoline used, sold or distributed for sale or use in this state except for those fuels exempted under W.S. 39-17-105;

39-17-111. Distribution.

(c) The department shall certify to the state treasurer amounts to be credited to appropriate accounts based upon deductions from the taxes collected under this article in the following order:

   (ii) Deduct an amount collected on fuel used in snowmobiles, computed by multiplying the number of snowmobiles for which registration and user fees have been paid during the current fiscal year under W.S. 31-2-404(a)(i) and 31-2-409(a)(ii) times sixteen dollars and twenty-five cents ($16.25) plus the number of gallons of gasoline used by snowmobiles for which registration fees have been paid during the current fiscal year under W.S. 31-2-404(a)(ii) times the current gasoline tax rate as defined by W.S. 39-17-104(a)(i). The number of gallons used by commercial snowmobiles shall be reported to the department by all businesses offering commercial snowmobile recreational leasing. The amounts computed shall be credited to a separate account to be expended by the department of state parks and cultural resources to improve snowmobile trails in Wyoming;
(iii) Deduct an amount collected on fuel used in motorboats, computed by multiplying the number of motorboats numbered during the current fiscal year under W.S. 41-13-102 and five thousand (5,000) nonresident motorboats times sixteen dollars and twenty-five cents ($16.25) twenty-eight dollars and seventy-five cents ($28.75). The amount computed shall be credited to a separate account to be expended by the department of state parks and cultural resources to improve facilities for use by motorboats and motorboat users at state parks and state recreation areas and to provide grants to governmental entities for improvement of publicly owned boating facilities at public parks and recreational facilities;

(iv) Until June 30, 2013, deduct an amount collected on fuel used in off-road recreational vehicles, computed by multiplying the number of off-road recreational vehicles for which user registration fees have been paid during the current fiscal year under W.S. 31-2-703(a) times ten dollars and forty cents ($10.40) eighteen dollars and forty cents ($18.40). The amount computed shall be credited to a separate account to be expended by the department of state parks and cultural resources to improve off-road recreational vehicle trails in Wyoming.

39-17-204. Taxation rate.

(a) Except as otherwise provided by this section and W.S. 39-17-205, the total tax on diesel fuels shall be fourteen cents ($.14) twenty-four cents ($.24) per gallon. The rate shall be imposed as follows:

(i) There is levied and shall be collected a license tax of thirteen cents ($.13) twenty-three cents ($.23) per gallon on all diesel fuels used, sold or distributed for sale or use in this state;

Section 2.

(a) Until June 30, 2014, any funds deposited to the highway fund which are attributable to the increase in fuel taxes under this act shall be separately accounted for by the department of transportation and shall only be expended to:

(i) Maintain the state highway system in the condition existing as of the effective date of this act; and

(ii) Prepare the report required by subsection (c) of this section.

(b) Any funds deposited to the highway fund which are attributable to the increase in fuel taxes under this act shall supplement and shall not supplant funds currently budgeted by the transportation commission for purposes of maintaining the state highway system in the 2013-2014 fiscal biennium.

(c) The department of transportation shall provide a comprehensive report to the joint appropriations interim committee and joint transportation, highways and military affairs interim committee on or before November 1, 2013 on the condition of the state highway system and projected revenue requirements to maintain the current condition of the state highway system.
Chapter 50

LIVESTOCK DISEASE REPORTING AND LIABILITY

Original Senate File No. 4

AN ACT relating to livestock; imposing liability for the failure to give notice of diseased livestock as specified; providing damages for false claims; assigning burdens of proof; providing exceptions to liability; and providing for an effective date.

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

Section 1. W.S. 11-19-102 by creating new subsections (d) and (e) is amended to read:

11-19-102. Duty of public to report diseases; list of reportable diseases; failure to comply or obstruction of duty; liability; penalties.

(d) Any person who knows that they own or have in their possession any livestock as defined by W.S. 11-20-101(a)(iv) infected with any disease formally declared by the Wyoming livestock board, through rule and regulation, as being potentially economically devastating and for which there is a valid diagnostic test and who transfers ownership or possession of the livestock to another person, or who knowingly or through his own neglect allows the livestock to commingle with uninfected livestock, is liable for the economic damages caused by the spread of the disease to uninfected livestock. In addition to the conditions for liability and recovery set in subsection (e) of this section, damages shall be available under this subsection only to a transferee who accepts the diseased animal directly from the liable person and to the owner of an animal that becomes infected as the result of direct contact with the diseased animal. The burden of proving liability and damages under this section shall be upon the person claiming damages. Any person who files a claim for recovery under this subsection alleging facts known to be false is liable for three (3) times the damages caused by the false claim and reasonable attorney fees.

(e) No person who has received written notice that an animal is infected with a disease identified in subsection (d) of this section prior to acquiring ownership or assuming possession of the infected animal shall be entitled to the damages provided by subsection (d) of this section. No livestock sales or auction facility shall be subject to the liability imposed by subsection (d) of this section if:

(i) The existence of disease was not reported to the facility and the facility did not know of the existence of the disease; or
(ii) The facility provided written notice of the disease to the person claiming damages under subsection (d) of this section.

Section 2. This act is effective July 1, 2013.

Approved February 15, 2013.

Chapter 51

STATE BOARD OF EDUCATION-MEMBERSHIP

Original Senate File No. 62

AN ACT relating to the state board of education; modifying appointment and membership as specified; and providing for an effective date.

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

Section 1. W.S. 21-2-301(a) is amended to read:

21-2-301. Appointment; qualifications, terms and removal of members; meetings; chairman.

(a) There is created a state board of education composed of twelve (12) voting members, eleven (11) of whom shall be appointed members with at least one (1) member appointed from each appointment district pursuant to W.S. 9-1-218. Appointments from each appointment district shall be rotated among the several counties comprising the district. The remaining voting member of the board shall be the state superintendent of public instruction. One (1) appointed member shall be appointed at large and shall be a certified classroom teacher at the time of appointment. One (1) appointed member shall also be appointed at large and shall be a certified school administrator at the time of appointment. Two (2) appointed members shall be appointed at large and shall be representative of private business or industry in Wyoming. On and after March 1, 2013 and upon expiration of their respective terms, the appointments of the two (2) members previously designated to be representative of business or industry shall be at large, one (1) a representative of Wyoming private business or industry and one (1) a member of a school district board of trustees at the time of appointment. The first appointment to the term of such member which expires on or after March 1, 2013, shall be a school district board member at the time of appointment. The remaining seven (7) appointed members of the board shall be appointed from among the lay citizens of the state who are electors of the state, known for their public spirit, business or professional ability and interest in education. Not more than six (6) appointed members of the board shall be from one (1) political party. Members shall be appointed for six (6) year terms, except those who may be appointed to fill unexpired terms. Members shall be appointed by the governor with the approval of the senate. Vacancies shall be filled by the governor without senate approval until the next
session of the legislature. No member is eligible to reappointment, except any member appointed to fill an unexpired term of less than six (6) years and the term expires on or after January 1, 1996, may be reappointed for one (1) additional six (6) year term. Appointed members of the board may be removed by the governor as provided in W.S. 9-1-202.

Section 2. 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.

Approved February 15, 2013.

Chapter 52

SALES TAX-ZAPPING

AN ACT relating to taxation and revenue; prohibiting sales tax zapping as specified; providing for penalties; providing definitions; and providing for an effective date.

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

Section 1. W.S. 39-15-108 by creating a new subsection (f) is amended to read:


(f) Automated sales suppression device. The following shall apply:

(i) As used in this subsection:

(A) “Automated sales suppression device” or “zapper” means a software program accessed by any means whatsoever which falsifies the electronic records of an electronic cash register or other point of sale system, including but not limited to transaction data and transaction reports;

(B) “Electronic cash register” means a device which keeps a register or supporting documents through the means of an electronic device or computer system designed to record transaction data for the purpose of computing, compiling or processing related sales transaction data;

(C) “Phantom-ware” means a hidden, preinstalled or installed at a later time, programming option embedded in the operating system of an electronic cash register or hardwired into the electronic cash register which can be used to create a virtual second till or may eliminate or manipulate transaction records which may or may not be preserved in a digital format to represent the true or manipulated record of transactions in the electronic cash register;

(D) “Transaction data” means data associated with items purchased by a customer, the price for each item, a taxability determination for each item,
a segregated tax amount for each of the taxed items, the amount of cash or credit tendered, the net amount returned to the customer in change, the date and time of the purchase, the name, address and identification number of the vendor, and the receipt or invoice number of the transaction:

(E) “Transaction report” means a report documenting data, including but not limited to data associated with sales, taxes collected, media totals and discount voids at an electronic cash register which is printed on cash register tape at the end of a day or shift, or a report documenting every transaction at an electronic cash register which is stored electronically;

(ii) No person shall knowingly with the intent to evade the imposition, collection, reporting or remittance of sales tax sell, purchase, possess, install or transfer any automated sales suppression device, zapper or phantom-ware;

(iii) A violation of paragraph (ii) of this subsection shall be a felony punishable by a fine up to five thousand dollars ($5,000.00), or imprisonment for not to exceed three (3) years, or both;

(iv) The offense created by this subsection shall be in addition to and considered a separate offense from any offense related to the nonpayment of taxes owed to the state or any political subdivision;

(v) Any automated sales suppression device, zapper or phantom-ware or any device containing an automated sales suppression device, zapper or phantom-ware shall be considered contraband and shall be subject to seizure, confiscation and forfeiture.

Section 2. 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.

Approved February 15, 2013.

Chapter 53

FRIVOLOUS LIENS

Original Senate File No. 124

AN ACT relating to liens; providing a process for a governmental official or employee to seek discharge of groundless liens; specifying procedures; providing for discharge of the claim of lien; specifying applicability; and providing for an effective date.

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

Section 1. W.S. 29-1-601(a) and by creating a new subsection (d) is amended to read:

29-1-601. False or frivolous liens; damages; penalties.
(a) Any claim of lien against a federal, state or local official or employee based on the performance or nonperformance of that official's or employee's duties shall be invalid unless accompanied by a specific order from a court of competent jurisdiction authorizing the filing of the lien or unless a specific statute authorizes the filing of the lien. A federal, state or local official or employee may discharge a lien under subsection (b) or (d) of this section.

(d) Any federal, state or local official or employee whose real or personal property is subject to a recorded claim of lien who believes the claim of lien is invalid under subsection (a) of this section may record an affidavit as affiant with the county clerk stating that the claim of lien has been filed against him in his individual capacity for the performance or nonperformance of actions in his capacity as a government official or employee. The person alleging the claim of lien was filed in violation of subsection (a) of this section shall provide notice of the filing of the affidavit to the lien claimant at the address provided on the lien statement pursuant to W.S. 29-1-312(b) by first class mail. Upon the filing of the affidavit, the lien claimant shall have twenty (20) days to file a petition in the district court for the county in which the lien statement was filed stating that the claim of lien is valid under the laws of the United States or of the state of Wyoming. If the lien claimant fails to file the petition within the time specified, the affiant may present a copy of the affidavit to the district court clerk for the county in which the lien statement was filed showing the date it was recorded and the district court clerk shall issue a certification that no petition has been filed in response to the affidavit. Upon recording of a certification issued under this subsection with the county clerk, the lien shall be null and void and of no further force or effect. Upon the filing of the petition by the lien claimant the following shall apply:

(i) The court may enter its order directing the lien claimant to appear before the court at a time no earlier than six (6) nor later than fifteen (15) days following the date of service of the petition, and order the lien claimant to show cause, if any, why the relief provided in this subsection should not be granted;

(ii) The order shall clearly state that if the lien claimant fails to appear at the time and place noted, the claim of lien shall be stricken and released, and that the lien claimant shall be ordered to pay damages of one thousand dollars ($1,000.00) or actual damages, whichever is greater, and the costs incurred by the petitioner, including reasonable attorneys’ fees;

(iii) If, following a hearing on the matter the court determines that the claim of lien is invalid under subsection (a) of this section the court shall issue an order striking and releasing the claim of lien and awarding damages of one thousand dollars ($1,000.00) or actual damages, whichever is greater, costs and reasonable attorneys’ fees to the petitioner to be paid by the lien claimant;

(iv) If the court determines that the claim of lien is valid, the court shall issue an order so stating and shall award costs and reasonable attorneys’ fees to the lien claimant to be paid by the affiant.
Section 3. This act shall apply to all liens filed on or after March 15, 2013.

Section 4. This act is effective March 15, 2013.

Approved February 15, 2013.

Chapter 54

DISABLED HUNTER PROGRAMS

Original House Bill No. 28

AN ACT relating to game and fish; providing for use of artificial lighting devices by person with visual disabilities; providing for additional antelope licenses for disabled hunters; repealing restrictions on disabled hunter companion permits; and providing for an effective date.

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

Section 1. W.S. 23-1-705(h) and 23-3-306(b) and by creating a new subsection (f) are amended to read:

23-1-705. Complimentary licenses; one-shot antelope hunt licenses; gunpowder and buckskin hunt licenses; gratuitous licenses; donated licenses.

(h) In addition the commission may, upon receipt of payment of antelope license fees, issue up to a total of thirty (30) fifty (50) antelope licenses each year for the exclusive distribution by nonprofit organizations dedicated to providing hunting opportunities to individuals with disabilities for use by those individuals for hunting opportunities.

23-3-306. Use of aircraft, automobiles, motorized and snow vehicles and artificial light for hunting or fishing prohibited; exception; penalties.

(b) No person shall take any wildlife with the aid of or by using any artificial light or lighting device except as otherwise provided in subsection (f) of this section and except that predators may be taken with the aid of an artificial light or lighting device by:

(i) A public officer authorized to conducting predator control; predators;

(ii) A landowner, resident manager, or person with the landowner’s or a resident manager’s written permission to take predators, on land under the landowner’s control for the protection of his property.

(f) The commission shall establish by rule and regulation specifications for the taking of game animals with the use of artificial light or lighting devices by persons with central visual acuity disabilities.

Section 2. W.S. 23-1-302(m)(i) is repealed.

Section 3. 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.

Approved February 15, 2013.
Chapter 55

HUNTING LICENSE RAFFLE

Original House Bill No. 37

AN ACT relating to game and fish; providing for the issuance of licenses through department authorized raffles; providing for rulemaking; providing that participation in the raffles is not gambling; and providing for an effective date.

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

Section 1. W.S. 6-7-101(a)(iii) by creating a new subparagraph (J) and 23-1-302 by creating a new subsection (p) are amended to read:

6-7-101. Definitions.

(a) As used in this article:

(iii) “Gambling” means risking any property for gain contingent in whole or in part upon lot, chance, the operation of a gambling device or the happening or outcome of an event, including a sporting event, over which the person taking a risk has no control, but does not include any of the following:

(J) The hunting license raffle provided by W.S. 23-1-302(p).


(p) The commission may, by rule and regulation, establish a process by which big game licenses, trophy game licenses and wild bison licenses may be issued by a competitive raffle and prescribe the manner of payment for which raffle chances are sold and the amount of payment for each raffle chance. No more than two (2) licenses for each big game species and trophy game species and no more than two (2) wild bison licenses shall be issued under this subsection. Each license issued for bighorn sheep, moose, mountain goat or grizzly bear through a competitive raffle shall, when applicable, be counted against any nonresident quota. The five (5) year restriction imposed on the receipt of a moose or big horn sheep license by W.S. 23-1-703(b) or the lifetime restriction imposed on the receipt of a grizzly bear or mountain goat license by W.S. 23-1-703(c), and any restriction imposed on the receipt of a wild bison license by W.S. 23-2-107 shall not be applicable in any manner to a license issued pursuant to this subsection. The commission shall issue licenses upon receipt of the proper license fee by the successful competitive raffle winner. Nothing in this subsection shall authorize the issuance of a license to any person whose privilege to procure, purchase or possess a license has been suspended pursuant to this act or by operation of law.

Section 2. This act is effective July 1, 2013.

Approved February 15, 2013.
AN ACT relating to state lands; requiring restitution for state land violations; providing that violation of a board order is a prohibited act; and providing for an effective date.

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

Section 1. W.S. 36-2-107(b)(intro), (iv), by creating new paragraphs (vi) and (vii) and by creating a new subsection (d) is amended to read:

36-2-107. Rules and regulations; general penalty for violations; enforcement.

(b) Any person who knowingly violates any provision of this subsection is guilty of a misdemeanor and shall be fined not more than seven hundred fifty dollars ($750.00), imprisoned for not more than six (6) months, or both. In addition, any person found guilty under this section may be ordered to pay restitution to the board for actual pecuniary damage resulting from the illegal actions of the person. Restitution may be excused if a court finds that the defendant has no ability to pay. In determining the amount of restitution under this subsection, the court shall consider, and include as a special finding, the reasonably foreseeable actual pecuniary damage that has or will result from the illegal activities of the defendant. Any restitution received under this subsection shall be deposited into an account designated by the board for use to restore the rights and property of the board. The acts prohibited under this subsection are:

(iv) Building, maintaining, using or attending an open fire, campfire or charcoal grill on state land except in areas established by the board; and

(vi) Violating any lawful order issued by the board pursuant to W.S. 36-2-101 to protect state lands and assets from resource damage; and

(vii) Violating any lawful order issued by the board closing state lands for the purpose of protecting public health and safety.

(d) The provisions of subsection (b) of this section shall not apply to the actions of any person acting pursuant to the terms of a valid lease, authorization or permit issued by the board.

Section 2. 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.

Approved February 15, 2013.
Chapter 57

INSURANCE HOLDING COMPANY SYSTEM REGULATORY ACT

Original House Bill No. 11

AN ACT relating to insurance holding companies; providing for use of supervisory colleges to assess insurance holding company risks; providing for approval of applications for divestiture; providing for submission of additional financial information; providing for consolidated hearings with other state insurance commissioners; providing for disclaimers of affiliation; providing for confidentiality as specified; providing for rules and regulations; providing definitions; providing penalties; and providing for an effective date.

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

Section 1. W.S. 26-44-118 is created to read:

26-44-118. Supervisory colleges.

(a) With respect to any insurer registered under W.S. 26-44-104, and in accordance with subsection (c) of this section, the commissioner shall also have the power to participate in a supervisory college for any domestic insurer that is part of an insurance holding company system with international operations in order to determine compliance by the insurer with this chapter. The powers of the commissioner with respect to supervisory colleges include, but are not limited to, the following:

(i) Initiating the establishment of a supervisory college;

(ii) Clarifying the membership and participation of other supervisors in the supervisory college;

(iii) Clarifying the functions of the supervisory college and the role of other regulators, including the establishment of a group-wide supervisor;

(iv) Coordinating the ongoing activities of the supervisory college, including planning meetings, supervisory activities, and processes for information sharing; and

(v) Establishing a crisis management plan.

(b) Each registered insurer subject to this section shall be liable for and shall pay the reasonable expenses of the commissioner’s participation in a supervisory college in accordance with subsection (c) of this section, including reasonable travel expenses. For purposes of this section, a supervisory college may be convened as either a temporary or permanent forum for communication and cooperation between the regulators charged with the supervision of the insurer or its affiliates, and the commissioner may establish a regular assessment to the insurer for the payment of these expenses.

(c) In order to assess the business strategy, financial position, legal and regulatory position, risk exposure, risk management and governance processes, and as part of the examination of individual insurers in accordance with W.S.
26-44-109, the commissioner may participate in a supervisory college with other regulators charged with supervision of the insurer or its affiliates, including other state, federal and international regulatory agencies. The commissioner may enter into agreements providing the basis for cooperation between the commissioner and the other regulatory agencies, and the activities of the supervisory college. Nothing in this section shall delegate to the supervisory college the authority of the commissioner to regulate or supervise the insurer or its affiliates within his jurisdiction.

Section 2. W.S. 26-1-102(a) by creating a new paragraph (xli), 26-2-113(d)(i), 26-2-121(m), 26-44-101(a) by creating a new paragraph (xi) and by amending and renumbering (x) as (xii), 26-44-102(b)(i)(intro), 26-44-103(a)(i), (ii), by creating a new paragraph (iii), (b)(intro), by creating new paragraphs (xii) and (xiii), by renumbering (xii) as (xiv), by creating new subsections (h) and (j), by renumbering (h) and (j) as (k) and (m), by creating a new subsection (n) and by renumbering (k) as (o), 26-44-104(a) through (c), (m) and by creating new subsections (n) and (o), 26-44-105(a)(intro), (iv), (v), by creating a new paragraph (vi), (b)(intro), (i)(A), (ii)(A), (iii), (iv), (c) and (d), 26-44-106(b)(i) and (ii), 26-44-108(a)(intro), (viii) and (b), 26-44-109, 26-44-110 and 26-44-113 by creating a new subsection (e) are amended to read:

26-1-102. Definitions.
   (a) As used in this act:
      (xli) “NAIC” means the National Association of Insurance Commissioners.

26-2-113. Records and other papers; generally.
   (d) In order to assist in the performance of his duties under this code, the commissioner may:
      (i) Share documents, materials or other information, including confidential and privileged documents, materials or information, with other state, federal and international regulatory agencies, with the National Association of Insurance Commissioners, its affiliates or subsidiaries, and with state, federal and international law enforcement authorities, including members of any supervisory college described in W.S. 26-44-118, provided the recipient agrees in writing to maintain the confidentiality and privileged status of any document, material or other information and has verified in writing the legal authority to maintain confidentiality;

26-2-121. Examinations; report; contents.
   (m) All working papers, recorded information, documents and copies thereof produced by, obtained by or disclosed to the commissioner or any other person in the course of an examination made under W.S. 26-2-116 through 26-2-124, or in the course of analysis by the commissioner of the financial con-
dition or market conduct of a company, shall be given confidential treatment and are not subject to subpoena and shall not be made public by the commissioner or any other person, except to the extent provided in subsections (j) and (k) of this section.


(a) As used in this act:

(xi) “Enterprise risk” means any activity, circumstance, event or series of events involving one (1) or more affiliates of an insurer that, if not remedied promptly, is likely to have a material adverse effect upon the financial condition or liquidity of the insurer or its insurance holding company system as a whole, including, but not limited to, anything that would cause the insurer's risk-based capital to fall into company action level as set forth in W.S. 26-48-103 and 26-48-203 or would cause the insurer to be in hazardous financial condition pursuant to W.S. 26-3-116;

(xii) "This act" means W.S. 26-44-101 through 26-44-117.

26-44-102. Subsidiaries of insurers.

(b) In addition to investments in common stock, debt obligations and other securities permitted under all other sections of this chapter, a domestic insurer may also:

(i) Invest in common stock, preferred stock, debt obligations and other securities of one (1) or more subsidiaries, amounts which do not exceed the lesser of ten percent (10%) of the insurer's assets or fifty percent (50%) of the insurer's surplus as regards policyholders, provided that after the investments, the insurer's surplus as regards policyholders will be reasonable in relation to the insurer's outstanding liabilities and adequate to its financial needs. In calculating the amount of the investments, investments in domestic or foreign insurance subsidiaries and health maintenance organizations shall be excluded, and there shall be included:

26-44-103. Acquisition of control of or merger with domestic insurer.

(a) No person other than the issuer shall make a tender offer for or a request or invitation for tenders of, or agreement to exchange securities for or otherwise acquire, any voting security or any security convertible into a voting security of a domestic insurer or of any other person controlling a domestic insurer if, after consummation, the person would, directly or indirectly, be in control of the insurer and no person shall enter into an agreement to merge with or otherwise acquire control of a domestic insurer unless:

(i) Thirty (30) days prior to the above transactions the person has filed with the commissioner and has sent to the insurer a statement containing the information required by this section; and

(ii) The offer, request, invitation, agreement or acquisition has been ap-
proved by the commissioner. For purposes of this section a domestic insurer includes any person controlling a domestic insurer unless the person, as determined by the commissioner, is either directly or through its affiliates primarily engaged in business other than the business of insurance. For the purposes of this section, “person” does not include any securities broker holding, in the usual and customary broker’s function, less than twenty percent (20%) of the voting securities of an insurance company or of any person which controls an insurance company.

(iii) If any controlling person of a domestic insurer is seeking to divest its controlling interest in the domestic insurer in any manner, the controlling person has filed with the commissioner, with a copy to the insurer, confidential notice of its proposed divestiture at least thirty (30) days prior to the cessation of control. The commissioner shall determine those instances in which the party seeking to divest or to acquire a controlling interest in an insurer will be required to file for and obtain approval of the transaction. The information shall remain confidential until the conclusion of the transaction unless the commissioner, in his discretion determines that confidential treatment will interfere with enforcement of this section. If the statement referred to in paragraph (i) of this subsection is otherwise filed by the acquiring person or as otherwise required, this paragraph shall not apply.

(b) The preacquisition statement required by subsection (a) of this section shall be made under oath or affirmation and shall contain the following information:

(xii) An agreement by the person required to file the statement referred to in subsection (a) of this section that it will provide the annual report, specified in W.S. 26-44-104(n), for so long as control exists;

(xiii) An acknowledgement by the person required to file the statement referred to in subsection (a) of this section that the person and all subsidiaries within its control in the insurance holding company system will provide information to the commissioner upon request as necessary to evaluate enterprise risk to the insurer; and

(xii) Any additional information as the commissioner may by rule or regulation prescribe as necessary or appropriate for the protection of policyholders of the insurer or in the public interest.

(h) If the proposed acquisition of control will require the approval of more than one (1) commissioner, the public hearing referred to in subsection (g) of this section may be held on a consolidated basis upon request of the person filing the statement referred to in subsection (a) of this section. The person shall file the statement referred to in subsection (a) of this section with the National Association of Insurance Commissioners within five (5) days of making the request for a public hearing. A commissioner may opt out of a consolidated hearing, and shall provide notice to the applicant of the opt-out within ten (10)
days of the receipt of the statement referred to in subsection (a) of this section. A hearing conducted on a consolidated basis shall be public and shall be held within the United States before the commissioners of the states in which the insurers are domiciled. The commissioners shall hear and receive evidence. A commissioner may attend the hearing in person or by telecommunication.

(j) In connection with a change of control of a domestic insurer, any determination by the commissioner that the person acquiring control of the insurer shall be required to maintain or restore the capital of the insurer to the level required by the laws and regulations of this state shall be made not later than sixty (60) days after the date of notification of the change in control submitted pursuant to subsection (a) of this section.

(h) The commissioner may retain at the acquiring person’s expense any attorneys, actuaries, accountants and other experts not otherwise a part of the commissioner’s staff reasonably necessary to assist the commissioner in reviewing the proposed acquisition of control.

(m) The provisions of this section do not apply to:

(i) Any transaction which is subject to the provisions of W.S. 26-24-146 through 26-24-149;

(ii) Any offer, request, invitation, agreement or acquisition which the commissioner by order shall exempt as not having been made or entered into for the purpose and not having the effect of changing or influencing the control of a domestic insurer.

(n) The following shall be violations of this section:

(i) The failure to file any statement, amendment or other material required to be filed pursuant to subsection (a) or (b) of this section; or

(ii) The effectuation or any attempt to effectuate an acquisition of control of, divestiture of, or merger with, a domestic insurer unless the commissioner has given approval.

The Wyoming courts have jurisdiction over every person who files a statement with the commissioner under this section, and overall actions arising out of violations of this section. Any person filing a statement with the commissioner appoints the commissioner as his agent for service of process for actions arising under this section. The commissioner shall send copies of all legal services by certified mail to the appropriate person at his last known address.

26-44-104. Registration of insurers.

(a) Every insurer which is authorized to do business in this state and which is a member of an insurance holding company system shall register with the commissioner, except a foreign insurer subject to registration requirements and standards adopted by statute or regulation in the jurisdiction of its do-
micile which are substantially similar to those contained in this section, W.S. 26-44-105(a)(i), 26-44-105(a)(ii), 26-44-105(a), 26-44-106 and 26-44-108 and a provision which substantially requires each registered insurer to keep current the information required to be disclosed in its registration statement by reporting all material changes or additions within fifteen (15) days after the end of the month in which it learns of each such change or addition.

(b) Any insurer which is subject to registration under this section shall register within fifteen (15) days after it becomes subject to registration, and annually thereafter by July 1 of each year for the previous calendar year, unless the commissioner for good cause shown extends the time for registration, and then within the extended time. The commissioner may require any insurer authorized to do business in the state which is a member of an insurance holding company system, and which is not subject to registration under this section, to furnish a copy of the registration statement, the summary specified in W.S. 26-44-104(d) or other information filed by the insurance company with the insurance regulatory authority of the domiciliary jurisdiction.

(c) Every insurer subject to registration shall file the registration statement containing any information required by regulation by the commissioner and in the form prescribed by regulation by the commissioner. The regulation may by reference require the information required by the National Association of Insurance Commissioners which shall contain the following current information:

(i) The capital structure, general financial condition, ownership and management of the insurer and any person controlling the insurer;

(ii) The identity and relationship of every member of the insurance holding company system;

(iii) The following agreements in force, and transactions currently outstanding or which have occurred during the last calendar year between the insurer and its affiliates:

(A) Loans, other investments, or purchases, sales or exchanges of securities of the affiliates by the insurer or of the insurer by its affiliates;

(B) Purchases, sales or exchange of assets;

(C) Transactions not in the ordinary course of business;

(D) Guarantees or undertakings for the benefit of an affiliate which result in an actual contingent exposure of the insurer’s assets to liability, other than insurance contracts entered into in the ordinary course of the insurer’s business;

(E) All management agreements, service contracts and all cost-sharing arrangements;

(F) Reinsurance agreements;
(G) Dividends and other distributions to shareholders; and

(H) Consolidated tax allocation agreements.

(iv) Any pledge of the insurer’s stock, including stock of any subsidiary or controlling affiliate, for a loan made to any member of the insurance holding company system;

(v) If requested by the commissioner, the insurer shall include financial statements of or within an insurance holding company system, including all affiliates. Financial statements may include but are not limited to annual audited financial statements filed with the United States Securities and Exchange Commission pursuant to the Securities Act of 1933, as amended, or the Securities Exchange Act of 1934, as amended. An insurer required to file financial statements pursuant to this paragraph may satisfy the request by providing the commissioner with the most recently filed parent corporation financial statements that have been filed with the SEC;

(vi) Other matters concerning transactions between registered insurers and any affiliates as may be included from time to time in any registration forms adopted or approved by the commissioner;

(vii) Statements that the insurer’s board of directors oversees corporate governance and internal controls and that the insurer’s officers or senior management have approved, implemented, and continue to maintain and monitor corporate governance and internal control procedures;

(viii) Any other information required by the commissioner by rule or regulation.

(m) Any person may file with the commissioner a disclaimer of affiliation with any authorized insurer or the disclaimer may be filed by the insurer or any member of an insurance holding company system. The disclaimer shall fully disclose all material relationships and bases for affiliation between the person and the insurer as well as the basis for disclaiming the affiliation. After a disclaimer has been filed, the insurer shall be relieved of any duty to register or report under this section which may arise out of the insurer’s relationship with the person unless and until the commissioner disallows the disclaimer. The commissioner shall disallow a disclaimer only after furnishing all parties in interest with notice and an opportunity to be heard and after making specific findings of fact to support the disallowance. A disclaimer of affiliation shall be deemed to have been approved unless the commissioner, within thirty (30) days following receipt of a complete disclaimer, notifies the filing party the disclaimer is disallowed. In the event of disallowance, the disclaiming party may request an administrative hearing, which shall be granted. The disclaiming party shall be relieved of its duty to register under this section if approval of the disclaimer has been granted by the commissioner, or if the disclaimer is deemed to have been approved.
(n) Beginning July 1, 2014, the ultimate controlling person of every insurer subject to registration shall also file an annual enterprise risk report. The report shall, to the best of the ultimate controlling person’s knowledge and belief, identify the material risks within the insurance holding company system that could pose enterprise risk to the insurer. The report shall be filed with the lead state commissioner of the insurance holding company system as determined by the procedures within the Financial Analysis Handbook adopted by the National Association of Insurance Commissioners.

(o) The failure to file a registration statement or any summary of the registration statement or enterprise risk filing required by this section within the time specified for filing shall be a violation of this section.

26-44-105. Transactions within a holding company system.

(a) Transactions within a holding company system to which an insurer subject to registration is a party shall be subject to the following standards:

(iv) The books, accounts and records of each party to all the transactions shall be so maintained as to clearly and accurately disclose the nature and details of the transactions including any accounting information necessary to support the reasonableness of the charges or fees to the respective parties; and

(v) The insurer’s surplus as regards policy holders following any dividends or distributions to shareholder affiliates shall be reasonable in relation to the insurer’s outstanding liabilities and adequate to its financial needs as set forth in W.S. 26-44-108; and

(vi) Agreements for cost sharing services and management shall include provisions as required by regulation issued by the commissioner.

(b) The following transactions involving a domestic insurer and any person in its insurance holding company system, including amendments or modifications of affiliate agreements previously filed pursuant to this section, which are subject to any materiality standards contained in subsection (b) of this section, shall not be entered into unless the insurer has notified the commissioner in writing of its intention to enter into the transaction at least thirty (30) days prior to the transaction or a shorter period as the commissioner may permit and the commissioner has not disapproved it within that period. The notice for amendments or modifications shall include the reasons for the change and the financial impact on the domestic insurer. Informal notice shall be reported, within thirty (30) days after a termination of a previously filed agreement, to the commissioner for determination of the type of filing required, if any. In assessing transactions under this subsection, the commissioner shall consider whether the transactions comply with subsection (a) of this section and whether they may adversely affect the interests of policyholders. The transactions to be considered are:
(i) Sales, purchases, exchanges, loans or extensions of credit, guarantees or investments if on December 31 of the year immediately preceding the transactions are equal to or exceed:

(A) With respect to nonlife insurers, the lesser of three percent (3%) of the insurer’s admitted assets or twenty-five percent (25%) of surplus as regards policyholders:

(ii) Loans or extensions of credit to any person who is not an affiliate, where the insurer makes the loans or extensions of credit with the agreement or understanding that the proceeds of the transactions, in whole or in substantial part, are to be used to make loans or extensions of credit to purchase assets of, or to make investments in, any affiliate of the insurer making the loans or extensions of credit if on December 31 of the year immediately preceding the transactions are equal to or exceed:

(A) With respect to nonlife insurers, the lesser of three percent (3%) of the insurer’s admitted assets or twenty-five percent (25%) of surplus as regards policyholders:

(iii) Reinsurance agreements or modifications thereto, including all reinsurance pooling agreements, agreements in which the reinsurance premium or a change in the insurer’s liabilities, or the projected reinsurance premium or a change in the insurer’s liabilities in any of the next three (3) years, equals or exceeds five percent (5%) of the insurer’s surplus as regards policyholders, as of December 31 of the year immediately preceding, including those agreements which may require as consideration the transfer of assets from an insurer to a nonaffiliate, if an agreement or understanding exists between the insurer and nonaffiliate that any portion of the assets will be transferred to one (1) or more affiliates of the insurer;

(iv) All management agreements, service contracts, tax allocation agreements and all cost-sharing arrangements; and

(c) Nothing in this section shall be deemed to authorize or permit any transaction which, in the case of an insurer not a member of the same insurance holding company system, would be otherwise contrary to law.

(d) A domestic insurer shall not enter into transactions which are part of a plan or series of like transactions with persons within the insurance holding company system if the purpose of those separate transactions is to avoid the notification requirement set forth in subsection (b) of this section and thus the review that would otherwise occur. If the commissioner determines that separate transactions were entered into over any twelve (12) month period for that purpose, the commissioner may exercise his authority under W.S. 26-44-113.

26-44-106. Dividends and other distributions.

(b) For purposes of this section, an extraordinary dividend or distribution
includes any dividend or distribution of cash or other property, whose fair market value together with that of other dividends or distributions made within the preceding twelve (12) months exceeds the lesser of:

(i) Ten percent (10%) of the insurer’s surplus as regards policyholders as of December 31 of the year immediately preceding; or

(ii) The net gain from operations of the insurer, if the insurer is a life insurer, or the net income, if the insurer is not a life insurer, not including realized capital gains, for the twelve (12) month period ending December 31 of the year immediately preceding, nor pro rata distributions of the insurer’s own securities.


(a) For purposes of this act, in determining whether an insurer’s surplus as regards policyholders is reasonable in relation to the insurer’s outstanding liabilities and adequate to its financial needs, the following factors, among others, shall be considered:

(viii) The surplus as regards policyholders maintained by other comparable insurers;

(b) The commissioner may treat any investment as a disallowed asset for purposes of determining the adequacy of surplus as regards policyholders whenever he deems that treatment necessary.

26-44-109. Examination.

(a) The commissioner may examine any insurer registered under W.S. 26-44-104 or any affiliate of such insurer in accordance with this section and the provisions of W.S. 26-2-116 through 26-2-124 to ascertain the financial condition of the insurer, including the enterprise risk to the insurer by the ultimate controlling party, or by any entity or combination of entities within the insurance holding company system, or by the insurance holding company system on a consolidated basis. The commissioner may retain at the insurer’s expense any attorneys, actuaries, accountants and other experts not otherwise a part of the commissioner’s staff reasonably necessary to conduct the examination. Any person so retained shall be under the direction and control of the commissioner and shall act in a purely advisory capacity.

(b) To determine compliance with this chapter, the commissioner may order any insurer registered under W.S. 26-44-104 to produce information not in the possession of the insurer if the insurer can obtain access to this information pursuant to contractual relationships, statutory obligations or other method. In the event the insurer cannot obtain the information requested by the commissioner, the insurer shall provide the commissioner a detailed explanation of the reason that the insurer cannot obtain the information and the identity of the holder of the information. Whenever it appears to the commissioner that
the detailed explanation is without merit, the commissioner may, after notice and hearing, suspend or revoke the insurer’s license or certificate.

(c) In the event the insurer fails to comply with an order, the commissioner shall have the power to examine the affiliates to obtain the information. The commissioner shall also have the power to issue subpoenas, to administer oaths and to examine under oath any person for purposes of determining compliance with this section. Upon the failure or refusal of any person to obey a subpoena, the commissioner may petition a court of competent jurisdiction, and upon proper showing, the court may enter an order compelling the witness to appear and testify or produce documentary evidence.


(a) All information, documents and copies of the documents and information obtained by or disclosed to the commissioner or any other person in the course of an examination made pursuant to W.S. 26-44-109 and all information reported pursuant to W.S. 26-44-103(b)(xii) and (xiii) and 26-44-104 through 26-44-108 shall be confidential, shall not be subject to subpoena and shall not be disclosed by the commissioner, the National Association of Insurance Commissioners, or any person, except as authorized by and in accordance with the provisions of W.S. 26-2-113(d), without the prior written consent of the insurer to which the information pertains. The commissioner, after giving the insurer and its affiliates notice and opportunity to be heard, may determine that the interest of policyholders, shareholders or the public will be served by the publication of the information, in which event he may publish all or any part of the information as he deems appropriate.

(b) Neither the commissioner nor any person who received documents, materials or other information while acting under the authority of the commissioner or with whom the documents, materials or other information are shared pursuant to this act shall be permitted or required to testify in any private civil action concerning any confidential documents, materials or information subject to subsection (a) of this section.

(c) Notwithstanding W.S. 26-2-113, the commissioner shall only share confidential and privileged documents, material or information reported pursuant to W.S. 26-44-104(n) with commissioners of states having statutes or regulations substantially similar to Wyoming insurance statutes and who have agreed in writing not to disclose the information.

(d) In addition to any other authorities provided by law, the commissioner shall enter into written agreements with the NAIC governing sharing and use of information provided pursuant to this act consistent with this subsection which shall:

(i) Specify procedures and protocols regarding the confidentiality and security of information shared with the NAIC and its affiliates and subsidiar-
ies pursuant to this act, including procedures and protocols for sharing by the
NAIC with other state, federal or international regulators:

(ii) Specify that ownership of information shared with the NAIC and its
affiliates and subsidiaries pursuant to this act remains with the commissioner
and the NAIC’s use of the information is subject to the direction of the com-
missioner:

(iii) Require prompt notice to be given to an insurer whose confidential
information in the possession of the NAIC pursuant to this act is subject to a
request or subpoena to the NAIC for disclosure or production; and

(iv) Require the NAIC and its affiliates and subsidiaries to consent to
intervention by an insurer in any judicial or administrative action in which the
NAIC and its affiliates and subsidiaries may be required to disclose confidential
information about the insurer shared with the NAIC and its affiliates and sub-
sidiaries pursuant to this chapter.

(e) The sharing of information by the commissioner pursuant to this chapter
shall not constitute a delegation of regulatory authority or rulemaking and the
commissioner is solely responsible for the administration, execution and en-
forcement of the provisions of this chapter.

(f) No waiver of any applicable privilege or claim of confidentiality in the
documents, materials or information shall occur as a result of disclosure to the
commissioner under this chapter or as a result of sharing as authorized under
this chapter.

(g) Documents, materials or other information in the possession or control
of the NAIC pursuant to this chapter shall be confidential by law and privi-
leged, shall not be a public record under W.S. 16-4-201 through 16-4-205, shall
not be subject to subpoena and shall not be subject to discovery or admissible
in evidence in any private civil action.


(e) Whenever it appears to the commissioner that any person has commit-
ted a violation of W.S. 26-44-103 which prevents the full understanding of the
tEnterprise risk to the insurer by affiliates or by the insurance holding company
system, the violation may serve as an independent basis for disapproving divi-
dends or distributions and for placing the insurer under an order in accordance
with chapter 28 of this title.

Section 3. This act is effective July 1, 2013.

Approved February 15, 2013
Chapter 58

BUDGET REVIEW PROCESS

Original House Bill No. 78

AN ACT relating to administration of government; providing that the department of transportation and the game and fish department shall submit proposed budgets to the budget division of the department of administration and information as specified; amending conflicting statutes; providing an appropriation; and providing for an effective date.

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

Section 1. W.S. 9-2-1010(a)(iii), 9-2-1011 by creating a new subsection (d) and 23-1-502(a) are amended to read:

9-2-1010. Duties of budget division; biennial budgets and appropriations.
(a) The department through the budget division shall:

(iii) Consult with each entity which will require a legislative appropriation either directly or indirectly, excluding the Wyoming highway department and the game and fish department except as provided in W.S. 23-1-502(d) and 9-2-1011(d), in submitting budget estimates or requests for funds, or for instituting, recording and reporting all financial and budget transactions of the state.

9-2-1011. Duties of budget division; preparation of standard budget estimates; entities to prepare expanded and exception budgets; form; required information; base budgets.
(d) Except as otherwise provided by law, budgets for the game and fish department and department of transportation shall be submitted to the governor and the budget division as provided in this subsection. The budget shall be submitted in a manner and format approved by the budget division and shall be submitted by the game and fish commission by August 1 of each year and by the transportation commission by October 1 of each year. The manner and format approved by the budget division shall provide for legislative review. Any modification to the manner and format shall be reported to the joint appropriations committee immediately upon approval.

23-1-502. Financial policy; budget; fiscal year; debts.
(a) Except as provided in subsection (d) of this section, the commission shall govern its financial policies, subject to the written approval of its budgets by the governor and legislative review of its budgets as provided in W.S. 9-2-1011(d). The commission shall fix the budgets for the operation and maintenance of the department and its divisions for each fiscal year at its first stated meeting of each fiscal year, and shall submit its budget estimates for the following fiscal year as provided by W.S. 9-2-1012.

Section 2. There is appropriated from the general fund to the legislative
service office twenty-three thousand dollars ($23,000.00). This appropriation shall be expended as necessary to provide salary, travel and per diem for members of the joint appropriations interim committee for an additional five (5) days of meetings during the 2013 interim of the legislature to review the budget proposals submitted as required by this act.

Section 3. The department of administration and information budget division shall consult with the game and fish department, the department of transportation and the legislative service office in developing the manner and format for budget submissions under W.S. 9-2-1011(d) as created by this act. The manner and format approved by the budget division shall accommodate the existing practices of each department.

Section 4. 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.

Approved February 15, 2013.

Chapter 59

INTERSTATE SALES OF HEALTH INSURANCE

Original House Bill No. 82

AN ACT relating to health insurance; authorizing Wyoming insurers to offer individual and small employer health insurance policies or high deductible health plans in Wyoming that have been approved for issuance in other states; providing minimum standards for out-of-state policies; prescribing notice requirements; granting rulemaking authority; preempting conflicting laws; providing definitions; and providing for an effective date.

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

Section 1. W.S. 26-18-301 through 26-18-307 are created to read:

ARTICLE 3

SALE OF OUT-OF-STATE HEALTH INSURANCE POLICIES

26-18-301. Definitions.

(a) As used in this article:

(i) “Health insurance,” “health benefit plan” and “health benefit policy” mean a health benefit plan as defined by W.S. 26-1-102(a)(xxxii);

(ii) “High deductible health plan” means health insurance plans sold or maintained under the applicable provisions of section 223 of the Internal Revenue Code;

(iii) “Small employer” means small employer as defined by W.S. 26-19-302(a)(xxii);

(iv) “Small employer health insurance policy” is any policy defined by
26-18-302. Sale of health insurance policies approved in other states.

(a) The insurance commissioner shall approve for sale in Wyoming any individual or small employer health insurance policy or high deductible health plan that is currently approved for issuance in another state where the insurer or the insurer’s affiliate or subsidiary is authorized to transact insurance, subject to the following:

(i) Approval shall include approval of any relevant policy forms, provided the forms have been approved by the appropriate regulatory body in the other state;

(ii) The insurer or the insurer’s affiliate or subsidiary filing and issuing the policy in Wyoming is also authorized to transact insurance in this state pursuant to title 26, chapter 3 of the Wyoming statutes;

(iii) The policy meets the requirements of this article;

(iv) The insurer shall agree that the Wyoming insurance commissioner may enforce the provisions of the insurance policy and resolve disputes between the insurer and the policyholder in the same manner as the regulatory authorities in the other state, provided that if a contested case arises it shall be subject to the provisions of the Wyoming Administrative Procedure Act and any appeals shall be resolved in Wyoming courts;

(v) The insurer shall inform the commissioner whether the policy will be priced as it is in the other state or at a Wyoming specific price;

(vi) For small employer health insurance policies, all policies shall be subject to the provisions of W.S. 26-19-306(a) and (c)(vi);

(vii) The commissioner shall review any provider network requirements in the policy and may require modification of those requirements if the insurer lacks sufficient within network providers in Wyoming;

(viii) Any authorized insurer may offer an individual or small employer an insurance policy with benefits equivalent to those in any policy approved for sale in Wyoming under this article provided that the offered policy meets the requirements of this article.


(a) Any insurer selling a health insurance policy pursuant to this article and any policy approved pursuant to this article shall satisfy actuarial standards of the National Association of Insurance Commissioners, the requirements of this article and any regulations of the department implementing this article.

(b) The commissioner shall determine whether an insurer satisfies the requirements of this article and shall expeditiously approve policies and plans that comply with this article. The commissioner shall have the authority to de-
termine whether a health insurance policy or plan sold pursuant to this article continues to satisfy the requirements of this article in the same manner as for other policies under this code. The commissioner shall have the authority to require an insurer to participate in the Wyoming health insurance pool and to make other payments required of insurers under this code.

(c) Any policy sold pursuant to this article shall be protected under the Wyoming Life and Health Guaranty Association Act under Chapter 42 of this title.

26-18-304. Disclaimers required.

(a) Each written application for a policy sold pursuant to this article shall contain the following language in boldface type at the beginning of the document:

Warning!

The benefits of this policy may primarily be governed by the laws of a state other than Wyoming. All of the laws applicable to policies filed in this state may not apply to this policy. Any purchase of individual health insurance should be considered carefully since future medical conditions may make it impossible to qualify for another individual health insurance policy.

(b) Each policy sold pursuant to this article shall contain the following language in boldface type at the beginning of the document:

Warning!

The benefits of this policy may be governed primarily by the laws of a state other than Wyoming. The benefits covered may be different from other policies you can purchase in this state. Consult your insurance agent or insurer to determine which health benefits are covered under this policy.


(a) The commissioner shall adopt rules and regulations necessary to implement this article.

(b) Any dispute resolution mechanism or provision for notice and hearing in this code shall apply to insurers issuing and delivering policies pursuant to this article.


If the provisions of this article conflict with any other provision of this code, the provisions of this article shall control.


No policy shall be issued or delivered for issuance in this state pursuant to this article before July 1, 2013.
Section 2. The insurance commissioner shall report to the joint labor, health and social services interim committee by October 31, 2014 regarding the number of policies sold under this act and a summary of the information provided to the commissioner under W.S. 26-18-302(a)(v).

Section 3. This act is effective July 1, 2013.

Approved February 15, 2013.

Chapter 60
TIPS AND GRATUITIES-SALES TAX

AN ACT relating to taxation; providing for tips and gratuities as specified to be excluded from sales tax as specified; and providing for an effective date.

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

Section 1. W.S. 39-15-103(a)(i)(F) is amended to read:

(a) Taxable event. The following shall apply:
   (i) Except as provided by W.S. 39-15-105, there is levied an excise tax upon:
       (F) The sales price paid for meals and cover charges, excluding all gratuities regardless of whether offered by the customer or invoiced by the seller, at any place where meals are regularly served to the public;

Section 2. This act is effective July 1, 2013.

Approved February 15, 2013.

Chapter 61
SELECT FEDERAL NATURAL RESOURCE MANAGEMENT COMMITTEE

AN ACT relating to public lands; creating the select federal natural resource management committee; providing for appointment of members; providing duties; providing an appropriation; and providing for an effective date.

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

Section 1. W.S. 28-11-501 is created to read:

ARTICLE 5
SELECT FEDERAL NATURAL RESOURCE MANAGEMENT COMMITTEE
28-11-501. Appointment of members; powers and duties.

(a) Not later than March 15 following each general election, a select federal natural resource management committee shall be appointed subject to the following:

(i) The president of the senate shall appoint three (3) members of the senate apportioned as nearly as possible to reflect the percentage of the elected membership of the majority and minority parties of the senate, provided not more than five (5) of the members of the select committee shall be from the same political party. Select committee membership shall include:

   (A) One (1) member of the senate agriculture, state and public lands and water resources committee;
   
   (B) One (1) member of the senate appropriations committee; and
   
   (C) One (1) member of the senate minerals, business and economic development committee.

(ii) The speaker of the house of representatives shall appoint three (3) members of the house apportioned as nearly as possible to reflect the percentage of the elected membership of the majority and minority parties of the house, provided not more than five (5) of the members of the select committee shall be from the same political party. Select committee membership shall include:

   (A) One (1) member of the house agriculture, state and public lands and water resources committee;
   
   (B) One (1) member of the house appropriations committee; and
   
   (C) One (1) member of the house minerals, business and economic development committee.

(b) The select committee shall:

(i) Select from among its members one (1) senator and one (1) member of the house to serve as co-chairmen;

(ii) Meet as necessary to review existing or proposed federal policies or action which may impact the management, development or use of the state's natural resources;

(iii) Develop and introduce legislative responses to federal policies and actions necessary to protect the interests of the state of Wyoming.

Section 2. There is appropriated sixteen thousand dollars ($16,000.00) from the general fund to the legislative service office. This appropriation shall only be expended to provide salary, travel and per diem to members of the select natural resource management committee for meetings held from the effective date of this act through June 30, 2014. Notwithstanding any other provision of law, this appropriation shall not be transferred or expended for
any other purpose and any unexpended, unobligated funds remaining from this appropriation shall revert as provided by law on June 30, 2014.

Section 3. 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.

Approved February 15, 2013.

Chapter 62

OFFICE OF CONSUMER ADVOCATE-REVISIONS

Original Senate File No. 6

AN ACT relating to public utilities; extending sunset date for the office of consumer advocate; providing for senate confirmation of the director; and providing for an effective date.

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

Section 1. W.S. 37-2-403 and 37-2-404(b) are amended to read:

37-2-403. Consumer advocate; administrator and staff.

The administrative head of the division shall be an administrator appointed by the governor not later than July 1, 2003 with senate confirmation. The administrator shall employ and supervise personnel as authorized by legislative appropriation. Except as provided in W.S. 37-2-404 the employees of the office of consumer advocate shall not be supervised or directed by the commission.

37-2-404. Consumer advocate; funding and expenses.

(b) This article is repealed effective July 1, 2013-2023.

Section 2. This act is effective July 1, 2013.

Approved February 15, 2013.

Chapter 63

OFFICE OF CONSUMER ADVOCATE-REVISIONS 2

Original Senate File No. 37

AN ACT relating to public utilities; providing for participation of the office of consumer advocate; and providing for an effective date.

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

Section 1. W.S. 37-2-402 by creating a new subsection (e) is amended to read:

37-2-402. Consumer advocate; powers and duties.
(e) In any case where the office of consumer advocate does not intervene, the commission shall have the authority to authorize its staff to participate as a party before the commission. The commission shall exercise this authority not later than five (5) business days following the deadline for any intervention.

Section 2. This act is effective July 1, 2013.

Approved February 15, 2013.

Chapter 64

COUNTY COMMISSIONERS-ELECTION TO MODIFY NUMBERS

Original Senate File No. 91

AN ACT relating to county commission composition; providing a form for petitions to increase or decrease the number of county commissioners; limiting elections to increase or decrease the number of county commissioners to general election dates; and providing for an effective date.

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

Section 1. W.S. 18-3-501(b), (c), (d), (f) and (g) is amended to read:

18-3-501. Composition; election for increasing the number; term; quorum; election for districting; procedures.

(b) Notwithstanding subsection (a) of this section, any county may increase the membership of its board of county commissioners from three (3) to five (5) members if a proposition for the increase is submitted to a vote of the qualified electors of the county and a majority of those casting their ballots vote in favor of the increase. Additional offices created under this subsection in odd-numbered years shall be filled at the general election next following the election at which the increase was approved. Additional offices created under this subsection in even-numbered years shall be filled at the general election to be held in two (2) years and not at the current year general election. At the that general election, not more than one (1) commissioner shall be elected for a term of two (2) years, and the election ballots shall so state. Each term shall otherwise be four (4) years.

(c) The proposition to increase the membership of the board of county commissioners shall be at the expense of the county and be submitted to the electors of the county upon receipt by the county clerk of a petition requesting the election signed by at least ten percent (10%) of the qualified electors of the county. To be counted the electors shall be registered voters when the completed petition is submitted for verification. The number of electors required shall be determined by the number of votes cast at the last general election. The election shall be at the direction and under the supervision of the county clerk. The petition shall be in substantially the following form:

“This petition is for the purpose of requesting an election to increase the
membership of the board of county commissioners from three (3) to five (5) members. If a proposition for the increase is submitted to a vote of the qualified electors of the county and a majority of those casting their ballots vote in favor of the increase, the additional offices created shall be filled at the general election held in (year).

The eligible registered electors supporting the petition and numbering not less than ten percent (10%) of the total number of votes cast at the last general election in the county for which this petition is filed, are as follows:

(Signature) (Printed Name) (Residence Address) (Date)

VERIFICATION OF CIRCULATORS

I, .... do hereby certify that I am a circulator of this petition, and I solely and personally circulated this petition, that all the signatures appearing herein were made in my presence from (month) (day), (year) through (month) (day), (year), and to the best of my knowledge and belief such signatures are those of the persons whose names they purport to be.

_________________ (Signature)

_________________ (Residence Address)"

(d) The proposition may be submitted at any general election, or at an election date authorized under W.S. 22-21-103. A notice of election shall be given in at least one (1) newspaper of general circulation published in the county wherein the election is to be held and shall specify the object of the election. The notice shall be published at least once each week for a thirty (30) day period preceding the election. At the election the ballots shall contain the words “for increasing the membership of the board of county commissioners from three (3) to five (5) members”, and “against increasing the membership of the board of county commissioners from three (3) to five (5) members”.

(f) Any county may decrease the membership of its board of county commissioners from five (5) to three (3) members in the same manner petition and proposition process as an increase under subsections (b) and (c) of this section. The vote to decrease membership shall be in the general election or at an election date authorized under W.S. 22-21-103 preceding the election of three (3) commissioners. Notice of the election shall be given as provided in subsection (d) of this section.

(g) Any county in which the electors vote to increase the number of county commissioners from three (3) to five (5) as provided by this section may be divided into five (5) districts if a proposition for districting is submitted to a vote of the qualified electorate of the county and a majority of those casting their ballots vote in favor of the districting. The proposition for districting shall be submitted to a vote in the manner provided by subsections (c) and (d) of this section. At
the election, the ballot shall contain the words “for dividing the county into five (5) county commissioner election districts” and “against dividing the county into five (5) county commissioner election districts”. The proposition to increase the number of county commissioners and the proposition for districting may appear on the ballot at the same general election, or at an election date authorized under W.S. 22-21-103, however the ballots shall state that the proposition for districting is contingent upon approval of the proposition to increase the number of commissioners. The petition required by subsection (c) of this section may contain both the proposition to increase the number of commissioners and the proposition for districting, or the propositions may be circulated and submitted on separate petitions. If the proposition for districting is not approved, the commissioners shall represent the county on at-large basis.

Section 2. This act is effective July 1, 2013.

Approved February 15, 2013.

Chapter 65

SILENCERS, SUPPRESSORS AND AUTOMATIC WEAPONS

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

Section 1. W.S. 23-3-112 is amended to read:

23-3-112. Firearms; automatic weapon prohibited; use of silencer or suppressor to take big or trophy game restricted; penalties.

(a) No person shall take into or possess in the game fields or forests of Wyoming any wildlife with any fully automatic weapon or device designed to silence or muffle the report of any firearm.

(b) Violation of this section is separate and additional to any other violation and constitutes a high misdemeanor punishable as provided in W.S. 23-6-202(a)(ii).

(c) No person shall use a device designed to silence or muffle the report of any firearm in the commission of:

(i) A violation of W.S. 23-3-102;

(ii) A violation of W.S. 23-3-107;

(iii) A violation of W.S. 23-3-305(b) which results in the taking of a big or trophy game animal; or
(iv) Taking of a big or trophy game animal out of season.

Section 2. This act is effective July 1, 2013.

Approved February 15, 2013.

Chapter 66

OMNIBUS WATER BILL-PLANNING

Original House Bill No. 71

AN ACT relating to water development projects; authorizing specified Level I and Level II studies and providing appropriations; requiring reports; providing for reversion of uncontracted funds; authorizing unobligated funds to be used to complete other designated project studies under certain conditions; and providing for an effective date.

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

[2013-2014 WATER PROGRAM]

[AUTHORIZED LEVEL I AND LEVEL II STUDIES]

Section 1. LEVEL I RECONNAISSANCE STUDIES – NEW DEVELOPMENT. The following sums of money are appropriated from water development account I, as created by W.S. 41-2-124(a)(i), to the commission to be expended to conduct the following reconnaissance studies as defined in W.S. 41-2-114. Funds appropriated under this section for a particular project which are in excess of the actual amount necessary to complete the study may, subject to the review of the select water committee, be expended by the commission to complete the reconnaissance study for any other project listed in this section. Appropriated funds not obligated by contract prior to July 1, 2016 shall revert to water development account I. The commission shall submit a report to the legislature on each of the following studies prior to the 2015 legislative session:

[LEVEL I RECONNAISSANCE STUDIES - NEW DEVELOPMENT]

<table>
<thead>
<tr>
<th>PROJECT</th>
<th>LOCATION</th>
<th>APPROPRIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Belle Fourche River Watershed Study</td>
<td>Crook/Campbell/Weston Counties</td>
<td>$350,000</td>
</tr>
<tr>
<td>Blacks Fork Watershed Study</td>
<td>Lincoln/Sweetwater/Uinta Counties</td>
<td>350,000</td>
</tr>
<tr>
<td>High Meadow Ranch Master Plan</td>
<td>Sublette County</td>
<td>175,000</td>
</tr>
<tr>
<td>Lusk Master Plan</td>
<td>Niobrara County</td>
<td>200,000</td>
</tr>
<tr>
<td>Osmond Pipeline Master Plan</td>
<td>Lincoln County</td>
<td>75,000</td>
</tr>
<tr>
<td>Statewide Water Research</td>
<td>Statewide</td>
<td>400,000</td>
</tr>
<tr>
<td>Total appropriation for Section 1</td>
<td></td>
<td>$1,550,000</td>
</tr>
</tbody>
</table>
Section 2. **LEVEL II FEASIBILITY STUDIES – NEW DEVELOPMENT.** The following sums of money are appropriated from water development account I, as created by W.S. 41-2-124(a)(i), to the commission to be expended to conduct the following feasibility studies as defined in W.S. 41-2-114. Funds appropriated under this section for a particular project which are in excess of the actual amount necessary to complete the study may, subject to the review of the select water committee, be expended by the commission to complete the feasibility study for any other project listed in this section. Appropriated funds not obligated by contract prior to July 1, 2016 shall revert to water development account I. The commission shall submit a report to the legislature on each of the following studies prior to the 2015 legislative session:

<table>
<thead>
<tr>
<th>PROJECT</th>
<th>LOCATION</th>
<th>APPROPRIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eden Valley (Farson) Master Plan</td>
<td>Sweetwater County</td>
<td>$90,000</td>
</tr>
<tr>
<td>Hanna Water System</td>
<td>Carbon County</td>
<td>$100,000</td>
</tr>
<tr>
<td>Lower Nowood Water Supply</td>
<td>Washakie County</td>
<td>$75,000</td>
</tr>
<tr>
<td>Pine Haven Tank and Well Study</td>
<td>Crook County</td>
<td>$100,000</td>
</tr>
<tr>
<td>Squaw Creek Water Supply</td>
<td>Teton County</td>
<td>$350,000</td>
</tr>
<tr>
<td><strong>Total appropriation for Section 2</strong></td>
<td></td>
<td><strong>$715,000</strong></td>
</tr>
</tbody>
</table>

Section 3. **LEVEL I RECONNAISSANCE STUDIES – REHABILITATION.** The following sums of money are appropriated from water development account II, as created by W.S. 41-2-124(a)(ii), to the commission to be expended to conduct the following reconnaissance studies as defined in W.S. 41-2-114. Appropriated funds not obligated by contract prior to July 1, 2016 shall revert to water development account II. The commission shall submit a report to the legislature on each of the following studies prior to the 2015 legislative session:

<table>
<thead>
<tr>
<th>PROJECT</th>
<th>LOCATION</th>
<th>APPROPRIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interstate Canal and Beaver Meadows Reservoir Rehabilitation</td>
<td>Sweetwater County</td>
<td><strong>$180,000</strong></td>
</tr>
<tr>
<td><strong>Total appropriation for Section 3</strong></td>
<td></td>
<td><strong>$180,000</strong></td>
</tr>
</tbody>
</table>

Section 4. **LEVEL II FEASIBILITY STUDIES – REHABILITATION.** The following sums of money are appropriated from water development account II, as created by W.S. 41-2-124(a)(ii), to the commission to be expended to conduct the following feasibility studies as defined in W.S. 41-2-114. Funds
appropriated under this section for a particular project which are in excess of the actual amount necessary to complete the study may, subject to the review of the select water committee, be expended by the commission to complete the feasibility study for any other project listed in this section. Appropriated funds not obligated by contract prior to July 1, 2016 shall revert to water development account II. The commission shall submit a report to the legislature on each of the following studies prior to the 2015 legislative session:

**[LEVEL II FEASIBILITY STUDIES - REHABILITATION]**

<table>
<thead>
<tr>
<th>PROJECT</th>
<th>LOCATION</th>
<th>APPROPRIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austin-Wall Reservoir Rehabilitation</td>
<td>Uinta County</td>
<td>$280,000</td>
</tr>
<tr>
<td>Heart Mountain Irrigation District Master Plan</td>
<td>Park County</td>
<td>175,000</td>
</tr>
<tr>
<td><strong>Total appropriation for Section 4</strong></td>
<td></td>
<td><strong>$455,000</strong></td>
</tr>
</tbody>
</table>

**Section 5. LEVEL I RECONNAISSANCE STUDIES – STORAGE.** The following sums of money are appropriated from water development account III, as created by W.S. 41-2-124(a)(iii), to the commission to be expended to conduct the following reconnaissance studies as defined in W.S. 41-2-114. Appropriated funds not obligated by contract prior to July 1, 2016 shall revert to water development account III. The commission shall submit a report to the legislature on each of the following studies prior to the 2015 legislative session:

**[LEVEL I RECONNAISSANCE STUDIES - STORAGE]**

<table>
<thead>
<tr>
<th>PROJECT</th>
<th>LOCATION</th>
<th>APPROPRIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Probable Maximum Precipitation- Cool Season Analysis</td>
<td>Statewide</td>
<td>$250,000</td>
</tr>
<tr>
<td><strong>Total appropriation for Section 5</strong></td>
<td></td>
<td><strong>$250,000</strong></td>
</tr>
</tbody>
</table>

**Section 6. LEVEL II FEASIBILITY STUDIES – STORAGE.** The following sums of money are appropriated from water development account III, as created by W.S. 41-2-124(a)(iii), to the commission to be expended to conduct the following feasibility studies as defined in W.S. 41-2-114. Funds appropriated under this section for a particular project which are in excess of the actual amount necessary to complete the study may, subject to the review of the select water committee, be expended by the commission to complete the feasibility study for any other project listed in this section. Appropriated funds not obligated by contract prior to July 1, 2016 shall revert to water development account III. The commission shall submit a report to the legislature on each of the following studies prior to the 2015 legislative session:
[LEVEL II FEASIBILITY STUDIES - STORAGE]

<table>
<thead>
<tr>
<th>PROJECT</th>
<th>LOCATION</th>
<th>APPROPRIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clear Creek Storage</td>
<td>Johnson/Sheridan Counties</td>
<td>$350,000</td>
</tr>
<tr>
<td>Cottonwood/Grass Creek Creek</td>
<td>Hot Springs County</td>
<td>70,000</td>
</tr>
<tr>
<td>Shell Valley Storage</td>
<td>Big Horn County</td>
<td>150,000</td>
</tr>
<tr>
<td>Sublette Creek Reservoir</td>
<td>Lincoln County</td>
<td>252,000</td>
</tr>
<tr>
<td>West Fork Reservoir</td>
<td>Carbon County</td>
<td>$7,000,000</td>
</tr>
</tbody>
</table>

Total appropriation for Section 6 $7,822,000

Section 7. 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.

Approved February 18, 2013.

Chapter 67

COLLECTION OF UNPAID WAGES

Original House Bill No. 79

AN ACT relating to the collection of unpaid wages; amending the definition of unpaid wages to exclude the value of accrued vacation as specified; and providing for an effective date.

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

Section 1. W.S. 27-4-501(a)(iii) is amended to read:

27-4-501. Definitions.

(a) Whenever used in this act:

(iii) “Wages” means compensation, including fringe benefits, for labor or services rendered by an employee, whether the amount is determined on a time, task, piece, commission, or other basis, but does not include the value of vacation leave accrued at the date of termination if the written policies of the employer provide that accrued vacation is forfeited upon termination of employment and the written policies are acknowledged in writing by the employee:

Section 2. This act is effective July 1, 2013.

Approved February 18, 2013.
Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 9-4-831(a)(ix)(intro), (B)(I) through (IV), (x)(intro) and (B)(I) through (IV) is amended to read:

9-4-831. Investment of public funds.

(a) The state treasurer, or treasurer of any political subdivision, municipality or special district of this state, and the various boards of trustees and boards of directors of county hospitals, airports, fairs and other duly constituted county boards and commissions, may invest in:

(ix) Certificates of deposit Interest bearing deposits of a savings and loan association or a federal savings bank authorized to do business in this state to the extent that they are fully insured by the federal deposit insurance corporation, or:

(B) The federal savings bank or savings and loan association is otherwise authorized as a depository as prescribed by law and:

(I) In lieu of a pledge of assets securing a certificate of an interest bearing deposit, a selected savings and loan association or federal savings bank simultaneously shall arrange for the deposit of the public funds in certificates of deposit interest bearing deposits in one (1) or more banks or savings and loan associations or federal savings banks wherever located in the United States, for the account of the public funds depositor;

(II) At the same time the public funds are deposited and the certificates of deposit are issued for the benefit of the public funds depositor pursuant to this subparagraph, the selected savings and loan association or federal savings bank shall receive an amount of deposits from customers of other banks or savings and loan associations or federal savings banks financial institutions equal to the amount of the public funds initially placed by the public funds depositor;

(III) Each certificate of interest bearing deposit shall be insured by the federal deposit insurance corporation; and

(IV) The selected savings and loan association or federal savings bank shall act as custodian for the public funds depositor with respect to the certificates of deposit issued for interest bearing deposits placed in the public funds depositor's account.
(x) Certificates of deposit Interest bearing deposits of a bank authorized to do business in this state to the extent that they are fully insured by the federal deposit insurance corporation or:

(B) The bank is otherwise authorized as a depository as prescribed by law and:

(I) In lieu of a pledge of assets securing a certificate of deposit an interest bearing deposit, a selected bank simultaneously shall arrange for the deposit of the public funds in certificates of deposit interest bearing deposits in one (1) or more banks or savings and loan associations or federal savings banks wherever located in the United States, for the account of the public funds depositor;

(II) At the same time the public funds are deposited and the certificates of deposit are issued for the benefit of the public funds depositor pursuant to this subparagraph, the selected bank shall receive an amount of deposits from customers of other banks or savings and loan associations or federal savings banks—financial institutions equal to the amount of the public funds initially placed by the public funds depositor;

(III) Each certificate of interest bearing deposit shall be insured by the federal deposit insurance corporation; and

(IV) The selected bank shall act as custodian for the public funds depositor with respect to the certificates of deposit issued for interest bearing deposits placed in the public funds depositor's account.

Section 2. This act is effective July 1, 2013.

Approved February 18, 2013.

Chapter 69

STATE PARKS-ACQUISITION OF LANDS

Original Senate File No. 43

AN ACT relating to state parks and cultural resources; authorizing the acceptance of lands as specified; and providing for an effective date.

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

Section 1.

(a) Subject to the provisions of subsection (b) of this section, the legislature authorizes the acceptance of the following lands to be managed by the department of state parks and historic sites upon final negotiation with the appropriate parties:

(i) Portions of Township 26N Range 66W as follows:

(A) SE¼ SW¼, S½ SE¼, NE¼ SE¼, and SE¼ NE¼ of Section 4;
(B) NW¼ SW¼, S½ NW¼, SW¼ NE¼, and Lot 2 of Section 3;
(C) All of Lots 2 and 3 south and west of the oxbow of the North Platte River, N½ SW¼, Parcel 2 B288 P644, SW¼ SE¼, Lot 4 (SE¼ SE¼), Parcel 1 B288 P644 of Section 2;
(D) Lots 3 and 2 and lands south of the North Platte River in SW¼ SE¼ of Section 1; and
(E) N½ NW¼ and Lot 2 of Section 12.

(ii) Those lands owned by the state of Wyoming and managed under the authority of the board of land commissioners described as follows:
(A) NW¼ SE¼ of Section 4;
(B) SE¼ NE¼, and Lot 1 of Section 3.

(b) Portions of land owned by Wyoming military department included in the description in subsection (a) of this section shall be transferred to the department in, or managed by agreement by, phases. A property survey and certified legal description shall be completed prior to any transfer or agreement. The first phase shall include lands where there are no existing conditions precluding transfer. Phase II lands shall include those areas which fall within current surface danger zones (SE¼ SW¼, NE¼ SE¼, SE¼ NE¼, and S½ SE¼ of Section 4, N½ NW½ SW¼ and west 396 feet Lot 3 of Section 2, and NW¼ SW¼, S½ NW¼, SW¼ NE¼, and Lot 2 of Section 3). Phase II lands shall be transferred when surface danger zones have been fully mitigated. The third phase shall include lands owned by Wyoming military department (S½ N½ SW¼ of Section 2, Parcel 2 B288 P644, and lands west of the County Road in W½ SW¼ SE¼ of Section 2) which shall be managed by memorandum of understanding describing appropriate access and development. Portions of land owned by the Town of Guernsey or acquired by the Wyoming military department by means of purchase or trade included in the description in subsection (a) of this section shall be managed under a memorandum of understanding between the department and the owners or transferred directly to the department of state parks and cultural resources if they are owned by the Wyoming military department. In the event the state of Wyoming board of land commissioners exchanges land parcels included in the description in Section 1(a)(ii) with the Wyoming military department, those lands may then be transferred to the department of state parks and cultural resources pursuant to this act.

Section 2. 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.

Approved February 19, 2013.
Chapter 70

PUBLIC LIBRARY ENDOWMENT CHALLENGE PROGRAM EXTENSION

Original Senate File No. 94

AN ACT relating to the Wyoming public library endowment challenge program; extending time for gifting to program; and providing for an effective date.

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

Section 1. W.S. 18-7-202(a)(ii)(A) and (B) and 18-7-204(h) are amended to read:

18-7-202. Definitions.
(a) As used in this article:

(ii) “Endowment gift” means an irrevocable gift or transfer to a Wyoming public library foundation of money or other property, whether real, personal, tangible or intangible, and whether or not the donor or transferor retains an interest in the property, where the gift of the foundation’s interest in the property is required to be used by the foundation exclusively for endowment purposes, where:

(A) The gift was received or the transfer occurred during the period July 1, 2008, through June 30, 2013; or

(B) A commitment to make the gift or transfer was made in writing to the respective public library foundation, which commitment was received during the period July 1, 2008, through June 30, 2013, and the gift was received or the transfer occurred not later than December 31, 2013.

18-7-204. Endowment challenge fund matching program; matching payments; agreements with foundations; annual reports.

(h) Each public library shall on or before October 1 of each year, submit a report to the state treasurer from its foundation on the endowment matching program under this section for the preceding fiscal year. The report shall include a summary of funds raised under this program and the expenditure of endowment earnings. The report required under this subsection shall be for each applicable fiscal year through June 30, 2019.

Section 2. 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.

Approved February 19, 2013.
Chapter 71

FEDERAL MOTOR CARRIER SAFETY ACT COMPLIANCE

AN ACT relating to commercial driver's licenses; amending commercial driver's license statutes to comply with federal law; renaming commercial driver instruction permits; amending definitions; amending renewal and waiting periods; providing age limits; amending skills tester requirements; specifying the form of permits; specifying when commercial driver's license applicants are disqualified; and providing for an effective date.

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

Section 1. W.S. 7-19-106(a)(xvi), 7-19-201(a)(xviii) and by creating a new paragraph (xxi), 31-7-102(a)(viii), (xxv), (xlvi), by creating a new paragraph (xlviii) and by renumbering (xlviii) as (xlxi), 31-7-108(d), 31-7-110(e), 31-7-111(a), (b)(iv) and (f), 31-7-113(a)(vii), 31-7-114(e) and (f)(i) and by creating new paragraphs (iii) through (vi), 31-7-115(a)(ii) and by creating new subsection (c), 31-7-123, 31-7-133(a)(vii), 31-7-304 by creating a new subsection (g) and 31-7-305 by creating new subsections (p) and (q) are amended to read:


(a) Criminal history record information shall be disseminated by criminal justice agencies in this state, whether directly or through any intermediary, only to:

(xvi) The department of transportation for purposes of dealer and wholesaler licensing and permitting under title 31, chapter 16 and for purposes of performing background checks required by W.S. 31-7-103(b) and 31-7-114(f)(iv);

7-19-201. State or national criminal history record information.

(a) The following persons shall be required to submit to fingerprinting in order to obtain state and national criminal history record information:

(xviii) Employees, prospective employees and volunteers of the Wyoming department of transportation, as necessary to perform the background checks required by W.S. 31-7-103(b) and 31-7-114(f)(iv);

(xxii) Persons conducting skills testing under W.S. 31-7-114(f)(iv).

31-7-102. Definitions.

(a) As used in this act:

(viii) “Commercial vehicle” or “commercial motor vehicle” means a motor vehicle designed or vehicle combination used in commerce to transport passengers or property if the motor vehicle:

(A) Has a gross vehicle combination weight rating or gross combina-
tion weight of twenty-six thousand one (26,001) or more pounds, whichever is
greater, inclusive of a towed unit or units with a gross vehicle weight rating or
gross vehicle weight of more than ten thousand (10,000) pounds, whichever is
greater; or

(B) Is designed to transport sixteen (16) or more passengers, including
the driver; or

(C) Is of any size and is used in the transportation of hazardous materi-
als found to be hazardous for the purposes of the Hazardous Materials Trans-
portation Act and which require the motor vehicle to be placarded under the
Hazardous Material Regulations (49 CFR Part 172, Subpart F)—as defined in
W.S. 31-7-102(a)(xxiii); or

(D) Has a gross vehicle weight rating or gross vehicle weight of twenty-
six thousand one (26,001) pounds or more, whichever is greater.

(xxxv) “License”, “driver’s license”, “commercial driver’s license”, “instruc-
tion permit”, “commercial learner’s permit” or “intermediate permit” means a
license or permit secured by a person from the division, in accordance with
this act which grants the privilege to drive or operate a motor vehicle on the
public highways, streets and roads of this state;

(xlv) “Tank vehicle” means any commercial motor vehicle that is designed
to transport any liquid or gaseous materials within a tank that is either per-
manently or temporarily attached to the chassis of the vehicle. Such vehicles
include, but are not limited to, cargo tanks and portable tanks. However, this
definition does not include tanks having a rated capacity under one thousand
(1,000) gallons or tanks having an individual rated capacity of more than one
hundred nineteen (119) gallons and an aggregate rated capacity of one thou-
sand (1,000) gallons or more which are either permanently or temporarily at-
tached to the vehicle or the chassis. A commercial motor vehicle transporting
an empty storage container tank, not designed for transportation, with a rated
capacity of one thousand (1,000) gallons or more that is temporarily attached
to a flatbed trailer is not considered a tank vehicle;

(xlviii) “Commercial learner’s permit” means a permit issued to an indi-
vidual which, when carried with a valid driver’s license issued in accordance
with this act, authorizes an individual to operate a commercial motor vehicle
when accompanied by a passenger holding a valid commercial driver’s license
for the class and type of vehicle being driven.

(xlviii)(xl) “This act” means W.S. 31-7-101 through 31-7-313.

31-7-108. Persons not to be licensed; investigation by the division.

(d) Subject to W.S. 31-7-313, a commercial driver’s license or commercial
driver instruction learner’s permit shall not be issued to a person while the
person is subject to a cancellation, revocation, suspension or disqualification
from driving a commercial motor vehicle.
31-7-110. Instruction and temporary driver’s permits.

(e) Any person who holds a valid Wyoming classified driver’s license and who is at least eighteen (18) years of age may apply to the division for a commercial driver instruction learner’s permit. The division may, after the person has successfully passed all required examination, other than the driving skills examination and paid the required fee, issue to the person a commercial driver instruction learner’s permit, which entitles the person to drive a commercial motor vehicle on a highway only when accompanied by a person who has a commercial driver’s license valid for the type of vehicle driven and who occupies a seat beside the person for the purpose of giving instruction in driving the commercial motor vehicle. The commercial driver instruction learner’s permit may not be issued for a period to exceed one (1) year one hundred eighty (180) days and only one (1) renewal may be granted within a two (2) year period for an additional period of one hundred eighty (180) days. Every person holding a commercial driver’s license shall obtain a commercial learner’s permit prior to upgrading their commercial driver’s license to a higher class type, adding an endorsement or removing a restriction which requires a skills test.

31-7-111. Application for license or permit generally.

(a) Every application for an instruction permit, driver’s license, commercial driver’s license or commercial driver instruction learner’s permit shall be made upon a form furnished by the division. Every application shall be accompanied by the proper fee, proof of residence and proof of identity. Proof of identity shall be established by a certified copy of the applicant’s birth certificate, valid unexpired United States passport, consular report of birth abroad, certificate of citizenship, certificate of naturalization, permanent resident card, employment authorization document, foreign passport (with United States visa affixed and accompanied by an approved document documenting the applicant’s most recent admittance to the United States), state issued driver’s license or identification card which complies with federal law and applicable regulations, or other document required by the division to establish identity where reasons beyond the applicant’s control prevent the applicant from presenting the documents required by this subsection.

(b) The application shall include:

   (iv) The person’s social security number or other numbers or letters deemed appropriate on applications for instruction permits, driver’s licenses, commercial driver’s licenses and commercial driver instruction learner’s permits;

   (f) No person shall be issued a driver’s license within ten (10) days of issuance of an instruction or temporary driver’s permit for the same vehicle class. A commercial driver’s license issued after a commercial learner’s permit shall be subject to the time restrictions stated in W.S. 31-7-304(g).
31-7-113. Fees.
(a) The following fees are imposed:
   (vii) Commercial driver instruction learner's permit.......................$20.00

31-7-114. Examinations.
(e) No person may be issued a commercial driver's license or commercial learner's permit unless the person is a resident of this state and has passed a knowledge and skills test for driving a commercial motor vehicle as prescribed by rules and regulations of the department which shall at a minimum include the standards established by the secretary of the United States department of transportation. Except as provided in subsections (f) and (g) of this section, the tests shall be prescribed and conducted by the department. The written test for a hazardous materials endorsement shall be taken and passed if the person seeks to retain the “H” endorsement authorized under W.S. 31-7-304(a)(ii)(A).

(f) The department may authorize a person, including an agency of this or another state, an employer, a private driver training facility or other private institution, or a department, agency or instrumentality of local government including fire departments to administer the skills test specified by subsection (a) of this section, provided:
   (i) The test is the same which the department would administer; and
   (iii) A third party tester who is not a division of the state is bonded in an amount and as required by rules adopted by the department;
   (iv) Fingerprints and other necessary information is provided by, and a federal bureau of investigation's criminal background check is conducted on, every person conducting skills testing on and after January 1, 2014 and on an annual basis thereafter;
   (v) No skills test is conducted on a student or graduate of a commercial vehicle training school by any commercial vehicle training school examiner who provided instruction to the student or graduate; and
   (vi) Every person conducting a skills test shall conduct no less than ten (10) skills tests per year. Any skills tester who performs less than ten (10) tests per year shall be subject to recertification pursuant to rules adopted by the department.

31-7-115. Issuance, description and contents.
(a) Upon the satisfactory completion of any required examination, the division shall issue to every qualifying applicant a driver's license, and:
   (ii) The commercial driver's license and commercial learner's permit shall be marked “Commercial Driver's License” or “CDL”;
   (c) Any permit issued in connection with a commercial learner's permit shall be issued on a separate document which shall comply with all security measures required by the department to comply with applicable federal law.
31-7-123. Authority of division to cancel license or permit.
The division may cancel any driver's license, or instruction permit or commercial learner's permit upon determining that the licensee or permittee was not entitled to the license or permit, that the licensee or permittee failed to give the required or correct information in his application, that the license or permit has been altered or upon receipt of a written statement from a licensed treating physician or optometrist stating that the licensee or permittee is not capable of safely operating a motor vehicle. The licensed treating physician or optometrist may request an examination by the division under W.S. 31-7-122.

31-7-133. Unlawful use of license.
(a) It is an unlawful use of a license and is a misdemeanor for any person to:

(vii) Drive a vehicle in violation of the endorsements on his driver's license, or commercial driver's license or commercial learners, instruction or temporary permit.

31-7-304. Issuance; classifications and endorsements.
(g) Before applying for a commercial driver's license, an applicant shall have held a commercial learner's permit in this state or another state for not less than fourteen (14) days.

31-7-305. Disqualification and cancellation; right to a hearing.
(p) If an applicant for a commercial driver's license or a commercial learner's permit has been found to have made a false application or been convicted of making a false application, the applicant may have his commercial driver's license or commercial learner's permit cancelled and be disqualified from operating a commercial motor vehicle for a period of sixty (60) days.

(q) Upon the department receiving credible information that the holder of a commercial driver's license or commercial learner's permit is suspected of obtaining the license in a fraudulent manner, the state shall notify the license holder in writing at the address on file that they have thirty (30) days to contact the department and schedule retesting. The notification shall specify what tests must be retaken. If the license holder does not contact the department, does not take the test required or fails any rescheduled test, the license holder shall have his license cancelled. Once cancelled, the license holder shall be required to reapply to the department to obtain a commercial driver's license or commercial learner's permit.

Section 2. This act is effective January 1, 2014.

Approved February 19, 2013
Chapter 72

BIGHORN SHEEP RELOCATION

Original Senate File No. 76

AN ACT relating to game and fish; providing an appropriation; directing the removal or relocation of bighorn sheep as specified; and providing for an effective date.

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

Section 1. There is appropriated thirty-seven thousand five hundred dollars ($37,500.00) from the general fund to the game and fish department. This appropriation shall be for the period beginning with the effective date of this act and ending December 31, 2015. This appropriation shall only be expended for the purpose of removing or relocating bighorn sheep from the Sierra Madre mountain range of the Medicine Bow National Forest if a final federal judicial or agency action, including all appeals, requires the elimination or suspension of any domestic sheep grazing in the Sierra Madre portion of the Medicine Bow National Forest. Removal or relocation shall be accomplished by the department no later than December 31, 2015. Notwithstanding any other provision of law, this appropriation shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation shall revert as provided by law on December 31, 2015. This appropriation shall not be included in the department’s 2015-2016 standard biennial budget request.

Section 2. This act is effective July 1, 2013.

Approved February 19, 2013.

Chapter 73

GENERAL GOVERNMENT APPROPRIATIONS

Original House Bill No. 1

AN ACT relating to supplemental appropriations for the operation of state government; increasing or decreasing certain amounts; adjusting the number of authorized positions; modifying prior appropriations; making additional appropriations; making certain appropriations subject to the terms and conditions specified; providing transfers of certain funds as specified; and providing for an effective date.

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

Section 1. As used in this act:

(a) “Agency” means any governmental unit or branch of government receiving an appropriation under this act;

(b) "Appropriation" means the authorizations granted by the legislature under this act to make expenditures from and to incur obligations against the general and other funds as specified;
Ch. 73  SESSION LAWS OF WYOMING, 2013  178

(c) “Approved budget” means an approved budget as defined by W.S. 9-2-1005(e);

(d) “AG” means an agency’s account within the agency fund;

(e) “AR” means American Recovery and Reinvestment Act funds;

(f) “A4” means agency trust account;

(g) “EF” means the agency’s account within the enterprise fund;

(h) “FF” means federal funds;

(j) “IS” means the agency’s account within the internal service fund;

(k) “PF” means the retirement account created by W.S. 9-3-407(a);

(m) “PR” means private funding sources;

(n) “RB” means revenue received from the issuance of revenue bonds;

(o) “SR” means an agency’s account within the special revenue fund;

(p) “S1” means earmarked water development account I created by W.S. 41-2-124(a)(i);

(q) “S2” means earmarked water development account II created by W.S. 41-2-124(a)(ii);

(r) “S3” means the budget reserve account;

(s) “S4” means the local government capital construction account funded by W.S. 9-4-601(a)(vi) and (b)(i) and 39-14-801(e)(ix);

(t) “S5” means the school foundation program account within the special revenue fund;

(u) “S6” means the school capital construction account within the special revenue fund;

(w) “S7” means the highway account within the special revenue fund;

(y) “S8” means the game and fish account within the special revenue fund;

(z) “S0” means other funds identified by footnote;

(aa) “T1” means the omnibus permanent land fund;

(bb) “T2” means the miners’ hospital permanent land income fund;

(cc) “T3” means the state hospital permanent land fund;

(dd) “T4” means the training school permanent land fund;

(ee) “T6” means the university permanent land income fund;

(ff) “T7” means the state employee group insurance flexible benefits account;

(gg) “T0” means other expendable trust funds administered by individual agencies for specific functions within the agencies’ authority;

(hh) “TT” means the tobacco settlement trust income account.
Section 2. Sections 001, 002, 003, 004, by creating a new section 005 and by renumbering 005 as 206, 006, 007, 008, 009, 010, 011, 014, 015, 020, 021, 024, 027, 032, 037, 039, 040, 041, 042, 044, 045, 048a, 048b, 049, 051, 053, 057, 060, 063, 066, 067, 070, by creating a new section 077, 080, 081, 085, 101, 103, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, by creating a new section 142, 151, 157, 160, 167, 205, 211, 220 and 013 of 2012 Wyoming Session Laws, Chapter 26, Section 2 are amended to read:

Section 001. OFFICE OF THE GOVERNOR

PROGRAM

<table>
<thead>
<tr>
<th>APPROPRIATION FOR</th>
<th>GENERAL FUND</th>
<th>FEDERAL FUNDS</th>
<th>OTHER FUNDS</th>
<th>TOTAL APPROPRIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>$7,619,544</td>
<td>$7,849,504</td>
<td></td>
<td>$15,469,048</td>
</tr>
<tr>
<td>Tribal Liaison</td>
<td>400,000</td>
<td></td>
<td></td>
<td>400,000</td>
</tr>
<tr>
<td>Comm on Uniform Laws</td>
<td>67,286</td>
<td></td>
<td></td>
<td>67,286</td>
</tr>
<tr>
<td>Special Contingency</td>
<td>315,000</td>
<td></td>
<td></td>
<td>315,000</td>
</tr>
<tr>
<td>Clean Coal Technology</td>
<td>100,000</td>
<td></td>
<td></td>
<td>100,000</td>
</tr>
<tr>
<td></td>
<td>25,000</td>
<td></td>
<td></td>
<td>25,000</td>
</tr>
<tr>
<td>Homeland Security</td>
<td>2,837,998</td>
<td>20,452,104</td>
<td>619,310</td>
<td>23,809,412</td>
</tr>
<tr>
<td></td>
<td>2,676,806</td>
<td></td>
<td></td>
<td>23,748,220</td>
</tr>
<tr>
<td>Natural Resource Policy</td>
<td>1,000,000</td>
<td></td>
<td></td>
<td>1,000,000</td>
</tr>
<tr>
<td>Endangered Species Admin</td>
<td>1,641,801</td>
<td></td>
<td></td>
<td>1,641,801</td>
</tr>
<tr>
<td></td>
<td>1,358,807</td>
<td></td>
<td></td>
<td>1,358,807</td>
</tr>
<tr>
<td>TOTALS</td>
<td>13,692,403</td>
<td>20,452,104</td>
<td>619,310</td>
<td>34,763,817</td>
</tr>
</tbody>
</table>

AUTHORIZED EMPLOYEES

<table>
<thead>
<tr>
<th></th>
<th>Full Time</th>
<th>Part Time</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>46</td>
<td>1</td>
</tr>
<tr>
<td>TOTAL</td>
<td>47</td>
<td></td>
</tr>
</tbody>
</table>

1. (a) Of this general fund appropriation, one hundred thousand dollars ($100,000.00) shall only be expended for purposes of this footnote. The governor may review whether there is a need to make deep water ports available to receive rail shipments of large volumes of Wyoming nonrenewable natural resources. If the governor determines there is a need and that benefits would accrue to the state in securing that availability, he may expend not more than one hundred thousand dollars ($100,000.00) of this general fund appropriation to support efforts to do so.

(b) Of this general fund appropriation, fifty thousand dollars ($50,000.00) shall only be expended for purposes of this footnote. The governor’s office may
use funds appropriated with this footnote to encourage the development of liquid natural gas export facilities using Wyoming produced natural gas. The governor’s office may also use these funds to encourage the routing of tar sands oil pipelines through Wyoming to gulf coast refineries.

2. Any unexpended, unobligated monies remaining in the special contingency account shall not revert on June 30, 2012 and are hereby reappropriated to the office of the governor for the special contingency program for the period beginning July 1, 2012 and ending June 30, 2014. This footnote is effective immediately.

3. In the event that 2012 Senate File 0033 is enacted into law, the public safety communications commission function and associated funding and position shall be transferred to the office of homeland security within the governor’s office.

4. Of this general fund appropriation, one hundred twenty-five thousand dollars ($125,000.00) shall only be expended for the streamlining government initiative to review and improve state rules and regulations, and to provide a report regarding the review to the joint appropriations interim committee no later than November 1, 2013. The appropriation associated with this footnote shall be considered one-time funding and shall not be included in the agency’s 2015-2016 standard budget request.

5. This general fund appropriation shall be deposited into the federal natural resource policy account created by W.S. 9-4-218(a).

6. Two hundred fifty thousand dollars ($250,000.00) of this general fund appropriation shall only be expended to identify impediments and act on opportunities to improve Wyoming’s access to and growth in domestic and international markets for natural gas, oil, coal, uranium, power, manufacturing, tourism and other commodities and products. This will include taking action to improve the state’s relative strength in the global market; access to markets and related regulatory, logistic and infrastructure concerns; recommendations for outreach, marketing, trade representation and international relations; opportunities to add value to Wyoming commodities and products; coordination of state agency efforts including, but not limited to, those of the governor’s office, the Wyoming business council, the office of travel and tourism, the Wyoming pipeline authority, the Wyoming infrastructure authority, the University of Wyoming and the school of energy resources; and making further recommendations. On or before December 31, 2013, the governor’s office shall report to the joint minerals, business and economic development interim committee and the joint appropriations interim committee concerning progress under this footnote. No funds associated with this footnote shall be used for travel to a foreign country without prior approval of the governor.
181  SESSION LAWS OF WYOMING, 2013  Ch. 73

Section 002. SECRETARY OF STATE

PROGRAM
Administration  6,501,164  172,444  75,388  SR  6,748,993
  6,487,085
Securities Enforcement  573,791  SR  573,791
Bucking Horse & Rider  200,200  AG  200,200
Constitutional Amends ¹  377,000  377,000

TOTALS  6,878,161  172,444  849,379  6,864,085  7,899,984

AUTHORIZED EMPLOYEES
Full Time ²  31
Part Time  0
TOTAL  31

1. Of this general fund appropriation, three hundred seventy-seven thousand dollars ($377,000.00) shall only be expended for the purpose of paying costs of publication required by W.S. 22-20-104 for constitutional resolutions passed in the 2011 and 2012 legislative sessions. Any unexpended, unobligated funds remaining from the appropriation specified in this footnote shall revert to the general fund on November 30, 2012.

2. Upon a vacancy occurring in the authorized positions for this office after the effective date of this act, the number of authorized positions for the remainder of 2013-2014 fiscal biennium shall be reduced by one (1). The secretary of state and the department of administration and information are authorized to reclassify a position within the office as necessary to meet the requirements of the office and the provisions of this footnote.

Section 003. STATE AUDITOR

PROGRAM
Administration  17,530,641  17,530,641
  17,417,817
Brucellosis ¹  500,000  500,000
GF License Rev Recoup  1,825,000  1,825,000

TOTALS  19,855,641  0  0  19,855,641

AUTHORIZED EMPLOYEES
Full Time  25
Part Time  0
TOTAL  25
1. Of this general fund appropriation, five hundred thousand dollars ($500,000.00) shall only be expended for brucellosis testing and containment efforts. The auditor shall distribute these funds as directed by the governor.

Section 004. STATE TREASURER

PROGRAM

| Treasurer’s Operations       | $4,175,404 | 4,175,404 |
| Veterans’ Tax Exemp          | 4,005,946  | 4,005,946 |
| Manager Payments             | 11,063,000 | 11,063,000 |
| Unclaimed Property           | 49,220,440 AG | 264,864 SR | 49,485,304 |
| Indian Motor Veh Exemp       | 1,512,837 AG | 1,512,837 |
|                             | 615,700     | 615,700    |
| **TOTALS**                  | 15,854,104  | 0         | 50,998,141 | 66,852,245 |
|                             | 15,684,646  | 0         | 66,682,787 |

AUTHORIZED EMPLOYEES

| Full Time | 26 | 25 |
| Part Time | 0 |
| TOTAL     | 26 | 25 |

1. Of this general fund appropriation, five hundred twenty-eight thousand dollars ($528,000.00) is effective immediately.

Section 005. SUP OF PUBLIC INST

PROGRAM

| Administration       | 1,130,681 | 1,130,681 |
| 100 series           | 96,354    | 96,354    |
| 200 series           | 7,394     | 7,394     |
| 400 series           | 60,000    | 60,000    |
| 900 series           | 66,576    | $5| 66,576 |
| Teacher of the Year  | 1,294,429 | 0 | 66,576 | 1,361,005 |
| 600 series           | 8 |

AUTHORIZED EMPLOYEES

| Full Time | 8 |
| Part Time | 0 |
| TOTAL     | 8 |
1. (a) Pursuant to 2013 Wyoming Session Laws, Chapter 1, and in further implement-ation of that act:

   (i) Except as otherwise specified in this section, all state, federal and other funds appropriations, authorizations and personnel within all divisions and units within agency 005, department of education prior to the renumbering of that agency by this act, are hereby transferred to renumbered agency 206, department of education. For budgetary purposes, agency 005 shall be retitled “office of superintendent of public instruction”;

   (ii) Any transfer of funds within agency 005 and 206 or between agencies 005 and 206 shall be in accordance with the B-11 process authorized by W.S. 9-2-1005(b)(ii) and shall be reported by the governor to the joint appropriations interim committee in the monthly report provided by W.S. 9-2-1005(o). Any transfer of funds pursuant to this paragraph shall not be subject to the restrictions imposed in 2012 Wyoming Session Laws, Chapter 26, Section 309(a). Terms and conditions of the footnotes incorporated within section 2, renumbered section 206 of this act, as provided in 2012 Wyoming Session Laws, Chapter 26, and as amended by this act, where applicable, shall apply to agency 005 and agency 206.

2. Beginning with the effective date of this act and ending June 30, 2014, the budget for the office of superintendent of public instruction shall be as provided in this section subject to modification by the governor as authorized by 2013 Wyoming Session Laws, Chapter 1.

3. The superintendent of public instruction shall provide a staffing plan to the division of human resources within the department of administration and information no later than March 22, 2013. The division shall classify all positions and salaries not set by statute within agency 005, office of superintendent of public instruction, no later than April 30, 2013 to be effective June 1, 2013.

4. No funds appropriated within section 005, office of superintendent of public instruction, shall be expended for programs, initiatives or other activities not expressly authorized by law.

5. Nothing in this section shall limit the authority of the governor to transfer funds, positions or property between agency 206, department of education, and agency 005, office of superintendent of public instruction, as otherwise provided by law.

6. In the event that the superintendent of public instruction desires to implement and fund the teacher-to-teacher program, also known as the special education literacy program, or other equivalent program or initiative not expressly authorized by law, the superintendent shall present the program, together with peer reviewed data demonstrating the strengths and weaknesses of the pro-
gram or initiative, to the joint education interim committee. In the event the joint education interim committee determines the program or initiative should be authorized and funded, the committee shall introduce appropriate legislation in the 2014 budget session.

Section 005-206. DEPARTMENT OF EDUCATION \(^{1,2,5}\)

PROGRAM

<table>
<thead>
<tr>
<th>APPROPRIATION FOR</th>
<th>GENERAL FUND</th>
<th>FEDERAL FUNDS</th>
<th>OTHER FUNDS</th>
<th>TOTAL APPROPRIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Education Trust Fund</td>
<td>$600,000 AG</td>
<td>$600,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Douvas Scholarship</td>
<td>$1,000 T0</td>
<td>$1,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Workshops &amp; Conferences</td>
<td>$77,525 SR</td>
<td>$77,525</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Montgomery Trust</td>
<td>$468,495 T0</td>
<td>$468,495</td>
<td></td>
<td></td>
</tr>
<tr>
<td>WDE General Fund Prog (^{3,4})</td>
<td>$18,984,323</td>
<td>$7,087,107</td>
<td>$26,071,430</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$16,672,919</td>
<td>$6,941,147</td>
<td>$23,614,066</td>
<td></td>
</tr>
<tr>
<td>WDE Federal Fund Prog (^3)</td>
<td></td>
<td>$231,472,487</td>
<td>$2,435,226</td>
<td>$233,907,713</td>
</tr>
<tr>
<td>TOTALS</td>
<td>$18,984,323</td>
<td>$231,472,487</td>
<td>$10,669,353</td>
<td>$261,126,163</td>
</tr>
<tr>
<td></td>
<td>$16,672,919</td>
<td>$10,523,393</td>
<td></td>
<td>$258,668,799</td>
</tr>
</tbody>
</table>

AUTHORIZED EMPLOYEES

| | Full Time | Part Time | TOTAL |
| | | | |
| | \(124\) | \(6\) | \(130\) |
| | \(111\) | \(4\) | \(115\) |

1. The department shall obtain the written approval of the state building commission prior to entering into any agreement for changes to existing or additional leased office space.

2. All changes to the department's budget as authorized in this section shall be documented via the B-11 process as authorized by W.S. 9-2-1005(b)(ii). It is the intent of this footnote to require the department to use the B-11 process for budgetary additions and transfers between and within divisions, including transfers and additions at the unit level.

3. (a) Amounts within units 6104, 6105, 6130, 6132, 6160 and 6373 of the WDE general fund and federal fund programs, as appropriated by 2010 Wyoming Session Laws, Chapter 39, Section 2, Section 005, and amounts within units 6173 and 6174 as appropriated in 2011 Wyoming Session Laws, Chapter 184, Section 5(d), and as appropriated for the fiscal biennium commencing July 1, 2012 and ending June 30, 2014, shall only be expended for education testing and assessment purposes. Unless approved for transfer under W.S. 9-2-1005(b)(ii), no funds appropriated within units 6104, 6105, 6130, 6132, 6160 and 6373 of the WDE general fund and federal fund programs, as appropriated by 2010 Wyoming Session Laws, Chapter 39, Section 2, Section 005, and units
6173 and 6174 as appropriated in 2011 Wyoming Session Laws, Chapter 184, Section 5(d), shall be expended for any purpose other than for education testing and assessment as required by law.

(b) Any unencumbered, unexpended, unobligated funds within units 6104, 6105, 6130, 6132, 6160 and 6373 of the WDE general fund and federal fund programs appropriated by 2010 Wyoming Session Laws, Chapter 39, Section 2, Section 005, and within units 6173 and 6174 as appropriated in 2011 Wyoming Session Laws, Chapter 184, Section 5(d), which are not expended on testing and assessments as identified in the agency’s budget request for these units or as specified by law, together with any reversions of encumbered amounts from the 2011-2012 fiscal biennium, are reappropriated to the education testing and assessment account which is hereby created by this footnote within the state auditor’s office. In addition, amounts appropriated within units 6104, 6105, 6130, 6160 and 6373 of the WDE general fund and federal fund programs appropriated for the fiscal biennium commencing July 1, 2012 and ending June 30, 2014, are as of the effective date of this footnote, reappropriated to this education testing and assessment account.

(c) Any unexpended, unencumbered, unobligated amounts within WDE general fund and federal fund programs which have been designated by the agency for teacher to teacher programs, including any amounts appropriated for these purposes in this act, shall be transferred to the education testing and assessment account created under this footnote.

(d) The department of audit shall audit the expenditure of amounts appropriated by 2010 Wyoming Session Laws, Chapter 39, Section 2, Section 005 within the WDE general fund and federal fund programs, together with amounts appropriated by 2011 Wyoming Session Laws, Chapter 184, Section 5(d), and shall ensure such amounts were expended for assessment and testing. In addition, the audit shall identify unexpended amounts and shall ensure the accuracy of amounts transferred to the education testing and assessment account under this footnote.

(e) Amounts expended from the education testing and assessment account created by this footnote shall be certified by the governor and shall be restricted to the costs of administration of testing and assessments imposed by 2012 Senate File 0057, as enacted into law, by 2011 Wyoming Session Laws, Chapter 184, and as otherwise required by law. Expenditures from this account shall require certification by the governor that amounts are necessary to fund testing and assessment required by law.

(f) The agency and the state auditor’s office shall, to the extent authorized by law, direct any federal testing and assessment funds to be spent prior to the expenditure of any state funds for this purpose.
4. Of the school foundation program account appropriation, two hundred twenty-five thousand dollars ($225,000.00) shall only be expended for the administration of the supplemental at-risk assistance program for summer school and extended day intervention and remediation programs pursuant to W.S. 21-13-334 for the period beginning July 1, 2012 and ending June 30, 2014.

5. No general expenditure modification related to the 100 series in the department’s budget shall be executed unless first documented by the department of education and approved by the department of administration and information budget division and the governor.

**Section 006. ADMINISTRATION AND INFORMATION**

**PROGRAM**

<table>
<thead>
<tr>
<th>Director’s Office</th>
<th>$2,072,359</th>
<th>$2,072,359</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1,951,003</td>
<td>1,951,003</td>
</tr>
<tr>
<td>Prof Licensing Boards</td>
<td>1,654,837</td>
<td>SR</td>
</tr>
<tr>
<td>Budget Division</td>
<td>$2,459,542</td>
<td>$2,459,542</td>
</tr>
<tr>
<td></td>
<td>2,023,706</td>
<td></td>
</tr>
<tr>
<td>General Services ¹⁻</td>
<td>$44,449,272</td>
<td>220,705 EF</td>
</tr>
<tr>
<td></td>
<td>33,417,475</td>
<td></td>
</tr>
<tr>
<td></td>
<td>21,353,919</td>
<td>IS</td>
</tr>
<tr>
<td></td>
<td>744,847 SR</td>
<td></td>
</tr>
<tr>
<td></td>
<td>55,736,946</td>
<td></td>
</tr>
<tr>
<td>Construction Management ²</td>
<td>$27,320,940</td>
<td>$27,320,940</td>
</tr>
<tr>
<td></td>
<td>26,475,114</td>
<td></td>
</tr>
<tr>
<td>Human Resources Division</td>
<td>$6,268,495</td>
<td>206,910 IS</td>
</tr>
<tr>
<td></td>
<td>5,343,895</td>
<td></td>
</tr>
<tr>
<td></td>
<td>6,475,405</td>
<td></td>
</tr>
<tr>
<td>Employees Group Ins ³⁻</td>
<td>533,837,277</td>
<td>IS</td>
</tr>
<tr>
<td></td>
<td>8,000,000 T0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>10,000 TT</td>
<td></td>
</tr>
<tr>
<td></td>
<td>541,847,277</td>
<td></td>
</tr>
<tr>
<td>Economic Analysis ⁴</td>
<td>$1,472,915</td>
<td>$1,472,915</td>
</tr>
<tr>
<td></td>
<td>1,524,317</td>
<td></td>
</tr>
<tr>
<td>State Library</td>
<td>$5,658,850</td>
<td>1,171,034 AG</td>
</tr>
<tr>
<td></td>
<td>4,062,788</td>
<td></td>
</tr>
<tr>
<td></td>
<td>10,292,631</td>
<td></td>
</tr>
<tr>
<td>OCIO/ITD ³⁻</td>
<td>32,038,053</td>
<td>38,579,313 IS</td>
</tr>
<tr>
<td></td>
<td>61,517,366</td>
<td></td>
</tr>
<tr>
<td>TOTALS</td>
<td>$101,740,435</td>
<td>1,171,034</td>
</tr>
<tr>
<td></td>
<td>608,660,596</td>
<td></td>
</tr>
<tr>
<td></td>
<td>711,572,065</td>
<td></td>
</tr>
<tr>
<td></td>
<td>75,503,225</td>
<td>570,091,283</td>
</tr>
<tr>
<td></td>
<td>646,765,542</td>
<td></td>
</tr>
</tbody>
</table>
187  SESSION LAWS OF WYOMING, 2013  Ch. 73

<table>
<thead>
<tr>
<th>AUTHORIZED EMPLOYEES</th>
<th>GENERAL FUND $</th>
<th>FEDERAL FUNDS $</th>
<th>OTHER FUNDS $</th>
<th>TOTAL APPROPRIATION $</th>
</tr>
</thead>
<tbody>
<tr>
<td>Full Time</td>
<td>368</td>
<td>238</td>
<td></td>
<td>570</td>
</tr>
<tr>
<td>Part Time</td>
<td>2</td>
<td></td>
<td></td>
<td>240</td>
</tr>
<tr>
<td>TOTAL</td>
<td>370</td>
<td>238</td>
<td></td>
<td>610</td>
</tr>
</tbody>
</table>

1. The department shall provide to the joint appropriations committee by November 1, 2012, a report containing a complete history of surplus property sales for the last five (5) years, including a detailed accounting of the cash received by the division. The department shall also examine payment methods other than cash, for sales occurring after July 1, 2013.

2. The employees’ group insurance division shall report quarterly to the joint appropriations committee and the joint labor, health and social services interim committee on the effectiveness of alternative payment and delivery systems for healthcare services to plan participants. Potential plan incentives to encourage appropriate use of high value services, including necessary prescription drugs and preventive services, adoption of healthy lifestyles, and the use of highly performing providers who adhere to evidence-based treatment guidelines shall be included in the report.

3. In the event that 2012 Senate File 0033 is enacted into law, the public safety communications commission function and associated funding and position shall be transferred to the office of homeland security within the governor’s office.

4. (a) The department shall undertake a study of the feasibility of converting school district motor vehicles, including school buses, to natural gas fueled vehicles. The department shall report study results to the governor and the joint appropriations committee by November 1, 2012. The study shall review:

   (i) The options of retrofitting existing vehicles and of purchasing natural gas fueled vehicles as existing vehicles are replaced;

   (ii) The differential in initial purchase costs and ongoing maintenance and fuel costs;

   (iii) The feasibility of using natural gas vehicles at existing fuel sites and costs for modifications required to make such use feasible;

   (iv) The appropriateness of vehicle conversion for each school district based on its population, its area, daily distances traveled and volumes of fuels consumed.

5. The construction management division within the department of administration and information shall ensure that office space on the first floor of the Hathaway building is occupied as soon as possible. Office space may be made available to the department of education, as determined by the construction management division within the department of administration and information. This footnote is effective immediately.
6. (a) Notwithstanding any other provision of law, the state chief information officer shall review and report on all aspects of administration and implementation of school finance and data collection required by W.S. 16-4-111(d), 21-2-202, 21-2-203, 21-3-117, 21-13-101 through 21-13-335 and in accordance with 2012 Senate File 33, as enacted into law, and Section 326 of this act and the related state longitudinal data system and associated infrastructure.

(b) The state chief information officer shall assess and identify the requirements necessary to facilitate the integrity, accuracy and security of all information and data utilized in calculation and distribution of payments to Wyoming school districts from the school foundation program account. This includes but is not limited to data and information collected by the department of education, the state superintendent, the professional teaching standards board and the state board of education which may be utilized in any manner to calculate payments from the school foundation program account to Wyoming school districts. The state chief information officer’s access to information shall include but is not limited to student demographics, school district profiles, including budgets, directories and school configurations, certified and noncertified staff salaries, experience, education, vacancies, applicants, national board certified data, course inventory information, including career-vocational education, gifted and talented, special education, at-risk, extended day and summer school program data and reports as collected by the Wyoming department of education.

(c) All state agencies, boards, personnel, officials, Wyoming school districts and contractors shall cooperate with and provide all requested information to the state chief information officer in fulfilling the duties as required by this footnote. The chief information officer, or his designee, shall be treated as an employee of the Wyoming department of education for the purpose of receiving access to the data and reports identified in this footnote and is hereby a school official with a legitimate educational interest and a state officer evaluating education programs.

(d) Notwithstanding W.S. 9-1-603(a)(vi), the attorney general shall resolve any question related to the receipt, distribution or sharing of information obtained by the state chief information officer in reporting to the governor and the legislature in accordance with subsection (e) of this footnote.

(e) The state chief information officer shall report to the governor, the joint appropriations interim committee and the joint education interim committee, his findings regarding duties under this footnote.

7. The department of administration and information shall report to the joint appropriations interim committee no later than October 1, 2013 on the central mail delivery services offered to state agencies, including any reduction of
services and a justification of the reduced services in proportion to the level of authorized employees.

8. Of this other funds appropriation, ten thousand dollars ($10,000.00) from the tobacco settlement trust income account shall be expended by the department for purposes of studying the cost savings and benefits of establishing a tiered health insurance model authorizing public employers to provide health insurance at a reduced premium rate and reduced deductible level for employees who do not smoke, or authorizing lower premiums to nonsmoker public employees and higher premiums to smokers. The study shall include consideration of science based tobacco harm reduction research. The department shall submit a report of this study to the joint labor, health and social services interim committee by October 1, 2013.

Section 007. WYOMING MILITARY DEPARTMENT

<table>
<thead>
<tr>
<th>PROGRAM</th>
<th>APPROPRIATION FOR GENERAL FUND</th>
<th>FEDERAL FUNDS</th>
<th>OTHER FUNDS</th>
<th>TOTAL APPROPRIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Military Dept. Operations</td>
<td>14,466,055</td>
<td></td>
<td></td>
<td>14,466,055</td>
</tr>
<tr>
<td></td>
<td>13,527,270</td>
<td></td>
<td></td>
<td>13,527,270</td>
</tr>
<tr>
<td>Air National Guard</td>
<td>815,105</td>
<td>10,212,972</td>
<td></td>
<td>11,028,077</td>
</tr>
<tr>
<td></td>
<td>853,730</td>
<td>10,184,813</td>
<td></td>
<td>11,038,543</td>
</tr>
<tr>
<td>Camp Guernsey</td>
<td></td>
<td></td>
<td>800,200 AG</td>
<td>879,387</td>
</tr>
<tr>
<td>Army National Guard</td>
<td>39,001</td>
<td>23,551,827</td>
<td>4,629,126 S5</td>
<td>28,219,954</td>
</tr>
<tr>
<td>Veterans’ Services</td>
<td>2,471,603</td>
<td>165,223</td>
<td>7,500 SR</td>
<td>2,544,326</td>
</tr>
<tr>
<td></td>
<td>2,414,763</td>
<td></td>
<td></td>
<td>2,587,486</td>
</tr>
<tr>
<td>Oregon Trail Cemetery</td>
<td>573,441</td>
<td>20,000 SR</td>
<td></td>
<td>593,441</td>
</tr>
<tr>
<td></td>
<td>572,977</td>
<td></td>
<td></td>
<td>592,977</td>
</tr>
<tr>
<td>Mil Support to Civilians</td>
<td>183,006</td>
<td></td>
<td></td>
<td>183,006</td>
</tr>
<tr>
<td>Civil Air Patrol</td>
<td>213,459</td>
<td></td>
<td></td>
<td>213,459</td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td><strong>18,501,596</strong></td>
<td><strong>32,212,598</strong></td>
<td><strong>5,456,826</strong></td>
<td><strong>56,171,020</strong></td>
</tr>
<tr>
<td><strong>AUTHORIZED EMPLOYEES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Full Time</td>
<td>226</td>
<td>230</td>
<td></td>
<td>270</td>
</tr>
<tr>
<td>Part Time</td>
<td>47</td>
<td></td>
<td></td>
<td>277</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>273</strong></td>
<td><strong>277</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1. Notwithstanding W.S. 19-9-704, the national guard youth challenge program is hereby authorized to continue operating until June 30, 2014.

2. Notwithstanding W.S. 19-9-702, for every forty cents ($0.40) of federal funds appropriated to the national guard youth challenge program, the department may expend state funds appropriated for this program in an amount not to
exceed sixty cents ($0.60), or such other minimum amount as necessary to qualify for the appropriation of federal funds.

3. The department, by June 30, 2014, shall report to the joint appropriations interim committee and the joint transportation, highways and military affairs interim committee regarding options to recoup the costs of state and local fire suppression for fires initiated by federal military personnel using Wyoming’s military installations for training purposes. Further, to the extent not prohibited by federal law, the department shall recoup the costs of state and local suppression for fires initiated by federal military personnel using Wyoming’s military installations, including the receipt of in-kind services or the assessment of fees for future liabilities. All funds received from any fees assessed pursuant to this footnote shall be deposited to the state general fund.

4. To the extent not prohibited by federal law, the additional five (5) federally funded firefighting positions authorized in this act for this program shall be available for firefighting outside of the boundaries of Camp Guernsey.

5. Of this general fund appropriation, two hundred forty-five thousand eight hundred twelve dollars ($245,812.00) shall only be expended for the purpose of funding one (1) client services supervisor position and one (1) client services advocate position, together with necessary office supplies, communications equipment, IT equipment, vehicles and travel expenses.

Section 008. OFFICE OF THE PUBLIC DEFENDER

PROGRAM

<table>
<thead>
<tr>
<th></th>
<th>FOR GENERAL FUND</th>
<th>FOR FEDERAL FUNDS</th>
<th>FOR OTHER FUNDS</th>
<th>TOTAL APPROPRIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>17,967,238</td>
<td>3,237,283</td>
<td>21,204,521</td>
<td></td>
</tr>
<tr>
<td>Guardian Ad Litem</td>
<td>17,214,717</td>
<td>3,136,116</td>
<td>20,350,833</td>
<td></td>
</tr>
<tr>
<td>Guardian Ad Litem</td>
<td>3,700,264</td>
<td>934,396</td>
<td>4,634,660</td>
<td></td>
</tr>
<tr>
<td>Guardian Ad Litem</td>
<td>3,613,975</td>
<td>912,687</td>
<td>4,526,662</td>
<td></td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td><strong>21,667,502</strong></td>
<td><strong>0</strong></td>
<td><strong>25,839,184</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>4,048,803</strong></td>
<td><strong>24,877,495</strong></td>
<td></td>
</tr>
</tbody>
</table>

AUTHORIZED EMPLOYEES

<table>
<thead>
<tr>
<th></th>
<th>Full Time</th>
<th>Part Time</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Office</strong></td>
<td>75</td>
<td>73</td>
<td>94</td>
</tr>
</tbody>
</table>

Section 009. WYOMING PIPELINE AUTHORITY

PROGRAM

<table>
<thead>
<tr>
<th></th>
<th>FOR GENERAL FUND</th>
<th>FOR FEDERAL FUNDS</th>
<th>FOR OTHER FUNDS</th>
<th>TOTAL APPROPRIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>1,206,928</td>
<td>1,158,651</td>
<td>1,206,928</td>
<td></td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td><strong>1,206,928</strong></td>
<td><strong>1,158,651</strong></td>
<td><strong>1,206,928</strong></td>
<td></td>
</tr>
</tbody>
</table>
Section 010. DEPARTMENT OF AGRICULTURE

PROGRAM

<table>
<thead>
<tr>
<th>PROGRAM</th>
<th>GENERAL FUND</th>
<th>FEDERAL FUNDS</th>
<th>OTHER FUNDS</th>
<th>TOTAL APPROPRIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration Division</td>
<td>3,273,095</td>
<td>5,000</td>
<td>SR 3,014,483</td>
<td>3,278,095</td>
</tr>
<tr>
<td>Ag Education and Info</td>
<td>30,000</td>
<td>50,000</td>
<td>20,000</td>
<td>100,000</td>
</tr>
<tr>
<td>Consumer Protection 1,2</td>
<td>12,941,316</td>
<td>1,382,374</td>
<td>401,248</td>
<td>15,524,938</td>
</tr>
<tr>
<td>Natural Resources</td>
<td>5,233,378</td>
<td>89,300</td>
<td>675,000</td>
<td>5,997,678</td>
</tr>
<tr>
<td>Pesticide Registration</td>
<td>1,187,500</td>
<td>880,932</td>
<td>880,932</td>
<td>2,959,364</td>
</tr>
<tr>
<td>State Fair</td>
<td>2,852,688</td>
<td>692,836</td>
<td>SR 3,545,524</td>
<td>3,545,524</td>
</tr>
<tr>
<td>Weed &amp; Pest Control</td>
<td>900,000</td>
<td>SR 900,000</td>
<td>900,000</td>
<td>900,000</td>
</tr>
<tr>
<td>Predator Management</td>
<td>6,347,992</td>
<td>6,140,792</td>
<td>6,140,792</td>
<td>18,639,575</td>
</tr>
<tr>
<td>Wyoming Beef Council</td>
<td>2,186,364</td>
<td>AG 7,177</td>
<td>2,193,541</td>
<td>2,193,541</td>
</tr>
<tr>
<td>WY Wheat Mktg Comm</td>
<td>180,000</td>
<td>SR 180,000</td>
<td>180,000</td>
<td>180,000</td>
</tr>
<tr>
<td>Leaf Cutter Bee</td>
<td>12,459</td>
<td>SR 12,459</td>
<td>12,459</td>
<td>12,459</td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td><strong>31,865,960</strong></td>
<td><strong>1,521,674</strong></td>
<td><strong>5,903,222</strong></td>
<td><strong>39,290,865</strong></td>
</tr>
</tbody>
</table>

AUTHORIZED EMPLOYEES

<table>
<thead>
<tr>
<th>Category</th>
<th>Full Time</th>
<th>Part Time</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorized</td>
<td>85</td>
<td>83</td>
<td>93</td>
</tr>
</tbody>
</table>

1. Of this general fund appropriation, two hundred five thousand one hundred thirty-seven dollars ($205,137.00) is effective immediately.

2. Of this general fund appropriation, two hundred thousand dollars ($200,000.00) shall only be used for the purposes of wolf management. The appropriation specified in this footnote together with any general fund appro-
appropriation to the animal damage management account created by W.S. 11-6-306 contained in 2012 Senate File 0041 as enacted into law, shall not exceed two hundred thousand dollars ($200,000.00).

**Section 011. DEPARTMENT OF REVENUE**

<table>
<thead>
<tr>
<th>PROGRAM</th>
<th>GENERAL FUND</th>
<th>FEDERAL FUNDS</th>
<th>OTHER FUNDS</th>
<th>TOTAL APPROPRIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>4,950,390</td>
<td>4,950,390</td>
<td></td>
<td>4,950,390</td>
</tr>
<tr>
<td></td>
<td>4,461,476</td>
<td>4,461,476</td>
<td></td>
<td>4,461,476</td>
</tr>
<tr>
<td>Revenue Division</td>
<td>8,740,893</td>
<td>784,063 SR</td>
<td>9,524,956</td>
<td></td>
</tr>
<tr>
<td></td>
<td>8,576,456</td>
<td>9,360,519</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Valuation Division</td>
<td>7,240,433</td>
<td>7,240,433</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>6,655,574</td>
<td>6,655,574</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Liquor Division</td>
<td>7,618,273 EF</td>
<td>7,618,273</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Liquor Sales &amp; Purchases</td>
<td>175,000,000 EF</td>
<td>175,000,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>General Fund Transfers</td>
<td>27,000,000 EF</td>
<td>27,000,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td>20,931,715</td>
<td>0</td>
<td>210,402,336</td>
<td>231,334,051</td>
</tr>
<tr>
<td><strong>AUTHORIZED EMPLOYEES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Full Time</td>
<td>129</td>
<td></td>
<td>118</td>
<td>247</td>
</tr>
<tr>
<td>Part Time</td>
<td>0</td>
<td></td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>129</td>
<td></td>
<td>118</td>
<td>247</td>
</tr>
</tbody>
</table>

**Section 014. MINERS’ HOSPITAL BOARD**

<table>
<thead>
<tr>
<th>PROGRAM</th>
<th>GENERAL FUND</th>
<th>FEDERAL FUNDS</th>
<th>OTHER FUNDS</th>
<th>TOTAL APPROPRIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Miners’ Hospital Board</td>
<td>5,953,374 SR</td>
<td>5,953,374</td>
<td>7,519,124 SR</td>
<td>7,519,124</td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td>0</td>
<td>0</td>
<td>5,953,374 SR</td>
<td>5,953,374</td>
</tr>
<tr>
<td><strong>AUTHORIZED EMPLOYEES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Full Time</td>
<td>0</td>
<td></td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Part Time</td>
<td>0</td>
<td></td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

**Section 015. ATTORNEY GENERAL**

<table>
<thead>
<tr>
<th>PROGRAM</th>
<th>GENERAL FUND</th>
<th>FEDERAL FUNDS</th>
<th>OTHER FUNDS</th>
<th>TOTAL APPROPRIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Law Office</td>
<td>19,787,657</td>
<td>869,860</td>
<td>2,076,504 S5</td>
<td>24,733,025</td>
</tr>
<tr>
<td></td>
<td></td>
<td>447,347 SR</td>
<td></td>
<td>447,347 SR</td>
</tr>
<tr>
<td></td>
<td></td>
<td>630,223 SR</td>
<td></td>
<td>630,223 SR</td>
</tr>
</tbody>
</table>
1. Of this general fund appropriation, two thousand dollars ($2,000.00) is effective immediately.

2. As necessary to conform with federal requirements, victim assistance providers shall not be required to submit annual unduplicated counts of the number of victims served in order to qualify for funding under W.S. 1-40-118 for the 2013-2014 fiscal biennium. Providers receiving funding under W.S. 1-40-118 shall be required to report the number of victims served on an unduplicated program level. In providing the report of an annual unduplicated count of the number of victims served by community based services and providers for the 2013-2014 fiscal biennium as required by W.S. 9-1-638(a)(v), the division shall report unduplicated counts of victims or services as data may be made available in accordance with this footnote.

Section 020. DEPT OF ENVIRONMENTAL QUALITY

PROGRAM
Administration  5,402,250  5,402,250
4,880,842  4,880,842
Air Quality  4,508,560  1,467,995  11,817,505  17,794,060
1. The joint minerals, business and economic development interim committee and the department of environmental quality shall review options to modify the revenues supporting the leaking underground storage tank program in order to establish a long-term revenue source for statewide landfill remediation. The review shall include an assessment of any state obligations for leaking underground storage tank remediation as required by federal law or rule or regulation. The review and recommendations shall be submitted to the joint appropriations interim committee by November 15, 2013.

2. Of this general fund appropriation, fifteen million dollars ($15,000,000.00) thirty million dollars ($30,000,000.00) shall only be deposited to the municipal solid waste landfill account created by 2011 Wyoming Session Laws, Chapter 88, Section 354. Except as otherwise provided in this section, amounts from the account shall only be expended for the remediation of high priority municipal solid waste landfill sites based on a priority list developed by the department of environmental quality and approved and upon further appropriation by the legislature. Remaining balances in this account shall not revert until further action of the legislature.

3. Of these full-time employees, the department of environmental quality is authorized positions 4010 and 4052 within the land quality division. Position 4402 within the department of environmental quality is not authorized.
4. [Of] this general fund appropriation, [up to five million dollars ($5,000,000.00)] may be expended for costs associated with the suppression of fires in the 2013 fire season after all other available fire suppression funds have been exhausted. The governor shall include a general fund appropriation request for municipal solid waste landfill remediation in his 2015-2016 biennial budget recommendation at least equal to all funds expended from this appropriation on costs associated with fire suppression. [BRACKETED LANGUAGE SHOWN IN BOLD AND AS STRICKEN WAS VETOED BY GOVERNOR FEBRUARY 21, 2013.]

Section 021. DEPARTMENT OF AUDIT

<table>
<thead>
<tr>
<th>PROGRAM</th>
<th>GENERAL FUND</th>
<th>FEDERAL FUNDS</th>
<th>OTHER FUNDS</th>
<th>TOTAL APPROPRIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>1,684,040</td>
<td>579,330</td>
<td>1,883,370</td>
<td></td>
</tr>
<tr>
<td>Banking</td>
<td>1,389,143</td>
<td>496,673</td>
<td>1,885,816</td>
<td></td>
</tr>
<tr>
<td>Public Fund</td>
<td>6,105,526</td>
<td>5,974,566</td>
<td>8,078,122</td>
<td></td>
</tr>
<tr>
<td>Mineral</td>
<td>3,453,465</td>
<td>4,545,398</td>
<td>8,218,863</td>
<td></td>
</tr>
<tr>
<td>Excise</td>
<td>3,959,561</td>
<td>4,085,548</td>
<td>8,045,101</td>
<td></td>
</tr>
<tr>
<td>TOTALS</td>
<td>15,328,579</td>
<td>5,124,728</td>
<td>20,453,307</td>
<td>25,381,429</td>
</tr>
</tbody>
</table>

AUTHORIZED EMPLOYEES

<table>
<thead>
<tr>
<th></th>
<th>Full Time</th>
<th>Part Time</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>116</td>
<td></td>
</tr>
<tr>
<td></td>
<td>110</td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>226</td>
<td>110</td>
</tr>
</tbody>
</table>

1. Of this general fund appropriation, one hundred fifty thousand dollars ($150,000.00) shall only be expended to conduct an audit of personnel policies and practices of the department of education. The audit shall include a review of evidence of activities described in W.S. 9-11-103(a). Notwithstanding any other provision of law, the department may transfer funds internally to execute the provisions of this footnote. Any unexpended, unobligated funds remaining from this appropriation shall revert as provided by law on June 30, 2014. This appropriation shall not be included in the department’s 2015-2016 standard budget request. The department of audit shall report to the joint appropriations committee and the joint education interim committee with the results of the review and audit no later than September 1, 2013.
Section 024. STATE PARKS & CULTURAL RESOURCES

1. Of this general fund appropriation, one hundred thousand dollars ($100,000.00) shall only be expended for the purposes of the “We the People” educational program. This appropriation shall be considered one-time funding and shall not be included in the department’s 2015-2016 standard budget request.

2. Of this general fund appropriation, two hundred fifty thousand dollars ($250,000.00) shall only be expended for the purposes of Wyoming Arts Council Operating Support Grant Funding. This appropriation shall be considered one-time funding and shall not be included in the department’s 2015-2016 standard budget request.

3. Of this general fund appropriation, twenty thousand dollars ($20,000.00) shall only be expended to sponsor a statewide conference of the national assembly of state art agencies’ national leadership institute in Wyoming in 2013. The appropriation associated with this footnote shall be considered one-time funding and shall not be included in the department’s 2015-2016 standard budget request.

4. Of this general fund appropriation, two hundred fifty thousand dollars ($250,000.00) shall only be deposited to the corpus of the Wyoming cultural trust fund as established by W.S. 9-2-2304. The appropriation associated with
this footnote shall be considered one-time funding and shall not be included in the department’s 2015-2016 standard budget request.

Section 027. SCHOOL FACILITIES COMMISSION

PROGRAM

<table>
<thead>
<tr>
<th>Operations</th>
<th>6,222,255</th>
<th>$6</th>
<th>6,222,255</th>
</tr>
</thead>
<tbody>
<tr>
<td>Major Maintenance 2</td>
<td>101,741,513</td>
<td>$6</td>
<td>101,741,513</td>
</tr>
<tr>
<td>Engineering &amp; Technical 1</td>
<td>6,069,153</td>
<td>$6</td>
<td>6,069,153</td>
</tr>
</tbody>
</table>

TOTALS

<table>
<thead>
<tr>
<th>$0</th>
<th>$ 114,032,921</th>
<th>$114,032,921</th>
</tr>
</thead>
<tbody>
<tr>
<td>114,558,118</td>
<td>114,558,118</td>
<td></td>
</tr>
</tbody>
</table>

AUTHORIZED EMPLOYEES

<table>
<thead>
<tr>
<th>Full Time</th>
<th>15</th>
</tr>
</thead>
<tbody>
<tr>
<td>Part Time</td>
<td>0</td>
</tr>
<tr>
<td>TOTAL</td>
<td>15</td>
</tr>
</tbody>
</table>

1. Of this school capital construction appropriation, four million six hundred thousand dollars ($4,600,000.00) is effective immediately.

2. (a) The school facilities commission shall:

   (i) Notwithstanding W.S. 21-3-110(a)(x), from the school capital construction account appropriation, distribute up to two hundred fifty-five thousand dollars ($255,000.00) each fiscal year of the 2013-2014 fiscal biennium to each school district with a charter school, approved and operating in the 2011-2012 school year in accordance with W.S. 21-3-301 through 21-3-314, in the district which requires a lease for operation of the charter school’s educational program. Lease payments under this footnote shall include the total costs of the base rent, additional rent for tenant improvements and any common maintenance costs, if applicable. The amounts expended under this paragraph shall be reduced to the extent the amounts are duplicative of any costs funded or paid for by alternative mechanisms. The funds appropriated under this paragraph, shall be distributed to qualifying school districts based upon the proration of the total qualifying costs of all qualifying school districts;

   (ii) In addition to paragraph (i) of this footnote and notwithstanding W.S. 21-3-110(a)(x), the commission shall for each fiscal year of the 2013-2014 fiscal biennium, expend an amount necessary to include the total allowable square footage of each charter school qualifying under paragraph (i) in the computation of the major maintenance payment under W.S. 21-15-109, to each district in which a qualifying charter school, as provided by paragraph (i) of this footnote, is operating. The amounts expended under this paragraph shall be reduced to the extent the amounts are duplicative of any maintenance costs
included in the lease payments under paragraph (i) of this footnote or any costs funded or paid for by alternative mechanisms;

(iii) In accordance with this footnote, and notwithstanding W.S. 21-15-101 through 21-15-123, school districts shall include requests by charter schools approved under W.S. 21-3-301 through 21-3-314 which receive lease payments in accordance with paragraph (i) of this footnote for the inclusion of the purchase of such facilities in school district facility plans submitted to the school facilities department in accordance with W.S. 21-15-116. Any request for purchase of a building for operation of a charter school shall include documentation of the economic feasibility of the purchase and evidence that the purchase will result in an economic savings to the state. In addition, plans shall describe the resolution of any potential existing leaseholder disputes or issues, if the purchase involves a facility with leaseholders other than the charter school. The school facilities department shall report to the joint appropriations committee and the select school facilities commission no later than September 15, 2012 regarding the inclusion of such a facility in a district’s facility plan and accompanying request for purchase. The state of Wyoming, through the department of administration and information and the school facilities department, is authorized to negotiate the purchase of any such building and transfer ownership of such building to the school district following resolution of all commercial leasing issues. For the biennium, square footage purchased in accordance with this paragraph shall not be included in any excess square footage determination and shall not be subject to the limitations imposed by W.S. 21-15-109(c).

Section 032. WYOMING INFRASTRUCTURE AUTHORITY

PROGRAM

<table>
<thead>
<tr>
<th></th>
<th>GENERAL FUND $</th>
<th>FEDERAL FUNDS $</th>
<th>OTHER FUNDS $</th>
<th>TOTAL APPROPRIATION $</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>1,689,144</td>
<td></td>
<td></td>
<td>1,689,144</td>
</tr>
<tr>
<td></td>
<td>1,620,426</td>
<td></td>
<td></td>
<td>1,620,426</td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td><strong>1,689,144</strong></td>
<td><strong>0</strong></td>
<td><strong>0</strong></td>
<td><strong>1,689,144</strong></td>
</tr>
<tr>
<td></td>
<td><strong>1,620,426</strong></td>
<td></td>
<td></td>
<td><strong>1,620,426</strong></td>
</tr>
</tbody>
</table>

AUTHORIZED EMPLOYEES

Full Time 0
Part Time 0
TOTAL 0

Section 037. STATE ENGINEER

PROGRAM

<table>
<thead>
<tr>
<th></th>
<th>GENERAL FUND $</th>
<th>FEDERAL FUNDS $</th>
<th>OTHER FUNDS $</th>
<th>TOTAL APPROPRIATION $</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>2,339,019</td>
<td></td>
<td></td>
<td>2,339,019</td>
</tr>
<tr>
<td></td>
<td>2,248,441</td>
<td></td>
<td></td>
<td>2,248,441</td>
</tr>
<tr>
<td>Ground Water</td>
<td>3,765,343</td>
<td></td>
<td></td>
<td>3,765,343</td>
</tr>
<tr>
<td></td>
<td>3,614,700</td>
<td></td>
<td></td>
<td>3,614,700</td>
</tr>
</tbody>
</table>
### Section 039. WILDLIFE/NATURAL RESOURCE TRUST

#### PROGRAM

<table>
<thead>
<tr>
<th>Program</th>
<th>General Fund</th>
<th>Federal Funds</th>
<th>Other Funds</th>
<th>Total Appropriation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wildlife Trust Admin</td>
<td>684,034</td>
<td>655,806</td>
<td></td>
<td>1,339,834</td>
</tr>
<tr>
<td>Wildlife Trust Projects ² ³ ⁴</td>
<td>14,000,000</td>
<td>8,000,000</td>
<td>T0</td>
<td>19,000,000</td>
</tr>
<tr>
<td>Wildlife Trust Account ¹</td>
<td>5,000,000</td>
<td></td>
<td>5,000,000</td>
<td>10,000,000</td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td><strong>16,684,034</strong></td>
<td>0</td>
<td><strong>8,000,000</strong></td>
<td><strong>24,684,034</strong></td>
</tr>
</tbody>
</table>

**AUTHORIZED EMPLOYEES**

- Full Time: 2
- Part Time: 0
- **TOTAL:** 2

1. This general fund appropriation shall be deposited into the Wyoming wildlife and natural resource trust account created by W.S. 9-15-103(a).

2. One million dollars ($1,000,000.00) One million five hundred thousand dollars ($1,500,000.00) of this general fund appropriation shall only be expended for pine bark beetle remediation.
3. This general fund appropriation shall be deposited into the Wyoming wildlife and natural resource trust income account created by W.S. 9-15-103(b).

### Section 040. GAME AND FISH COMMISSION

**PROGRAM**  

<table>
<thead>
<tr>
<th>Program</th>
<th>General Fund</th>
<th>Federal Funds</th>
<th>Other Funds</th>
<th>Total Appropriation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aquatic Invasive Species</td>
<td>1,294,118</td>
<td>800,999</td>
<td>SR 2,095,117</td>
<td></td>
</tr>
<tr>
<td>Veterinary Svcs Prgm</td>
<td>3,740,350</td>
<td></td>
<td>3,740,350</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3,677,408</td>
<td></td>
<td>3,677,408</td>
<td></td>
</tr>
<tr>
<td>Sage Grouse Protection</td>
<td>1,724,820</td>
<td></td>
<td>1,724,820</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1,621,056</td>
<td></td>
<td>1,621,056</td>
<td></td>
</tr>
<tr>
<td>Wolf Management</td>
<td>608,099</td>
<td></td>
<td>608,099</td>
<td></td>
</tr>
<tr>
<td>CWCS</td>
<td>1,492,677</td>
<td></td>
<td>1,492,677</td>
<td></td>
</tr>
</tbody>
</table>

**TOTALS**  

<table>
<thead>
<tr>
<th></th>
<th>8,868,072</th>
<th>0</th>
<th>800,999</th>
<th>9,669,071</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorized Employees</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Full Time</td>
<td>21</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Part Time</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>21</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Section 041. FIRE PREVENTION & ELEC SAFETY

**PROGRAM**  

<table>
<thead>
<tr>
<th>Program</th>
<th>General Fund</th>
<th>Federal Funds</th>
<th>Other Funds</th>
<th>Total Appropriation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>1,030,651</td>
<td></td>
<td>1,030,651</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1,028,635</td>
<td></td>
<td>1,028,635</td>
<td></td>
</tr>
<tr>
<td>Fire Prevention Admin</td>
<td>1,817,445</td>
<td></td>
<td>1,817,445</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1,814,565</td>
<td></td>
<td>1,814,565</td>
<td></td>
</tr>
<tr>
<td>Electrical Safety Admin</td>
<td>1,080,549</td>
<td>661,386</td>
<td>SR 2,441,935</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1,845,983</td>
<td></td>
<td>2,507,369</td>
<td></td>
</tr>
<tr>
<td>Training</td>
<td>1,431,812</td>
<td></td>
<td>1,431,812</td>
<td></td>
</tr>
<tr>
<td>Fire Academy</td>
<td>627,562</td>
<td></td>
<td>627,562</td>
<td></td>
</tr>
<tr>
<td></td>
<td>464,838</td>
<td></td>
<td>464,838</td>
<td></td>
</tr>
</tbody>
</table>

**TOTALS**  

<table>
<thead>
<tr>
<th></th>
<th>6,890,343</th>
<th>0</th>
<th>661,386</th>
<th>7,551,729</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorized Employees</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Full Time</td>
<td>36</td>
<td></td>
<td>34</td>
<td></td>
</tr>
<tr>
<td>Part Time</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>36</td>
<td></td>
<td>34</td>
<td></td>
</tr>
</tbody>
</table>
Section 042. GEOLOGICAL SURVEY

PROGRAM
Geologic Program

<table>
<thead>
<tr>
<th></th>
<th>GENERAL FUND</th>
<th>FEDERAL FUNDS</th>
<th>OTHER FUNDS</th>
<th>TOTAL APPROPRIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Geologic Program</td>
<td>5,647,518</td>
<td>5,289,696</td>
<td>0</td>
<td>5,647,518</td>
</tr>
<tr>
<td>TOTALS</td>
<td>5,647,518</td>
<td>0</td>
<td>0</td>
<td>5,647,518</td>
</tr>
</tbody>
</table>

AUTHORIZED EMPLOYEES

<table>
<thead>
<tr>
<th></th>
<th>Full Time</th>
<th>Part Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Geologic Program</td>
<td>27</td>
<td>0</td>
</tr>
<tr>
<td>TOTAL</td>
<td>27</td>
<td>0</td>
</tr>
</tbody>
</table>

Section 044. INSURANCE DEPARTMENT

PROGRAM

<table>
<thead>
<tr>
<th></th>
<th>GENERAL FUND</th>
<th>FEDERAL FUNDS</th>
<th>OTHER FUNDS</th>
<th>TOTAL APPROPRIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>5,391,586</td>
<td>12,466</td>
<td>23,362,277</td>
<td>29,122,277</td>
</tr>
<tr>
<td>Agent Licensing Board</td>
<td>100,000</td>
<td>12,466</td>
<td>0</td>
<td>112,466</td>
</tr>
<tr>
<td>Health Insurance Pool</td>
<td>6,000,000</td>
<td>23,362,277</td>
<td>29,362,277</td>
<td></td>
</tr>
<tr>
<td>WY Small Employer Health</td>
<td>5,760,000</td>
<td>26,801,280</td>
<td>26,801,280</td>
<td></td>
</tr>
<tr>
<td>TOTALS</td>
<td>6,000,000</td>
<td>55,567,609</td>
<td>61,567,609</td>
<td>61,567,609</td>
</tr>
</tbody>
</table>

AUTHORIZED EMPLOYEES

<table>
<thead>
<tr>
<th></th>
<th>Full Time</th>
<th>Part Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>24</td>
<td>0</td>
</tr>
<tr>
<td>TOTAL</td>
<td>24</td>
<td>0</td>
</tr>
</tbody>
</table>

1. Of this general fund appropriation, one hundred thousand dollars ($100,000.00) shall only be expended for activities related to health insurance exchanges and associated administrative and regulatory burdens on the department of insurance. The appropriation associated with this footnote shall be considered one-time funding and shall not be included in the department’s 2015-2016 standard budget request.

Section 045. DEPARTMENT OF TRANSPORTATION

PROGRAM

<table>
<thead>
<tr>
<th></th>
<th>GENERAL FUND</th>
<th>FEDERAL FUNDS</th>
<th>OTHER FUNDS</th>
<th>TOTAL APPROPRIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>3,486,223</td>
<td>1,407,450</td>
<td>37,558,693</td>
<td>38,649,813</td>
</tr>
<tr>
<td>Administrative Services</td>
<td>3,486,223</td>
<td>35,406,363</td>
<td>1,836,000</td>
<td>38,649,813</td>
</tr>
<tr>
<td>TOTALS</td>
<td>3,486,223</td>
<td>35,406,363</td>
<td>37,558,693</td>
<td>38,649,813</td>
</tr>
</tbody>
</table>
1. The department is authorized to transfer two (2) full-time positions and associated funding from areas of its budget not associated with highway patrol officers, in order to fill two (2) communications operator positions.

2. Any general fund dollar amounts remaining in the railroad quiet zone account established by footnote in the agency’s 2011-2012 biennial budget shall not revert to the general fund until June 30, 2014. This footnote is effective immediately.

3. The department shall not supplant any reduced general fund appropriation by the legislature in this section with any other department funds.

4. Of this other funds appropriation one million two hundred ninety-five thousand four hundred eighty-six dollars ($1,295,486.00) are appropriated from interest earned in the 2011-2012 and previous fiscal biennia from deposits from the general fund to the highway fund, which interest would otherwise be credited to the state agency pooled interest earnings of the general fund. This footnote and the appropriation of associated funds are effective immediately.

5. (a) The department of transportation shall report by September 1, 2013, to...
the joint transportation, highways and military affairs interim committee the following:

(i) All highways and the segments of those highways in Wyoming for which the authority granted by W.S. 31-5-302 has been exercised;

(ii) For those highways and segments identified pursuant to paragraph (i) of this footnote, the report shall state whether the authority was exercised to, in any manner, comply with or address a recommendation, finding or requirement relating to an environmental assessment, an environmental impact statement or any other analysis required under any provision of the National Environmental Policy Act, including, but not limited to, the exercise of that authority in order to facilitate a favorable environmental impact statement. The report shall identify additional reasons relied upon by the director of the department of transportation to establish the speed limit for any highway reported under this paragraph.

(b) The joint transportation, highways and military affairs interim committee shall study the effects of establishing different speed limits for highways reported under subsection (a) of this footnote and shall introduce legislation in the 2014 legislative budget session as it determines appropriate.

6. This general fund appropriation includes an increase of one million two hundred twenty-four thousand dollars ($1,224,000.00) in professional fees and a standard budget reduction of four hundred seventy-six thousand three hundred thirty-five dollars ($476,335.00) in telecommunications.

7. The additional general fund appropriation of one hundred twenty thousand dollars ($120,000.00) associated with this footnote shall be deposited to the air services enhancement account created pursuant to W.S. 10-3-602.

Section 048a DEPARTMENT OF HEALTH 10th FISCAL YEAR 2013

<table>
<thead>
<tr>
<th>PROGRAM</th>
<th>APPROPRIATION FOR</th>
<th>GENERAL FUND</th>
<th>FEDERAL FUNDS</th>
<th>OTHER FUNDS</th>
<th>TOTAL APPROPRIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Director's Office</td>
<td>10,599,214</td>
<td>401,410</td>
<td>129,832</td>
<td>AG</td>
<td>11,145,538</td>
</tr>
<tr>
<td>Healthcare Finance 1, 2, 3, 13, 14</td>
<td>286,887,308</td>
<td>330,461,164</td>
<td>16,195,495</td>
<td>SR</td>
<td>633,843,964</td>
</tr>
<tr>
<td>Public Health 3, 4, 5, 12</td>
<td>19,917,584</td>
<td>30,492,347</td>
<td>2,897,455</td>
<td>A4</td>
<td>63,207,446</td>
</tr>
<tr>
<td>Behavioral Health 4, 7, 8</td>
<td>140,760,603</td>
<td>11,530,921</td>
<td>471,500</td>
<td>A4</td>
<td>24,720,833</td>
</tr>
</tbody>
</table>

630,815,217
<table>
<thead>
<tr>
<th>APPROPRIATION FOR</th>
<th>GENERAL FUND $</th>
<th>FEDERAL FUNDS $</th>
<th>OTHER FUNDS $</th>
<th>TOTAL APPROPRIATION $</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aging 9</td>
<td>19,366,025</td>
<td>8,907,694</td>
<td>12,500 AG</td>
<td>32,008,303</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTALS</td>
<td>477,530,734</td>
<td>381,793,536</td>
<td>70,946,807</td>
<td>930,271,077</td>
</tr>
</tbody>
</table>

AUTHORIZED EMPLOYEES
Full Time           1,411
Part Time           73
TOTAL               1,484

Section 048b. DEPARTMENT OF HEALTH 11. FISCAL YEAR 2014

PROGRAM
Director's Office   40,175,245  401,411  129,833 AG
8,835,771

Healthcare Finance 1,2,13,15   273,971,016  328,961,165  16,195,496 SR
285,100,031  339,291,165
271,250 TT 640,392,727
640,857,942

Public Health 3,4,5,12,16   19,120,879  30,492,346  2,897,455 A4
21,127,496

Behavioral Health 6,7,8,16   135,139,479  11,530,921  471,500 A4
130,824,884

25,000 AG
24,720,833 SR
525,711 T3
207,312 T4
12,400,009 TT
97,500 S0 185,011,464
180,803,670
1. General fund amounts appropriated for the purposes of constructing a new Medicaid eligibility and enrollment system shall not be expended in any manner which will obligate general funds in a greater proportion to federal funds than would be the case had the department not participated in the development of the system, nor shall they be used for any purposes which in any manner limits the ability of the state to change eligibility requirements. These funds shall not supplant federal funds available for these purposes.

2. For reimbursement rates for nursing facility services, no cost-of-living adjustment or other increase in rates shall be provided in the 2013-2014 fiscal biennium without specific legislative action approving the increase unless the adjustment or increase is required by statute.

3. Of this general fund appropriation, a total of four hundred thousand dollars ($400,000.00) shall only be expended in the 2013-2014 fiscal biennium for AIDS drug rebate program.

4. The public health laboratory is authorized to charge fees for testing services provided to other state agencies, local law enforcement entities and other individuals or organizations. Notwithstanding W.S. 9-4-204(t)(i)(A) the department is authorized to deposit all fees received pursuant to this footnote into a special revenue account and shall not charge fees until the department has promulgated rules and regulations establishing a fee schedule. No monies deposited into this account shall be expended until appropriated by the legislature.

5. Of this other funds appropriation, two hundred thirty-five thousand dollars ($235,000.00) in total for the 2013-2014 fiscal biennium shall only be expended for the purposes of support of the Wyoming telehealth consortium and upon approval of the state’s chief information officer.

6. Of this general fund appropriation, up to eighty-five thousand dollars ($85,000.00) in total for the 2013-2014 fiscal biennium may be used to pur-
chase and distribute to combat veterans quickly accessible materials which provide assistance and advice for veterans with questions regarding mental health services.

7. The department, no later than December 31, 2013, shall provide by rule that reimbursements for mental health and substance abuse services shall only be paid to entities that are accredited by the Commission on Accreditation of Rehabilitation Facilities, the Joint Commission on Accreditation of Healthcare Organizations or the National Integrated Accreditation for Healthcare Organizations. For purposes of this appropriation, “S0” means fund 558, Drug Courts. Of this “S0” appropriation, funding for accreditation under this footnote of seven thousand five hundred dollars ($7,500.00) per court supervised treatment center, not to exceed a total of ninety-seven thousand five hundred dollars ($97,500.00) is authorized to reimburse nonaccredited providers for the actual expenses incurred in achieving accreditation. If an accredited provider merges with a nonaccredited provider, the combined entity shall be considered accredited until the next accreditation cycle. Reimbursements shall only be paid on the basis of established outcomes. Notwithstanding W.S. 9-2-1008, 9-2-1012(e) and 9-4-207(a) any unexpended, unobligated funds appropriated to the behavioral health division for the purposes of quality of life care shall not revert on June 30, 2014. The department shall ensure that no reductions to funding for crisis intervention and stabilization programs will occur as a result of implementation of the provisions of this footnote.

8. Notwithstanding W.S. 9-4-303(a), the department is authorized to deposit all monies and income received and collected by the Wyoming state hospital at Evanston, Wyoming into a special revenue account from July 1, 2012 through June 30, 2014. The department shall expend this revenue to correct life safety code problems, pay for the cost of emergency detentions pursuant to W.S. 25-10-109, pay for the costs of involuntary hospitalizations pursuant to W.S. 25-10-110, and address other conditions as identified by the Partnership to Resolve Mental Health Issues in Wyoming; remediate conditions as identified in the Chris S. Stipulated Settlement Agreement by the division of behavioral health, approved by the Wyoming department of health director and reported to the governor. If any single capital project is anticipated to or does exceed two hundred thousand dollars ($200,000.00), it shall be approved by the state building commission. The department shall report to the joint appropriations committee not later than November 1 of each year detailing expenditures under this footnote.

9. Notwithstanding W.S. 9-4-303(a), for the period beginning July 1, 2012 and ending June 30, 2014, the department is authorized to deposit all monies and income received or collected by the retirement center located in Basin, Wyo-
ming for care of patients into the special revenue fund. The funds collected shall only be used to fund the operation of the retirement center.

10. The amounts specified in this section 048a are appropriated for the period beginning July 1, 2012 and ending June 30, 2013. Any unexpended funds remaining from these appropriations are hereby transferred to Section 048b and available for expenditure for the period beginning July 1, 2013 and ending June 30, 2014. Transferred funds shall not be used for increased compensation within the 100 series. The department of health shall report to the joint appropriations interim committee not later than September 1, 2013 on any amounts transferred, by unit.

11. The amounts specified in this section 048b are appropriated for the period beginning July 1, 2013 and ending June 30, 2014.

12. Of this general fund appropriation, a total of two hundred fifty thousand dollars ($250,000.00) - three hundred thousand dollars ($300,000.00) shall only be expended in the 2013-2014 fiscal biennium for the purpose of developing a primary care medical home network in Wyoming.

13. Of this general fund appropriation, a total of sixty thousand dollars ($60,000.00) in the 2013-2014 fiscal biennium shall only be expended through developmental programs for hearing aids for early childhood intervention.

14. Of this appropriation, one million five hundred thousand dollars ($1,500,000.00) of the general fund appropriation and one million five hundred thousand dollars ($1,500,000.00) of the federal fund appropriation shall only be used in the 2013 fiscal year to reduce the waiting lists for the Medicaid child and adult developmental disability waivers and the acquired brain injury waivers.

15. Of this appropriation, six million six hundred seventy thousand dollars ($6,670,000.00) in general funds and seven million six hundred thirty thousand dollars ($7,630,000.00) in federal funds shall be considered one-time funding and shall not be included in the agency’s 2015-2016 standard budget request.

16. Notwithstanding W.S. 21-2-706(b) and (d), to the extent there are insufficient legislative appropriations to achieve the calculated payment amount in W.S. 21-2-706(b) and (d), the per child amount for all providers shall be reduced proportionately to the available legislative appropriation, as calculated by the department of health.

17. Notwithstanding footnote 11, of this general fund appropriation two hundred thousand dollars ($200,000.00) is effective immediately.

18. Of this other fund appropriation, ten thousand dollars ($10,000.00) from the tobacco settlement trust income account funds shall only be expended by
the department for purposes of contracting for provision of services at camps for survivors of childhood cancers. Notwithstanding any other provision of law, this appropriation shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation shall revert as provided by law on June 30, 2014. This appropriation shall not be included in the department's 2015-2016 standard budget request.

19. Of this general fund appropriation, two hundred thousand dollars ($200,000.00) shall only be distributed through the existing funding distribution model to senior centers. These funds shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation shall revert as provided by law on June 30, 2014.

20. The department of health shall further reduce its authorized employees such that a total of one hundred twenty-one thousand nine dollars ($121,009.00) in general fund salary and benefit savings is realized from one (1) full-time employee reduced in this act and any additional position reductions necessary to secure the savings. Positions may be taken from the public health division or any other division within the department. To the extent practicable reductions shall be from vacant positions.

Section 049. DEPARTMENT OF FAMILY SERVICES

PROGRAM 1

<table>
<thead>
<tr>
<th>Services</th>
<th>111,333,128</th>
<th>30,452,355</th>
<th>302,651</th>
<th>AG</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>105,097,536</td>
<td>30,197,723</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>2,317,562</td>
<td>SR</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>6,236,518</td>
<td>TT</td>
<td>140,642,214</td>
<td></td>
</tr>
<tr>
<td>Assistance 1,2</td>
<td>50,429,034</td>
<td>76,656,346</td>
<td>1,908,844</td>
<td>SR</td>
</tr>
<tr>
<td></td>
<td>49,066,052</td>
<td>75,730,998</td>
<td></td>
<td>126,795,984</td>
</tr>
<tr>
<td>TOTALS</td>
<td>161,762,159</td>
<td>107,108,701</td>
<td>10,765,575</td>
<td>279,636,435</td>
</tr>
<tr>
<td></td>
<td>154,163,588</td>
<td>105,928,721</td>
<td></td>
<td>270,857,884</td>
</tr>
</tbody>
</table>

AUTHORIZED EMPLOYEES

| Full Time | 774 | 709 |
| Part Time | 44 | 21 |
| TOTAL | 778 | 730 |

1. Of this federal fund appropriation, two hundred five thousand five hundred dollars ($205,500.00) shall only be expended for the father factor program during the fiscal period beginning July 1, 2012 and ending June 30, 2014.

2. (a) In accordance with W.S. 42-2-103(d), the state supplemental security
income monthly period beginning July 1, 2012 and ending June 30, 2014 shall be as follows:

(i) $25.00 for an individual living in own household;
(ii) $27.80 for each member of a couple living in their own household;
(iii) $28.72 for an individual living in the household of another;
(iv) $30.57 for each member of a couple living in the household of another.

3. Through the period ending June 30, 2014, the department shall limit the number of residential treatment facilities and group homes certified as child caring facilities under W.S. 14-4-104 and the overall capacity of those residential treatment facilities and group homes to the levels that were certified as of January 1, 2012.

Section 051. LIVESTOCK BOARD

PROGRAM
Administration

<table>
<thead>
<tr>
<th></th>
<th>GENERAL FUND</th>
<th>FEDERAL FUNDS</th>
<th>OTHER FUNDS</th>
<th>TOTAL APPROPRIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$1,029,631</td>
<td>44,151</td>
<td>402,581</td>
<td>SR 2,376,363</td>
</tr>
<tr>
<td></td>
<td>1,899,431</td>
<td></td>
<td></td>
<td>2,346,163</td>
</tr>
<tr>
<td>Animal Health</td>
<td>1,099,359</td>
<td>1,943,527</td>
<td></td>
<td>1,943,527</td>
</tr>
<tr>
<td>Brucellosis</td>
<td>1,266,013</td>
<td>382,000</td>
<td></td>
<td>1,650,013</td>
</tr>
<tr>
<td></td>
<td>1,044,488</td>
<td></td>
<td></td>
<td>1,426,488</td>
</tr>
<tr>
<td>Estrays</td>
<td>50,000</td>
<td></td>
<td></td>
<td>50,000</td>
</tr>
<tr>
<td>Brand Inspection</td>
<td>3,064,442</td>
<td>111,178</td>
<td>AG</td>
<td>3,044,548</td>
</tr>
</tbody>
</table>

|                                                                 | 6,480,297 | SR 9,655,917 |
|                                                                 | 6,443,352 | SR 9,599,078 |

Predator Control Fees

|                        | 1,900,000 | SR 1,900,000 |

TOTALS

| TOTALS                | 8,311,445 | 426,151 | 8,994,056 | 17,631,652 |
|                      | 7,981,994 |         | 8,857,111 | 17,265,256 |

AUTHORIZED EMPLOYEES

|                     | 20        |
|                     | 0         |
| TOTAL               | 20        |

Section 053. DEPARTMENT OF WORKFORCE SERVICES

PROGRAM

Administration & Support

|                      | 18,674,375 | 22,525,699 | 2,302,479 | AG 17,415,415 |
|                      |           |           |           | EF 2,209,153 |

### APPOPRIATION FOR

<table>
<thead>
<tr>
<th>General Fund</th>
<th>Federal Funds</th>
<th>Other Funds</th>
<th>TOTAL APPROPRIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>3,025,625</td>
</tr>
<tr>
<td>Vocational Rehab</td>
<td>5,333,978</td>
<td>27,534,022</td>
<td>183,125</td>
</tr>
<tr>
<td></td>
<td>5,319,786</td>
<td></td>
<td>1,774,307</td>
</tr>
<tr>
<td>Unemployment Insurance</td>
<td>76,548,866</td>
<td>543,888</td>
<td>1,257,773</td>
</tr>
<tr>
<td>Labor Standards</td>
<td>2,115,523</td>
<td>120,287</td>
<td>54,000</td>
</tr>
<tr>
<td>Workers’ Safety and Comp 1</td>
<td>2,829,936</td>
<td>44,443,582</td>
<td>47,273,518</td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td><strong>36,123,876</strong></td>
<td><strong>129,558,810</strong></td>
<td><strong>64,361,462</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Authorized Employees</th>
<th>Full Time</th>
<th>Part Time</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>563</td>
<td>0</td>
<td>563</td>
</tr>
</tbody>
</table>

1. From this other funds appropriation, the department shall continue the trial within the workers’ compensation program on alternative managerial approaches for treating back and spine injuries authorized by footnote 1 of the department of employment budget in 2010 Wyoming Session Laws, Chapter 39, Section 2, Section 025. The department shall seek to expand the trial statewide and create incentives to cause every relevant injured worker to be treated according to one (1) of the evidence based protocols available. This footnote shall not be construed to require that the same protocol be used for every injured worker. The department may contract to implement this footnote and may continue existing relevant contracts. The department shall provide a preliminary report on the trial to the joint labor, health and social services interim committee on or before October 1, 2012 and a final outcomes report on or before October 1, 2013.

### Section 057. COMMUNITY COLLEGE COMMISSION

#### PROGRAM

| Administration | 12,151,893 | 11,763,849 |
|               | 236,966,654 | 230,947,293 |
| Contingency Reserve | 3,200,000 | 3,200,000 |
1. Of this general fund appropriation, seven million five hundred thousand dollars ($7,500,000.00) shall only be expended to address issues associated with enrollment growth and shall not be used for salary increases.

Section 060. STATE LANDS AND INVESTMENTS

PROGRAM

Operations 1., 2., 3.

<table>
<thead>
<tr>
<th></th>
<th>GENERAL FUND</th>
<th>FEDERAL FUNDS</th>
<th>OTHER FUNDS</th>
<th>TOTAL APPROPRIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>Adult Basic Education</td>
<td>2,483,369</td>
<td>1,839,522</td>
<td></td>
<td>4,322,891</td>
</tr>
<tr>
<td></td>
<td>2,384,033</td>
<td></td>
<td></td>
<td>4,223,555</td>
</tr>
<tr>
<td>WYIN Loan &amp; Grant Prg</td>
<td>5,352,640</td>
<td>5,352,640</td>
<td></td>
<td>5,352,640</td>
</tr>
<tr>
<td>Veterans Tuition Waiver</td>
<td>1,200,000</td>
<td>1,200,000</td>
<td></td>
<td>1,200,000</td>
</tr>
<tr>
<td>Teacher Shortage Loan Prg</td>
<td>600,000</td>
<td>S5</td>
<td>600,000</td>
<td>600,000</td>
</tr>
<tr>
<td>Public Television</td>
<td>3,567,987</td>
<td>3,567,987</td>
<td></td>
<td>3,567,987</td>
</tr>
<tr>
<td></td>
<td>3,667,987</td>
<td></td>
<td></td>
<td>3,667,987</td>
</tr>
<tr>
<td>TOTALS</td>
<td>261,452,540</td>
<td>1,839,522</td>
<td>3,800,000</td>
<td>267,092,062</td>
</tr>
<tr>
<td></td>
<td>255,315,802</td>
<td></td>
<td></td>
<td>260,955,324</td>
</tr>
</tbody>
</table>

AUTHORIZED EMPLOYEES

<table>
<thead>
<tr>
<th></th>
<th>Full Time</th>
<th>Part Time</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>16</td>
<td>0</td>
<td>16</td>
</tr>
</tbody>
</table>
1. Any unexpended, unobligated funds remaining in the state lands trust preservation account at the end of the 2011-2012 fiscal biennium shall not revert and are hereby reappropriated and shall be expended for the purpose of funding projects that will preserve the value or revenue generating capacity of state trust lands or mineral assets approved by the board of land commissioners pursuant to its rules. This footnote is effective immediately.

2. The general funds appropriated and restricted under 2011 Wyoming Session Laws, Chapter 88, Section 2, Section 060, Footnote 2, shall be expended and restricted as provided in this footnote, which supersedes the referenced footnote. The funds shall only be expended to construct fencing around the perimeter of Ranch A and for fencing the interior of the perimeter as determined appropriate by the department of state lands and investments for topographical or other convenience. For any perimeter fencing that is constructed, no expenditure shall be made unless one-half (1/2) of the costs are borne by owners of adjacent lands as provided for in W.S. 11-28-106. Notwithstanding W.S. 9-2-1008, 9-2-1012(e) and 9-4-207(a), unexpended and unobligated funds appropriated under 2011 Wyoming Session Laws, Chapter 88, Section 2, Section 060, Footnote 2, shall not lapse on June 30, 2012, but shall revert to the general fund on June 30, 2014. This footnote is effective immediately.

3. The director of the office of state lands and investments shall review the control, leasing, exchange, care and disposal of all institutional acquired lands held by the department of family services, the department of health and the department of corrections to determine whether such lands are being managed for the highest best use. The director of the office of state lands and investments shall report to the joint minerals, business and economic development interim committee by October 1, 2012 regarding the results of the review required under this footnote. This footnote is effective immediately.

4. The supplemental budget increase of eleven million two hundred thousand dollars ($11,200,000.00) in general funds after any budget reductions and information technology transfers shall be considered one-time funding and shall not be included in the department’s 2015-2016 standard budget request.

5. This general fund appropriation shall be deposited into the emergency fire suppression account created by W.S. 36-1-402. Of this general fund appropriation, the governor may transfer up to one million dollars ($1,000,000.00) to the department of agriculture to be expended only for the purposes of pine bark beetle mitigation pursuant to subsection (c) of Section 304 of this act.
Any transfer of funds pursuant to this footnote shall not be subject to the restrictions imposed in 2012 Wyoming Session Laws, Chapter 26, Section 309. Any transfer of funds pursuant to this footnote shall be in accordance with the B-11 process authorized by W.S. 9-2-1005(b)(ii) and shall be reported by the governor to the joint appropriations interim committee in the monthly report provided by W.S. 9-2-1005(o).

Section 063. GOVERNOR’S RESIDENCE

PROGRAM

| Residence Operation | 728,031 | 689,651 |
| Governor’s Residence | 5,000 | 5,000 |
| **TOTALS** | **733,031** | **694,651** |

AUTHORIZED EMPLOYEES

Full Time | 3
Part Time | 1
**TOTAL** | 4

Section 066. WYOMING TOURISM BOARD

PROGRAM

| Wyoming Tourism Board | 28,729,663 | 3,600 | AG | 28,733,263 |
|                       | 27,765,663 |       |    | 27,769,263 |
| **TOTALS** | **28,729,663** | **3,600** | **28,733,263** |
|                       | 27,765,663 |       |    | 27,769,263 |

AUTHORIZED EMPLOYEES

Full Time | 0
Part Time | 0
**TOTAL** | 0

1. Of this general fund appropriation, four hundred ten thousand dollars ($410,000.00) is effective immediately.

2. No budget reduction within this program shall be made to the cowboy marketing program, including, but not limited to, college national finals rodeo, national high school rodeo finals, team Wyoming or similar sponsorships or marketing programs for high school, college, community and professional rodeo programs.

Section 067. UNIVERSITY OF WYOMING
1. (a) Not later than October 31, 2013, the trustees of the University of Wyoming shall report to the joint interim committees of minerals, business and economic development, education and appropriations and provide recommended changes to either existing legislation or university regulations implementing the following management changes:

(i) Report on the current practices for installing permanent artwork on the campus and recommend a policy requiring prior trustee approval of artwork which is permanent and which becomes a fixture on university properties;

(ii) Report on the current practices of selecting the deans of the university colleges and recommend a policy which incorporates a selection committee which uses nonuniversity personnel trained in the college’s disciplines and which eliminates the capacity of individual university faculty to eliminate or veto candidates for the dean selection;

(iii) Report on the current practice of selecting and retaining staff assigned to the school of energy resources, and recommend a policy which provides an approval and review process for the school staff by the energy resources council;

(iv) Report on the current practice of razing buildings constructed as part of the original campus prior to 1980, and recommend a policy which provides for approval by the legislature before razing any historic building;

(v) Report on the current policies for architectural features of new buildings on campus, and recommend a permanent policy for minimum standards of appearance which preserves the classical architecture represented on the buildings facing Prexy’s Pasture as well as Old Main in all future construction;

(vi) Report on the custodian of all matching funds appropriated by the state for all matching programs, including the amount appropriated, the cur-
rent market valuation, investment policies and spending policies for those funds. The report shall also include the mechanism used to match the funds, including valuation of future gifts, and work with the joint judiciary interim committee to transfer all such state matching funds to permanent education trust funds established under Article 15, Section 20 of the Wyoming Constitution:

(vii) Report on the allocation and assignment of all endowed faculty positions, and develop a policy for annual reporting to the legislature on the allocation and use of the endowed chairs throughout the university.

Section 070. ENHANCED OIL RECOVERY COMM

<table>
<thead>
<tr>
<th>PROGRAM</th>
<th>GENERAL FUND</th>
<th>FEDERAL FUNDS</th>
<th>OTHER FUNDS</th>
<th>TOTAL APPROPRIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commission &amp; Support</td>
<td>449,540</td>
<td>449,540</td>
<td></td>
<td>449,540</td>
</tr>
<tr>
<td>Technical Outreach &amp; Res</td>
<td>5,405,203</td>
<td>5,405,203</td>
<td>5,254,983</td>
<td>5,254,983</td>
</tr>
<tr>
<td></td>
<td>5,854,023</td>
<td>0</td>
<td>0</td>
<td>5,854,023</td>
</tr>
<tr>
<td>TOTAL</td>
<td>5,704,523</td>
<td>0</td>
<td>0</td>
<td>5,704,523</td>
</tr>
</tbody>
</table>

AUTHORIZED EMPLOYEES

<table>
<thead>
<tr>
<th></th>
<th>Full Time</th>
<th>Part Time</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

Section 077. ENTERPRISE TECHNOLOGY SERVICES

<table>
<thead>
<tr>
<th>PROGRAM</th>
<th>GENERAL FUND</th>
<th>FEDERAL FUNDS</th>
<th>OTHER FUNDS</th>
<th>TOTAL APPROPRIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Enterprise Operations</td>
<td>22,144,067</td>
<td></td>
<td>2,201,400</td>
<td>22,144,067</td>
</tr>
<tr>
<td>Enterprise Core Services</td>
<td>9,048,271</td>
<td>61,134</td>
<td>1,350,200</td>
<td>12,661,005</td>
</tr>
<tr>
<td></td>
<td>38,710,796</td>
<td></td>
<td>3,058,634</td>
<td>38,710,796</td>
</tr>
<tr>
<td>IT Enhanced Services</td>
<td>210,454</td>
<td>2,848,180</td>
<td>2,300,000</td>
<td>2,300,000</td>
</tr>
<tr>
<td>Wen Infrastructure</td>
<td></td>
<td></td>
<td>3,058,634</td>
<td>3,058,634</td>
</tr>
<tr>
<td>TOTAL</td>
<td>31,402,792</td>
<td>0</td>
<td>47,471,710</td>
<td>78,874,502</td>
</tr>
</tbody>
</table>

AUTHORIZED EMPLOYEES

<table>
<thead>
<tr>
<th></th>
<th>Full Time</th>
<th>Part Time</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>280</td>
<td>1</td>
<td>281</td>
</tr>
</tbody>
</table>

Section 080. DEPARTMENT OF CORRECTIONS
<table>
<thead>
<tr>
<th>APPROPRIATION FOR</th>
<th>GENERAL FUND $</th>
<th>FEDERAL FUNDS $</th>
<th>OTHER FUNDS $</th>
<th>TOTAL APPROPRIATION $</th>
</tr>
</thead>
<tbody>
<tr>
<td>PROGRAM</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Corrections Operations</td>
<td>25,469,048</td>
<td>224,303</td>
<td>3,760,361</td>
<td>SR 28,007,804</td>
</tr>
<tr>
<td>Field Services</td>
<td>37,471,720</td>
<td>4,007,628</td>
<td>TT 41,479,348</td>
<td></td>
</tr>
<tr>
<td>Honor Conservation Camp</td>
<td>23,344,774</td>
<td>573,439</td>
<td>SR 24,020,052</td>
<td></td>
</tr>
<tr>
<td>Women's Center</td>
<td>23,566,864</td>
<td>100,000</td>
<td>628,151</td>
<td>SR 24,235,044</td>
</tr>
<tr>
<td>Honor Farm</td>
<td>48,693,315</td>
<td>863,536</td>
<td>IS 50,556,851</td>
<td></td>
</tr>
<tr>
<td>State Penitentiary</td>
<td>84,332,396</td>
<td>5,212</td>
<td>AG 82,203,735</td>
<td></td>
</tr>
<tr>
<td>WY Med Corr Inst</td>
<td>75,093,978</td>
<td>1,414,000</td>
<td>SR 76,507,978</td>
<td></td>
</tr>
<tr>
<td></td>
<td>72,468,612</td>
<td>1,414,000</td>
<td>SR 73,882,612</td>
<td></td>
</tr>
<tr>
<td>TOTALS</td>
<td>289,072,089</td>
<td>324,303</td>
<td>21,788,553</td>
<td>311,184,945</td>
</tr>
<tr>
<td></td>
<td>276,851,531</td>
<td></td>
<td></td>
<td>298,964,387</td>
</tr>
</tbody>
</table>

AUTHORIZED EMPLOYEES

<table>
<thead>
<tr>
<th></th>
<th>Full Time</th>
<th>Part Time</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1,306</td>
<td>3</td>
<td>1,309</td>
</tr>
</tbody>
</table>

1. Of this general fund appropriation, four hundred twenty thousand dollars ($420,000.00) shall only be expended for the transfer of inmates and substance abuse and cognitive skills treatment at the Wyoming honor farm. The appro-
1. (a) Of this general fund appropriation, fifteen million dollars ($15,000,000.00) shall only be used for the purposes of providing grants to cities, towns and counties for necessary public infrastructure to enable the recruitment and operation of large business projects. The expenditure of this appropriation shall be subject to the provisions of W.S. 9-12-601 through 9-12-603 and rules promulgated thereto, other than a maximum amount for any one (1) grant, and the following:

(i) The business project shall have an anticipated construction cost or
anticipated economic impact on the affected community of an amount or amounts established by the business council. In establishing the amount or amounts, the council shall consider the legislative intent of this footnote that these funds shall be used for projects which are anticipated to have an impact on the community beyond that anticipated for projects normally funded under the business ready community program. The council may also recognize the relative impact of the proposed project in consideration of the size of the community impacted;

(ii) The proposed use of the grant funds shall be reviewed by the attorney general and the attorney general shall first determine that the infrastructure will be of substantial benefit to the public and that the use is lawful; and

(iii) The governor shall approve any grant approved under this footnote and may require as a condition to any grant that the city, town or county enter into a cooperative agreement with the Wyoming business council or the Wyoming department of transportation to oversee the expenditure of the grant funds.

2. The Wyoming business council, no later than October 1, 2013, shall report to the joint minerals, business and economic development interim committee and the joint appropriations interim committee on the expenditure history, current grant applications, and estimated future applications under the community facilities program authorized in W.S. 9-12-801 through 9-12-805. The report shall include a recommendation and justification for continuing, reducing or eliminating the program as well as an estimated level of funding needed, by year, from fiscal year 2015 through fiscal year 2020.

3. The decrease in general fund appropriations associated with this footnote shall be from funds appropriated for the community facilities program account created pursuant W.S. 9-12-804.

Section 101. SUPREME COURT

<table>
<thead>
<tr>
<th>PROGRAM</th>
<th>GENERAL FUND</th>
<th>FEDERAL FUNDS</th>
<th>OTHER FUNDS</th>
<th>TOTAL APPROPRIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>7,942,615</td>
<td>281,507</td>
<td>3,050,000</td>
<td>$11,276,122</td>
</tr>
<tr>
<td></td>
<td>7,895,789</td>
<td>575,156</td>
<td></td>
<td>$11,520,945</td>
</tr>
<tr>
<td>Judicial Nominating Comm</td>
<td>15,001</td>
<td></td>
<td></td>
<td>15,001</td>
</tr>
<tr>
<td>Law Library</td>
<td>1,593,316</td>
<td></td>
<td>1,453,967</td>
<td>3,047,283</td>
</tr>
<tr>
<td>Circuit Courts</td>
<td>26,417,967</td>
<td></td>
<td>26,250,487</td>
<td>52,668,454</td>
</tr>
<tr>
<td>Court Auto &amp; Electronic</td>
<td>9,992,154</td>
<td>3,878,347</td>
<td></td>
<td>13,870,501</td>
</tr>
<tr>
<td>Judicial Retirement</td>
<td>1,453,967</td>
<td></td>
<td></td>
<td>1,453,967</td>
</tr>
<tr>
<td>Bd of Jud Policy &amp; Admin</td>
<td>782,692</td>
<td></td>
<td></td>
<td>782,692</td>
</tr>
</tbody>
</table>
1. The board of judicial policy and administration shall report to the joint appropriations interim committee and joint judiciary interim committee not later than December 1, 2013 on operational changes that would improve efficiency or reduce costs of the satellite courts in Powell, Lovell and Dubois. No satellite court shall be closed before April 1, 2014. Not later than July 1, 2013 the supreme court shall eliminate vacant position #0134, related to the budget reduction directive initiated by the legislature in 2012 Wyoming Session Laws, Chapter 26, Section 319(b).

Section 103. COMM ON JUDICIAL CONDUCT & ETHIC

PROGRAM
Administration 365,336 365,336
360,474 360,474

TOTALS 365,336 0 0 365,336
360,474 360,474

AUTHORIZED EMPLOYEES
Full Time 1
Part Time 0
TOTAL 1

Section 120. JUDICIAL DISTRICT 1A

PROGRAM
Administration 968,495 968,495
956,456 956,456

TOTALS 968,495 0 0 968,495
956,456 956,456

AUTHORIZED EMPLOYEES
Full Time 4
Part Time 0
TOTAL 4

Section 121. JUDICIAL DISTRICT 1B
<table>
<thead>
<tr>
<th>PROGRAM</th>
<th>GENERAL FUND</th>
<th>FEDERAL FUNDS</th>
<th>OTHER FUNDS</th>
<th>TOTAL APPROPRIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>$969,937</td>
<td>$957,412</td>
<td></td>
<td>$969,937</td>
</tr>
<tr>
<td>TOTALS</td>
<td>$969,937</td>
<td>0</td>
<td>0</td>
<td>$969,937</td>
</tr>
</tbody>
</table>

AUTHORIZED EMPLOYEES

<table>
<thead>
<tr>
<th>Full Time</th>
<th>Part Time</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>0</td>
<td>4</td>
</tr>
</tbody>
</table>

Section 122. JUDICIAL DISTRICT 2A

<table>
<thead>
<tr>
<th>PROGRAM</th>
<th>GENERAL FUND</th>
<th>FEDERAL FUNDS</th>
<th>OTHER FUNDS</th>
<th>TOTAL APPROPRIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>$962,899</td>
<td>$950,923</td>
<td></td>
<td>$962,899</td>
</tr>
<tr>
<td>TOTALS</td>
<td>$962,899</td>
<td>0</td>
<td>0</td>
<td>$962,899</td>
</tr>
</tbody>
</table>

AUTHORIZED EMPLOYEES

<table>
<thead>
<tr>
<th>Full Time</th>
<th>Part Time</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>0</td>
<td>4</td>
</tr>
</tbody>
</table>

Section 123. JUDICIAL DISTRICT 2B

<table>
<thead>
<tr>
<th>PROGRAM</th>
<th>GENERAL FUND</th>
<th>FEDERAL FUNDS</th>
<th>OTHER FUNDS</th>
<th>TOTAL APPROPRIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>$972,865</td>
<td>$960,599</td>
<td></td>
<td>$972,865</td>
</tr>
<tr>
<td>TOTALS</td>
<td>$972,865</td>
<td>0</td>
<td>0</td>
<td>$972,865</td>
</tr>
</tbody>
</table>

AUTHORIZED EMPLOYEES

<table>
<thead>
<tr>
<th>Full Time</th>
<th>Part Time</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>0</td>
<td>4</td>
</tr>
</tbody>
</table>

Section 124. JUDICIAL DISTRICT 3B

<table>
<thead>
<tr>
<th>PROGRAM</th>
<th>GENERAL FUND</th>
<th>FEDERAL FUNDS</th>
<th>OTHER FUNDS</th>
<th>TOTAL APPROPRIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>$925,203</td>
<td>$912,772</td>
<td></td>
<td>$925,203</td>
</tr>
<tr>
<td>TOTALS</td>
<td>$925,203</td>
<td>0</td>
<td>0</td>
<td>$925,203</td>
</tr>
<tr>
<td>AUTHORIZED EMPLOYEES</td>
<td>FULL TIME</td>
<td>PART TIME</td>
<td>TOTAL</td>
<td></td>
</tr>
<tr>
<td>----------------------</td>
<td>-----------</td>
<td>-----------</td>
<td>-------</td>
<td></td>
</tr>
<tr>
<td>125. JUDICIAL DISTRICT 3A</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Administration</td>
<td>4</td>
<td>0</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>TOTALS</td>
<td>964,370</td>
<td>0</td>
<td>964,370</td>
<td></td>
</tr>
<tr>
<td>126. JUDICIAL DISTRICT 4</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Administration</td>
<td>4</td>
<td>0</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>TOTALS</td>
<td>937,473</td>
<td>0</td>
<td>937,473</td>
<td></td>
</tr>
<tr>
<td>127. JUDICIAL DISTRICT 5A</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Administration</td>
<td>969,423</td>
<td>957,225</td>
<td>1,926,648</td>
<td></td>
</tr>
<tr>
<td>Water Litigation</td>
<td>434,466</td>
<td>427,970</td>
<td>862,436</td>
<td></td>
</tr>
<tr>
<td>TOTALS</td>
<td>1,404,086</td>
<td>0</td>
<td>1,404,086</td>
<td></td>
</tr>
</tbody>
</table>

APPROPRIATION FOR

<table>
<thead>
<tr>
<th>GENERAL FUND</th>
<th>FEDERAL FUNDS</th>
<th>OTHER FUNDS</th>
<th>TOTAL APPROPRIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>912,772</td>
<td>912,772</td>
<td></td>
<td>912,772</td>
</tr>
<tr>
<td>964,370</td>
<td>952,274</td>
<td></td>
<td>964,370</td>
</tr>
<tr>
<td>937,473</td>
<td>926,006</td>
<td></td>
<td>937,473</td>
</tr>
<tr>
<td>969,423</td>
<td>957,225</td>
<td>862,436</td>
<td>1,926,648</td>
</tr>
<tr>
<td>1,404,086</td>
<td>0</td>
<td>1,404,086</td>
<td></td>
</tr>
<tr>
<td>1,385,195</td>
<td>1,385,195</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Section</td>
<td>JUDICIAL DISTRICT 5B</td>
<td>JUDICIAL DISTRICT 6A</td>
<td>JUDICIAL DISTRICT 7A</td>
</tr>
<tr>
<td>---------</td>
<td>----------------------</td>
<td>----------------------</td>
<td>----------------------</td>
</tr>
<tr>
<td>Program Administration</td>
<td>$950,121</td>
<td>$958,675</td>
<td>$990,728</td>
</tr>
<tr>
<td></td>
<td>$938,401</td>
<td>$938,401</td>
<td>$978,196</td>
</tr>
<tr>
<td>Totals</td>
<td>$950,121</td>
<td>$938,401</td>
<td>$990,728</td>
</tr>
</tbody>
</table>

Authorized Employees
- Full Time: 6
- Part Time: 0
- Total: 6

---

**Section 128. JUDICIAL DISTRICT 5B**

**Program Administration**
- Full Time: 6
- Part Time: 0
- Total: 6

---

**Section 129. JUDICIAL DISTRICT 6A**

**Program Administration**
- Full Time: 4
- Part Time: 0
- Total: 4

---

**Section 130. JUDICIAL DISTRICT 7A**

**Program Administration**
- Full Time: 4
- Part Time: 1
- Total: 5

---

**Section 131. JUDICIAL DISTRICT 7B**
<table>
<thead>
<tr>
<th>PROGRAM</th>
<th>GENERAL FUND</th>
<th>FEDERAL FUNDS</th>
<th>OTHER FUNDS</th>
<th>TOTAL APPROPRIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>934,055</td>
<td></td>
<td>921,560</td>
<td>934,055</td>
</tr>
<tr>
<td>TOTALS</td>
<td>934,055</td>
<td>0</td>
<td>0</td>
<td>934,055</td>
</tr>
</tbody>
</table>

| AUTHORIZED EMPLOYEES           |              |               |             |                    |
| Full Time                      | 4            |               |             |                    |
| Part Time                      | 1            |               |             |                    |
| TOTAL                           | 5            |               |             |                    |

**Section 132. JUDICIAL DISTRICT 9A**

<table>
<thead>
<tr>
<th>PROGRAM</th>
<th>GENERAL FUND</th>
<th>FEDERAL FUNDS</th>
<th>OTHER FUNDS</th>
<th>TOTAL APPROPRIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>1,005,569</td>
<td></td>
<td>992,740</td>
<td>1,005,569</td>
</tr>
<tr>
<td>TOTALS</td>
<td>1,005,569</td>
<td>0</td>
<td>0</td>
<td>1,005,569</td>
</tr>
</tbody>
</table>

| AUTHORIZED EMPLOYEES           |              |               |             |                    |
| Full Time                      | 4            |               |             |                    |
| Part Time                      | 0            |               |             |                    |
| TOTAL                           | 4            |               |             |                    |

**Section 133. JUDICIAL DISTRICT 8A**

<table>
<thead>
<tr>
<th>PROGRAM</th>
<th>GENERAL FUND</th>
<th>FEDERAL FUNDS</th>
<th>OTHER FUNDS</th>
<th>TOTAL APPROPRIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>934,569</td>
<td></td>
<td>923,160</td>
<td>934,569</td>
</tr>
<tr>
<td>TOTALS</td>
<td>934,569</td>
<td>0</td>
<td>0</td>
<td>934,569</td>
</tr>
</tbody>
</table>

| AUTHORIZED EMPLOYEES           |              |               |             |                    |
| Full Time                      | 4            |               |             |                    |
| Part Time                      | 0            |               |             |                    |
| TOTAL                           | 4            |               |             |                    |

**Section 134. JUDICIAL DISTRICT 9B**

<table>
<thead>
<tr>
<th>PROGRAM</th>
<th>GENERAL FUND</th>
<th>FEDERAL FUNDS</th>
<th>OTHER FUNDS</th>
<th>TOTAL APPROPRIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>1,105,956</td>
<td></td>
<td>1,091,119</td>
<td>1,105,956</td>
</tr>
<tr>
<td>TOTALS</td>
<td>1,105,956</td>
<td>0</td>
<td>0</td>
<td>1,105,956</td>
</tr>
</tbody>
</table>

| AUTHORIZED EMPLOYEES           |              |               |             |                    |
| Full Time                      | 4            |               |             |                    |
| Part Time                      | 0            |               |             |                    |
| TOTAL                           | 4            |               |             |                    |
### Session Laws of Wyoming, 2013

#### Ch. 73

**Section 135. JUDICIAL DISTRICT 6B**

**Program**

<table>
<thead>
<tr>
<th></th>
<th>General Fund</th>
<th>Federal Funds</th>
<th>Other Funds</th>
<th>Total Appropriation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>$1,010,086</td>
<td>$996,925</td>
<td></td>
<td>$1,010,086</td>
</tr>
</tbody>
</table>

**Authorized Employees**

<table>
<thead>
<tr>
<th></th>
<th>Full Time</th>
<th>Part Time</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Full Time</td>
<td>4</td>
<td>0</td>
<td>4</td>
</tr>
</tbody>
</table>

**Section 136. JUDICIAL DISTRICT 8B**

**Program**

<table>
<thead>
<tr>
<th></th>
<th>General Fund</th>
<th>Federal Funds</th>
<th>Other Funds</th>
<th>Total Appropriation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>$963,919</td>
<td>$951,923</td>
<td></td>
<td>$963,919</td>
</tr>
</tbody>
</table>

**Authorized Employees**

<table>
<thead>
<tr>
<th></th>
<th>Full Time</th>
<th>Part Time</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Full Time</td>
<td>4</td>
<td>0</td>
<td>4</td>
</tr>
</tbody>
</table>

**Section 137. LARAMIE CO DISTRICT 1C**

**Program**

<table>
<thead>
<tr>
<th></th>
<th>General Fund</th>
<th>Federal Funds</th>
<th>Other Funds</th>
<th>Total Appropriation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>$1,004,367</td>
<td>$991,154</td>
<td></td>
<td>$1,004,367</td>
</tr>
</tbody>
</table>

**Authorized Employees**

<table>
<thead>
<tr>
<th></th>
<th>Full Time</th>
<th>Part Time</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Full Time</td>
<td>5</td>
<td>0</td>
<td>5</td>
</tr>
</tbody>
</table>

**Section 138. SWEETWATER CO DISTRICT 3C**
### Section 139. NATRONA CO DISTRICT 7C

**PROGRAM**

<table>
<thead>
<tr>
<th></th>
<th>GENERAL FUND</th>
<th>FEDERAL FUNDS</th>
<th>OTHER FUNDS</th>
<th>TOTAL APPROPRIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>925,833</td>
<td>914,234</td>
<td></td>
<td>925,833</td>
</tr>
<tr>
<td></td>
<td>929,989</td>
<td></td>
<td></td>
<td>929,989</td>
</tr>
<tr>
<td>TOTALS</td>
<td>925,833</td>
<td>0</td>
<td>0</td>
<td>925,833</td>
</tr>
<tr>
<td></td>
<td>929,989</td>
<td></td>
<td></td>
<td>929,989</td>
</tr>
</tbody>
</table>

**AUTHORIZED EMPLOYEES**

- **Full Time**: 4
- **Part Time**: 0
- **TOTAL**: 4

### Section 140. JUDICIAL DISTRICT 6C

**PROGRAM**

<table>
<thead>
<tr>
<th></th>
<th>GENERAL FUND</th>
<th>FEDERAL FUNDS</th>
<th>OTHER FUNDS</th>
<th>TOTAL APPROPRIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>941,631</td>
<td>929,989</td>
<td></td>
<td>941,631</td>
</tr>
<tr>
<td></td>
<td>974,278</td>
<td></td>
<td></td>
<td>974,278</td>
</tr>
<tr>
<td>TOTALS</td>
<td>941,631</td>
<td>0</td>
<td>0</td>
<td>941,631</td>
</tr>
<tr>
<td></td>
<td>974,278</td>
<td></td>
<td></td>
<td>974,278</td>
</tr>
</tbody>
</table>

**AUTHORIZED EMPLOYEES**

- **Full Time**: 4
- **Part Time**: 0
- **TOTAL**: 4

### Section 141. JUDICIAL DISTRICT 9C

**PROGRAM**

<table>
<thead>
<tr>
<th></th>
<th>GENERAL FUND</th>
<th>FEDERAL FUNDS</th>
<th>OTHER FUNDS</th>
<th>TOTAL APPROPRIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>986,272</td>
<td>974,278</td>
<td></td>
<td>986,272</td>
</tr>
<tr>
<td></td>
<td>986,272</td>
<td>974,278</td>
<td></td>
<td>986,272</td>
</tr>
<tr>
<td>TOTALS</td>
<td>986,272</td>
<td>0</td>
<td>0</td>
<td>986,272</td>
</tr>
<tr>
<td></td>
<td>974,278</td>
<td></td>
<td></td>
<td>974,278</td>
</tr>
</tbody>
</table>
### Section 142. JUDICIAL DISTRICT 4B

#### PROGRAM

<table>
<thead>
<tr>
<th>Administration</th>
<th>$60,968</th>
<th>60,968</th>
</tr>
</thead>
</table>

**TOTALS**

| $60,968 | 0 | 0 | $60,968 |

### Section 151. DISTRICT ATTORNEY/JUD DIST #1

#### PROGRAM

<table>
<thead>
<tr>
<th>Administration</th>
<th>$4,236,698</th>
<th>4,236,698</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>$4,151,964</td>
<td>4,151,964</td>
</tr>
</tbody>
</table>

**TOTALS**

| $4,236,698 | 0 | 0 | $4,236,698 |

| $4,151,964 | 0 | 0 | $4,151,964 |

### Section 157. DISTRICT ATTORNEY/JUD DIST #7

#### PROGRAM

<table>
<thead>
<tr>
<th>Administration</th>
<th>$4,022,554</th>
<th>4,022,554</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>$3,922,422</td>
<td>3,922,422</td>
</tr>
</tbody>
</table>

**TOTALS**

| $4,022,554 | 0 | 0 | $4,022,554 |

| $3,922,422 | 0 | 0 | $3,922,422 |

### Section 160. COUNTY & PROS ATTORNEYS
### PROGRAM

<table>
<thead>
<tr>
<th>Administration 1</th>
<th>[6,149,895]</th>
<th>[6,026,897]</th>
<th>[6,026,897]</th>
<th>[6,149,895]</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>TOTALS</strong></td>
<td>[6,149,895]</td>
<td>[0]</td>
<td>[0]</td>
<td>[6,149,895]</td>
</tr>
<tr>
<td><strong>AUTHORIZED EMPLOYEES</strong></td>
<td>[0]</td>
<td>[0]</td>
<td>[0]</td>
<td>[0]</td>
</tr>
<tr>
<td>Full Time</td>
<td>0</td>
<td></td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>Part Time</td>
<td>0</td>
<td></td>
<td></td>
<td>0</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>0</td>
<td></td>
<td></td>
<td>0</td>
</tr>
</tbody>
</table>

1. None of the funds appropriated with this footnote shall be expended on salary increases.

### Section 167. UW - MEDICAL EDUCATION

<table>
<thead>
<tr>
<th>PROGRAM</th>
<th>[20,237,661]</th>
<th>[9,092,473]</th>
<th>[10,483,137]</th>
<th>[507,500]</th>
<th>[4,876,597]</th>
<th>[225,000]</th>
<th>[29,330,134]</th>
</tr>
</thead>
<tbody>
<tr>
<td>Family Practice Centers</td>
<td>[20,237,661]</td>
<td>[9,092,473]</td>
<td>[10,483,137]</td>
<td>[507,500]</td>
<td>[4,876,597]</td>
<td>[225,000]</td>
<td>[29,330,134]</td>
</tr>
<tr>
<td>WWAMI Medical Education</td>
<td>[10,483,137]</td>
<td>[0]</td>
<td>[10,483,137]</td>
<td>[0]</td>
<td>[4,876,597]</td>
<td>[225,000]</td>
<td>[0]</td>
</tr>
<tr>
<td>Adv Practice RN Psych</td>
<td>[507,500]</td>
<td>[0]</td>
<td>[507,500]</td>
<td>[0]</td>
<td>[4,876,597]</td>
<td>[225,000]</td>
<td>[0]</td>
</tr>
<tr>
<td>Dental Contracts</td>
<td>[4,876,597]</td>
<td>[0]</td>
<td>[4,876,597]</td>
<td>[0]</td>
<td>[4,876,597]</td>
<td>[225,000]</td>
<td>[0]</td>
</tr>
<tr>
<td>Nursing Program</td>
<td>[225,000]</td>
<td>[0]</td>
<td>[225,000]</td>
<td>[0]</td>
<td>[225,000]</td>
<td>[225,000]</td>
<td>[0]</td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td>[36,329,895]</td>
<td>[0]</td>
<td>[9,092,473]</td>
<td>[45,422,368]</td>
<td>[35,822,395]</td>
<td>[44,914,868]</td>
<td>[0]</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>AUTHORIZED EMPLOYEES</th>
<th>[139]</th>
<th>[23]</th>
<th>[162]</th>
</tr>
</thead>
<tbody>
<tr>
<td>Full Time</td>
<td>139</td>
<td></td>
<td>139</td>
</tr>
<tr>
<td>Part Time</td>
<td>23</td>
<td></td>
<td>23</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>162</td>
<td></td>
<td>162</td>
</tr>
</tbody>
</table>

### Section 205. EDUCATION-SCHOOL FINANCE 1.

<table>
<thead>
<tr>
<th>PROGRAM</th>
<th>[1,528,520,000]</th>
<th>[1,528,520,000]</th>
<th>[19,433,639]</th>
<th>[19,433,639]</th>
<th>[1,250,000]</th>
<th>[1,250,000]</th>
<th>[80,020,000]</th>
<th>[80,020,000]</th>
<th>[25,247,481]</th>
<th>[25,247,481]</th>
<th>[25,186,347]</th>
<th>[25,186,347]</th>
<th>[2,655,207]</th>
<th>[2,655,207]</th>
</tr>
</thead>
<tbody>
<tr>
<td>School Foundation Pgm</td>
<td>[1,528,520,000]</td>
<td>[1,528,520,000]</td>
<td>[19,433,639]</td>
<td>[19,433,639]</td>
<td>[1,250,000]</td>
<td>[1,250,000]</td>
<td>[80,020,000]</td>
<td>[80,020,000]</td>
<td>[25,247,481]</td>
<td>[25,247,481]</td>
<td>[25,186,347]</td>
<td>[25,186,347]</td>
<td>[2,655,207]</td>
<td>[2,655,207]</td>
</tr>
<tr>
<td>Court Ordered Placements</td>
<td>[19,433,639]</td>
<td>[19,433,639]</td>
<td>[19,433,639]</td>
<td>[19,433,639]</td>
<td>[1,250,000]</td>
<td>[1,250,000]</td>
<td>[80,020,000]</td>
<td>[80,020,000]</td>
<td>[25,247,481]</td>
<td>[25,247,481]</td>
<td>[25,186,347]</td>
<td>[25,186,347]</td>
<td>[2,655,207]</td>
<td>[2,655,207]</td>
</tr>
<tr>
<td>Mill Levy Debt Pledge</td>
<td>[1,250,000]</td>
<td>[1,250,000]</td>
<td>[1,250,000]</td>
<td>[1,250,000]</td>
<td>[1,250,000]</td>
<td>[1,250,000]</td>
<td>[1,250,000]</td>
<td>[1,250,000]</td>
<td>[1,250,000]</td>
<td>[1,250,000]</td>
<td>[1,250,000]</td>
<td>[1,250,000]</td>
<td>[1,250,000]</td>
<td>[1,250,000]</td>
</tr>
<tr>
<td>Foundation-Specials</td>
<td>[80,020,000]</td>
<td>[80,020,000]</td>
<td>[80,020,000]</td>
<td>[80,020,000]</td>
<td>[80,020,000]</td>
<td>[80,020,000]</td>
<td>[80,020,000]</td>
<td>[80,020,000]</td>
<td>[80,020,000]</td>
<td>[80,020,000]</td>
<td>[80,020,000]</td>
<td>[80,020,000]</td>
<td>[80,020,000]</td>
<td>[80,020,000]</td>
</tr>
<tr>
<td>Education Reform 2.3</td>
<td>[25,247,481]</td>
<td>[25,247,481]</td>
<td>[25,247,481]</td>
<td>[25,247,481]</td>
<td>[25,247,481]</td>
<td>[25,247,481]</td>
<td>[25,247,481]</td>
<td>[25,247,481]</td>
<td>[25,247,481]</td>
<td>[25,247,481]</td>
<td>[25,247,481]</td>
<td>[25,247,481]</td>
<td>[25,247,481]</td>
<td>[25,247,481]</td>
</tr>
<tr>
<td>Student Performance Data</td>
<td>[2,655,207]</td>
<td>[2,655,207]</td>
<td>[2,655,207]</td>
<td>[2,655,207]</td>
<td>[2,655,207]</td>
<td>[2,655,207]</td>
<td>[2,655,207]</td>
<td>[2,655,207]</td>
<td>[2,655,207]</td>
<td>[2,655,207]</td>
<td>[2,655,207]</td>
<td>[2,655,207]</td>
<td>[2,655,207]</td>
<td>[2,655,207]</td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td>[0]</td>
<td>[0]</td>
<td>[1,657,126,327]</td>
<td>[1,657,126,327]</td>
<td>[1,657,065,193]</td>
<td>[1,657,065,193]</td>
<td>[1,657,065,193]</td>
<td>[1,657,065,193]</td>
<td>[1,657,065,193]</td>
<td>[1,657,065,193]</td>
<td>[1,657,065,193]</td>
<td>[1,657,065,193]</td>
<td>[1,657,065,193]</td>
<td>[1,657,065,193]</td>
</tr>
</tbody>
</table>
1. All changes to the department’s budget as authorized in this section shall be documented via the B-11 process as authorized by W.S. 9-2-1005(b)(ii). It is the intent of this footnote to require the department to use the B-11 process for budgetary additions and transfers between and within divisions, including transfers and additions at the unit level.

2. Of this school foundation program account appropriation, two hundred thousand dollars ($200,000.00) shall only be used to fund grants to school districts to support anti-bullying programs. The state superintendent of public instruction shall administer the grant program.

3. (a) Amounts within units 4601 and 4603 of the education reform program, as appropriated by 2010 Wyoming Session Laws, Chapter 39, Section 2, Section 205, and as appropriated for the fiscal biennium commencing July 1, 2012, and ending June 30, 2014, shall only be expended for education testing and assessment purposes. Unless approved for transfer under W.S. 9-2-1005(b)(ii), no funds appropriated within units 4601 and 4603 of the education reform program, as appropriated by 2010 Wyoming Session Laws, Chapter 39, Section 2, Section 205, shall be expended for any purpose other than for education testing and assessment as required by law.

   (b) Any unencumbered, unexpended, unobligated funds within units 4601 and 4603 of the education reform program appropriated by 2010 Wyoming Session Laws, Chapter 39, Section 2, Section 205, which are not expended on testing and assessments as identified in the agency's budget request for these units or as specified by law, together with any reversions of encumbered amounts from the 2011-2012 fiscal biennium, are reappropriated to the education testing and assessment account within the state auditor's office created by Section 2, Section 005, footnote 3 of this act. In addition, amounts appropriated within units 4601 and 4603 of the education reform program appropriated for the fiscal biennium commencing July 1, 2012, and ending June 30, 2014, are as of the effective date of this footnote, reappropriated to this education testing and assessment account.

   (c) Any unexpended, unencumbered, unobligated amounts within this education school finance budget which have been designated by the agency for teacher to teacher programs, including any amounts appropriated for these purposes in this act, shall be transferred to the education testing and assessment account created under Section 2, Section 005, footnote 3 of this act.

   (d) The department of audit shall audit the expenditure of amounts appro-
appropriated by 2010 Wyoming Session Laws, Chapter 39, Section 2, Section 205, within the education reform program and shall ensure such amounts were expended for assessment and testing. In addition, the audit shall identify unexpended amounts and shall ensure the accuracy of amounts transferred to the education testing and assessment account created by Section 2, Section 005, footnote 3 of this act.

(e) Amounts expended from the education testing and assessment account created by Section 2, Section 005, footnote 3 of this act shall be certified by the governor and shall be restricted to the costs of administration of testing and assessments imposed by 2012 Senate File 0057, as enacted into law, by 2011 Wyoming Session Laws, Chapter 184 and as otherwise required by law. Expenditures from this account shall require certification by the governor that amounts are necessary to fund testing and assessment required by law.

(f) This footnote is effective immediately.

Section 211. BOARD OF EQUALIZATION

PROGRAM

Equalization/Tax Appeals 1,782,690 1,703,562
            1,782,690 1,703,562

TOTALS 1,782,690 0 0 1,782,690
        1,703,562 1,703,562

AUTHORIZED EMPLOYEES
Full Time 7 6
Part Time 0
TOTAL 7 6

Section 220. ENVIRONMENTAL QUALITY COUNCIL

PROGRAM

Administration 902,070 866,776
            902,070 866,776

TOTALS 902,070 0 0 902,070
        866,776 866,776

AUTHORIZED EMPLOYEES
Full Time 3
Part Time 0
TOTAL 3

Section 013. WYOMING EUTHANASIA CERTIFICATION
1. The animal euthanasia board shall confer with the board of veterinary medicine in order to determine the feasibility of incorporating the animal euthanasia board's functions within the board of veterinary medicine's organization in preparation of the 2015-2016 biennial budget.

2. This general fund appropriation shall only be expended to reimburse the budget reserve account for amounts expended by, but not appropriated to, the animal euthanasia board during the period July 1, 2004 and ending June 30, 2012.

[CAPITAL CONSTRUCTION]

Section 3. Sections 006, 057 and 067 of 2012 Wyoming Session Laws, Chapter 26, Section 3 are amended to read:

Section 006. ADMINISTRATION AND INFORMATION 1.

<table>
<thead>
<tr>
<th>PROGRAM</th>
<th>GENERAL FUND</th>
<th>FEDERAL FUNDS</th>
<th>OTHER FUNDS</th>
<th>TOTAL APPROPRIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td></td>
<td>4,000</td>
<td>SR</td>
<td>4,000</td>
</tr>
<tr>
<td></td>
<td>47,527</td>
<td></td>
<td></td>
<td>51,527</td>
</tr>
<tr>
<td>TOTALS</td>
<td>0</td>
<td>4,000</td>
<td></td>
<td>4,000</td>
</tr>
<tr>
<td></td>
<td>47,527</td>
<td></td>
<td></td>
<td>51,527</td>
</tr>
</tbody>
</table>

AUTHORIZED EMPLOYEES

<table>
<thead>
<tr>
<th></th>
<th>Full Time</th>
<th>Part Time</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

1. The animal euthanasia board shall confer with the board of veterinary medicine in order to determine the feasibility of incorporating the animal euthanasia board's functions within the board of veterinary medicine's organization in preparation of the 2015-2016 biennial budget.

2. This general fund appropriation shall only be expended to reimburse the budget reserve account for amounts expended by, but not appropriated to, the animal euthanasia board during the period July 1, 2004 and ending June 30, 2012.

[CAPITAL CONSTRUCTION]

Section 3. Sections 006, 057 and 067 of 2012 Wyoming Session Laws, Chapter 26, Section 3 are amended to read:

Section 006. ADMINISTRATION AND INFORMATION 1.

<table>
<thead>
<tr>
<th>PROGRAM</th>
<th>GENERAL FUND</th>
<th>FEDERAL FUNDS</th>
<th>OTHER FUNDS</th>
<th>TOTAL APPROPRIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>A&amp;I State Office Bldg</td>
<td>4,400,000</td>
<td>0</td>
<td>4,400,000</td>
<td></td>
</tr>
<tr>
<td>A&amp;I CC Const Mgmt</td>
<td>500,000</td>
<td></td>
<td>500,000</td>
<td></td>
</tr>
<tr>
<td>A&amp;I State Capitol</td>
<td>726,500</td>
<td>0</td>
<td>726,500</td>
<td></td>
</tr>
<tr>
<td>SFD - Snowy Range Academy</td>
<td>4,000,000</td>
<td>0</td>
<td>4,000,000</td>
<td></td>
</tr>
<tr>
<td>Military - Afton Armory</td>
<td>3,275,000</td>
<td></td>
<td>3,275,000</td>
<td></td>
</tr>
<tr>
<td>Military - Land Acq</td>
<td>500,000</td>
<td></td>
<td>500,000</td>
<td></td>
</tr>
<tr>
<td>Military - Laramie Armory</td>
<td>5,976,528</td>
<td>16,830,000</td>
<td>22,806,528</td>
<td></td>
</tr>
<tr>
<td>Military - Cemetery Impr</td>
<td>1,000,000</td>
<td></td>
<td>1,000,000</td>
<td></td>
</tr>
<tr>
<td>Military - Training Inst</td>
<td>3,100,000</td>
<td></td>
<td>3,100,000</td>
<td></td>
</tr>
<tr>
<td>Military - Med Armory</td>
<td>8,900,000</td>
<td></td>
<td>8,900,000</td>
<td></td>
</tr>
<tr>
<td>Military - Utilities</td>
<td>1,200,000</td>
<td>1,500,000</td>
<td>2,700,000</td>
<td></td>
</tr>
<tr>
<td>Military - Vets Cemetery</td>
<td>840,000</td>
<td></td>
<td>840,000</td>
<td></td>
</tr>
<tr>
<td>Dept of Ag - Concessions</td>
<td>124,890</td>
<td></td>
<td>124,890</td>
<td></td>
</tr>
<tr>
<td>Dept of Ag - Painting</td>
<td>250,000</td>
<td></td>
<td>250,000</td>
<td></td>
</tr>
<tr>
<td>State Parks – Health/Safety</td>
<td>4,000,000</td>
<td>SR</td>
<td>4,000,000</td>
<td></td>
</tr>
<tr>
<td>State Parks – Terr Prison</td>
<td>210,000</td>
<td>SR</td>
<td>210,000</td>
<td></td>
</tr>
</tbody>
</table>
1. Any unexpended, unobligated funds remaining in a capital construction project budget upon completion of the project shall be deposited into the capitol building rehabilitation and restoration account created by W.S. 9-5-109(j), and shall not be transferred or expended for any other purpose. Any reversion of unexpended, unobligated funds in any capital construction budget contained in any prior capital construction appropriation from the general fund or budget reserve account, which occurs prior to July 1, 2014, shall also be deposited into the capitol building rehabilitation and restoration account, unless the appropriation specified another use of the reverted funds.

2. Of this other funds appropriation, four million four hundred thousand dollars ($4,400,000.00) SO is hereby appropriated from the capitol building rehabilitation and restoration account created by W.S. 9-5-109(j).

3. The construction management division of the department of administration and information shall negotiate the purchase of lands for the expansion of Camp Guernsey. The military department is authorized to purchase such lands at the negotiated price which shall be not more than fair market value and not in excess of the total amount of this appropriation. Such acquisitions shall be managed for contiguous land ownership by the department and to avoid the creation of private inholdings.

4. This appropriation is effective immediately.

5. In accordance with 2012 Wyoming Session Laws, Chapter 26, Section 2, Section 027, Footnote 2(a)(iii), this school capital construction account appropriation shall only be expended for the acquisition and renovation of the existing Snowy Range Academy charter school facility in Laramie, Wyoming, which has been determined by the school facilities department to be the most cost effective remedy to address the school district’s identified need. The department of administration and information, division of construction management, shall negotiate all terms of the purchase. After review and approval of the purchase by the state building commission and upon acquisition, the division shall transfer the property to Albany County School District #1 at which time the school district shall be responsible for maintenance and operations.
6. Of this other funds appropriation, seven hundred twenty-six thousand five hundred dollars ($726,500.00) is hereby appropriated from the capitol building rehabilitation and restoration account created by W.S. 9-5-109(j) for purposes of enhanced level I and level II services for the rehabilitation and restoration of the state capitol building.

**Section 057. COMMUNITY COLLEGE COMMISSION**

<table>
<thead>
<tr>
<th>PROGRAM</th>
<th>OTHER FUNDS</th>
<th>TOTAL APPROPRIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>WWCC Wellness</td>
<td>2,582,915</td>
<td>5,165,830</td>
</tr>
<tr>
<td>CWC Academic Space Improv.</td>
<td>2,258,957</td>
<td>3,572,064</td>
</tr>
<tr>
<td>CWC Lander Improvements</td>
<td>1,252,365</td>
<td>1,980,351</td>
</tr>
<tr>
<td>NWC Yellowstone Building</td>
<td>9,316,011</td>
<td>14,252,420</td>
</tr>
<tr>
<td>WWCC Workforce Trng Fac.</td>
<td>1,700,380</td>
<td>1,700,380</td>
</tr>
<tr>
<td>EWC Ag Complex</td>
<td>4,700,777</td>
<td>4,700,777</td>
</tr>
<tr>
<td>EWC Douglas Campus</td>
<td>9,612,249</td>
<td>9,612,249</td>
</tr>
<tr>
<td>NWCCD Gillette Ag Complex</td>
<td>4,783,748</td>
<td>4,783,748</td>
</tr>
<tr>
<td>NWCCD Sheridan Ag Complex</td>
<td>3,850,916</td>
<td>3,850,916</td>
</tr>
<tr>
<td>NWCCD Thorne Rider Center</td>
<td>11,718,935</td>
<td>11,718,935</td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td>15,410,248</td>
<td>26,671,045</td>
</tr>
</tbody>
</table>

**Section 067. UNIVERSITY OF WYOMING**

<table>
<thead>
<tr>
<th>PROGRAM</th>
<th>OTHER FUNDS</th>
<th>TOTAL APPROPRIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Engineering Building ¹</td>
<td>14,200,000</td>
<td>14,200,000</td>
</tr>
<tr>
<td></td>
<td>69,200,000</td>
<td>69,200,000</td>
</tr>
<tr>
<td>White Hall ²</td>
<td>10,000,000</td>
<td>10,000,000</td>
</tr>
<tr>
<td>Half Acre Rec Center ³⁺</td>
<td>15,000,000</td>
<td>27,000,000</td>
</tr>
<tr>
<td>UW Project Fund ⁴</td>
<td>5,000,000</td>
<td>5,000,000</td>
</tr>
<tr>
<td>Sheridan Ag Bldg ⁵</td>
<td>1,800,000</td>
<td>1,800,000</td>
</tr>
<tr>
<td>Arena Auditorium Reno</td>
<td>5,000,000</td>
<td>5,000,000</td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td>36,000,000</td>
<td>58,000,000</td>
</tr>
</tbody>
</table>

1. This general fund appropriation shall be deposited to an account which shall be held by the state treasurer for distribution to the University of Wyoming for construction costs of the engineering building as provided in this footnote. The funds of this general fund appropriation, fourteen million two hundred thousand dollars ($14,200,000.00) shall be available to be matched by qualifying contributions meeting the provisions of W.S. 21-16-1401 through
21-16-1403, including valuation of matching funds. All funds appropriated with this footnote shall only be available for expenditure as specifically authorized by the legislature.

2. This appropriation is effective immediately.

3. Of this other funds appropriation, twelve million dollars ($12,000,000.00) RB is effective immediately. To the extent practicable, bond counsel resident in Wyoming shall be used in the issuance of the revenue bonds for this project.

4. In providing artwork for the half acre recreation center pursuant to the provisions of W.S. 16-6-801 through 16-6-805, the university shall require artwork which displays the historical, cultural and current significance of transportation, agriculture and minerals in Wyoming’s history. Notwithstanding the provisions of W.S. 16-6-801 through 16-6-805, the proposals for artwork shall be submitted to the university’s energy resources council and the governor for approval:

5. This general fund appropriation shall only be expended for long range infrastructure improvements by the university in accordance with the university’s budget submitted to the joint appropriations committee for the 2013-2014 fiscal biennium.

6. Of this general fund appropriation, one million eight hundred thousand dollars ($1,800,000.00) shall only be expended to acquire and renovate the Watt agriculture building in Sheridan and to construct support structures.

Section 4. Sections 300 by creating new subsections (e) through (h), 301, 304(c), 307(a), 311, 312, 317 by creating a new subsection (f), 319(b) and by creating new subsections (d) and (e), 323(g) and by creating a new subsection (h) and by creating new sections 329 through 340 are amended to read:

[BUDGET BALANCERS - TRANSFERS]

Section 300.

(e) The strategic investments and projects account (SIPA) is hereby created. There is appropriated from the general fund to that account an amount as provided in this subsection. The state auditor shall calculate the amount by which earnings from the permanent Wyoming mineral trust fund attributable to the 2013 fiscal year are both in excess of the amount projected for such earnings in the consensus revenue estimating group’s January 14, 2013 report and less than the spending policy amount for fiscal year 2013 as determined pursuant to W.S. 9-4-719. The appropriation under this subsection shall be equal to the amount calculated, but shall not exceed ninety million dollars ($90,000,000.00).

(f) The governor may include appropriation requests from the strategic investments and projects account within the 2015-2016 biennial budget request for one-time expenditures as he deems necessary.
(g) The auditor shall transfer to the common school account within the permanent land fund, any unappropriated, unexpended, unobligated balance within the permanent land fund holding account which is in excess of four hundred seventy-five million dollars ($475,000,000.00) on June 30, 2014.

[(h) The state auditor shall calculate the sum amount by which revenues attributed to the fiscal period beginning July 1, 2012 and ending June 30, 2013 deposited to either the general fund or budget reserve account, excluding earnings from the permanent Wyoming mineral trust fund, exceed the sum amount of projected revenues to be deposited either to the general fund or budget reserve account in the consensus revenue estimating group’s January 14, 2013 report for the same fiscal period, excluding earnings from the permanent Wyoming mineral trust fund. To the extent the respective sum of the excess amounts calculated is greater than five million dollars ($5,000,000.00), the amount over five million dollars ($5,000,000.00) shall be transferred from the general fund and from the budget reserve account to the legislative stabilization reserve account no later than November 1, 2013.]

[PUBLIC LIBRARY ENDOWMENT CHALLENGE FUND]

Section 301. There is appropriated from the general fund to the public library endowment challenge fund created under W.S. 18-7-201 et seq., three million dollars ($3,000,000.00) three million two hundred fifty thousand dollars ($3,250,000.00) to be deposited, invested, distributed and expended in accordance with W.S. 18-7-201 through 18-7-205. Any unexpended, unobligated funds from the amounts appropriated under this section existing in the challenge fund on June 30, 2017 shall revert according to law.

[CARRYOVER APPROPRIATIONS-SUPPLEMENTAL APPROPRIATIONS]

Section 304.

[PINE BARK BEETLE MITIGATION]

(c) Notwithstanding W.S. 9-2-1008, 9-2-1012(e) and 9-4-207, one million dollars ($1,000,000.00) or so much thereof as is available, of unexpended, unobligated monies appropriated in 2010 Wyoming Session Laws, Chapter 39, Section 2, Section 010 and 2011 Wyoming Session Laws, Chapter 88, Section 2, Section 010 to the emergency insect management program shall not revert on June 30, 2012, but are reappropriated to the department of agriculture. In addition, five hundred thousand dollars ($500,000.00) from the general fund is appropriated to the department of agriculture. The department shall expend these funds only for pine bark beetle mitigation. The department may utilize the expertise and staff of the emergency insect management committee created pursuant to Title 11, Chapter 5, Article 4 of the Wyoming Statutes while expending funds under this subsection.
These funds may be expended on private, state or federal lands pursuant to memoranda of agreement entered into between the department and any local, state or federal agency.

[EMPLOYEE BENEFITS]

Section 307.

(a) The state’s contribution to the state health, dental and life insurance plans under W.S. 9-3-210 for each qualifying executive, judicial and legislative branch employee including employees of the University of Wyoming and the community colleges shall be paid from amounts appropriated in agency budgets in the following amounts for the specified time periods:

(i) For the period beginning December 1, 2012 and ending November 30, 2013 an amount to be determined by the employees’ group insurance section of the department of administration and information but not to exceed:

   (A) Seven hundred twenty-one dollars and twenty cents ($721.20) per month for an employee electing single coverage;

   (B) One thousand ninety-five dollars and ninety-nine cents ($1,095.99) per month for an employee electing employee plus dependent children coverage;

   (C) One thousand four hundred thirty-three dollars and twenty-five cents ($1,433.25) per month for an employee electing employee plus dependent spouse coverage;

   (D) One thousand six hundred thirty-eight dollars and seventy-eight cents ($1,638.78) per month for an employee electing family coverage; and

   (E) Eight hundred nineteen dollars and thirty-nine cents ($819.39) per month for employees who elect family coverage when both husband and wife are employees of covered entities creating a split family coverage.

(ii) For the period beginning December 1, 2013 and ending November 30, 2014 an amount to be determined by the employees’ group health insurance section of the department of administration and information but not to exceed:

[PERSONAL SERVICES TRANSFERS]

Section 311.

(a) Notwithstanding any other provision of this act, nonfederal fund appropriations for 100 series personal services contained in this act shall not be transferred to any other series or expended for any purpose other than personal services. The department of health is exempted and the department of enterprise technology services are exempt from this section.
(b) The department of health and the department of enterprise technology services shall report quarterly to the joint appropriations committee and the joint labor, health and social services interim committee regarding the department's exercise of authority under subsection (a) of this section and shall include in the report the specific uses and dollar amounts for each exception.

[POSITION FREEZE]

Section 312. No legislative appropriation of general fund monies shall be used to hire new employees from July 1, 2012, through June 30, 2014, except to fill a vacancy within the authorized number of positions as indicated by the agency’s appropriation act or otherwise specified by legislation enacted in the 2012 budget session or the 2013 general session. The governor may authorize additional positions in any agency, even if in excess of the positions authorized by the legislature, provided that at least an identical number of vacant positions existing in other agencies are terminated. The additional positions shall be funded using money authorized for the vacant positions. A vacancy shall only be filled if the governor determines that the position is a critical necessity to the operations of state government. The governor shall report all vacant positions for which a replacement is sought in a monthly report to the joint appropriations interim committee. The governor shall provide an annual report by December 1, 2013 to the joint appropriations interim committee identifying all additional positions authorized using special revenue funds and federal funds.

[MAJOR MAINTENANCE FUNDING FOR STATE FACILITIES, UNIVERSITY AND COMMUNITY COLLEGES]

Section 317.

(f) Notwithstanding 2008 Wyoming Session Laws, Chapter 48, Section 3, Section 057, Footnote 1, 2009 Wyoming Session Laws, Chapter 159, Section 3, Section 057, Footnote 1, 2010 Wyoming Session Laws, Chapter 39, Section 3, Section 057, Footnote 2, and 2011 Wyoming Session Laws, Chapter 88, Section 3, Section 057, Footnote 2, the 2015-2016 biennial budget request shall include a calculation of major maintenance funding for community college capital construction facilities authorized by the legislature since 2008 and included within the parameters of paragraph (e)(i) of this section.

[STANDARD BUDGET REDUCTIONS]

Section 319.

(b) The supreme court and all district courts shall prepare reductions to each court's standard budgets for fiscal year 2014 which equal or exceed 4% of the general funds appropriated in the 2012 budget session for the court. The supreme court shall report to the joint appropriations committee, as part of the supplemental budget request, by December 1, 2012, the proposed reductions. In preparing the courts’ budget request for the 2015-2016 fiscal biennium, reductions totaling 8% a budget [with no reduction and a two percent (2%)
reduction] of the 2012 budget session general fund appropriation for courts’ standard budgets shall be included in the request. The supreme court shall report these reductions to the joint judiciary interim committee by October 1, 2013. [From the range of budgets presented by the courts,] the joint judiciary interim committee shall recommend the budget for the courts, consistent with the current revenue projections, to the joint appropriations interim committee, by November 1, 2013. The courts’ budget request for the 2015-2016 fiscal biennium shall include and be developed based on the budgeted amounts for the salary and benefits of all authorized positions. [BRACKETED LANGUAGE SHOWN IN BOLD AND AS STRICKEN WAS VETOED BY GOVERNOR FEBRUARY 21, 2013.]

(d) If, prior to October 1, 2013, there is no reduction of the total revenue projections from the consensus revenue estimating group’s January 14, 2013 report, subsection (a) of this section shall not be applicable to budget requests for the 2015-2016 fiscal biennium and budget requests shall be prepared in accordance with this subsection. Within each agency’s 2015-2016 biennial budget request, agencies other than the department of health shall include [four percent (4%), six percent (6%) and eight percent (8%)] budget reduction requests based upon each agency’s general funds appropriated in the 2012 budget session. The department of health shall include [two percent (2%), four percent (4%) and six percent (6%)] budget reduction requests based upon the general funds appropriated to the department in the 2012 budget session. These reductions shall be presented to the appropriate standing committee of the legislature, as determined by the management council in consultation with the governor, not later than July 1, 2013. The legislative committee shall submit comments to each reporting agency not later than October 1. The agency shall report to the joint appropriations committee, as part of the budget request, by December 1, 2013, the proposed reductions, including any modifications to proposed reductions made in response to standing committee review and comments. In preparing the governor’s budget request for the 2015-2016 fiscal biennium, [the governor shall recommend from] the [range of budget reductions presented by each agency. The] level of budget reductions shall be consistent with current revenue projections. This subsection shall not apply to the judicial branch. [BRACKETED LANGUAGE SHOWN IN BOLD AND AS STRICKEN WAS VETOED BY GOVERNOR FEBRUARY 21, 2013.]

(e) Notwithstanding subsection (a) of this section, and if subsection (d) of this section is not applicable, in preparing the governor’s budget request for the 2015-2016 fiscal biennium, reductions totaling six percent (6%) of the 2012 budget session general funds for the department of health shall be included in the governor’s recommendation.

[LOCAL GOVERNMENT DISTRIBUTIONS]
Section 323.

(g) It is the intent of the legislature that the funds distributed under this section shall be expended for one-time needs or for equipment or other purchases of limited duration. The funds are not to be used for recurring expenditures such as salary adjustments, additional personnel or payment of recurring expenses such as increased personnel benefits.

(h) In addition to the appropriation under subsection (a) of this section, there is appropriated for fiscal year 2014 only, from the general fund to the office of state lands and investments, twenty million dollars ($20,000,000.00). Funds appropriated under this subsection shall be distributed in the manner provided in subsections (a) through (g) of this section, except:

(i) The entire distribution of these additional funds shall be made on August 15, 2013;

(ii) In addition to the amounts specified in paragraph (b)(i) of this section, each city or town with a population of thirty-five (35) or less shall first receive five thousand dollars ($5,000.00) and each city or town with a population over thirty-five (35) shall first receive ten thousand dollars ($10,000.00).

Section 329. The budget division of the department of administration and information shall identify and transfer general fund appropriations contained in this act and 2012 Wyoming Session Laws, Chapter 26, Section 307 for employee health insurance that are determined to be in excess of the projected costs of employer-paid group health insurance premiums for the balance of the 2013-2014 biennium, including those appropriations to the executive branch, University of Wyoming, community colleges and judicial branch. All appropriated general funds in excess of projected costs shall be deposited in an account within the state auditor’s office. Any transfer of funds pursuant to this section shall be in accordance with the B-11 process authorized by W.S. 9-2-1005(b)(ii) and shall be reported by the governor to the joint appropriations interim committee in the monthly report provided by W.S. 9-2-1005(o). Transfer of all funds authorized by this section shall not be subject to the restrictions imposed in 2012 Wyoming Session Laws, Chapter 26, Section 309 or 310. The budget division shall use the same methodology in determining any funds to be transferred as it applied to arrive at the estimates included in the governor’s 2013 supplemental budget request. The budget division shall report to the joint appropriations interim committee no later than May 1, 2013 on the amounts transferred by agency. No funds deposited with the state auditor’s office shall be used for any purpose without further action by the legislature.

[EMPLOYEE COMPENSATION]
Section 330.

(a) There is appropriated six hundred thousand dollars ($600,000.00) from the general fund to the supreme court for permanent compensation adjustments for judicial branch employees whose salaries are not established by Wyoming statute, including employees of the supreme court, circuit courts, district courts and commission on judicial conduct and ethics. The supreme court shall distribute the appropriation under this subsection to the appropriate judicial department administrative entity for further distribution to employees under each entity's purview. The distributions shall be consistent with market pay analysis.

(b) A retention incentive payment for the fiscal year commencing July 1, 2013 only, shall be provided for those qualifying employees whose compensation, or portion thereof, is paid by state funds. The payment shall be up to one percent (1%) of each qualifying employee's base salary up to one hundred twenty thousand dollars ($120,000.00), as of July 1, 2013, unless otherwise specified, and shall be distributed in the October payroll. For purposes of this subsection there is appropriated three hundred fifteen thousand nineteen dollars ($315,019.00) from the general fund and five million eight hundred sixty thousand nine hundred eighty-one dollars ($5,860,981.00) from reversions from the general fund appropriation for state employee compensation in 2011 Wyoming Session Laws, Chapter 88, Section 2, Section 003 to the state auditor. These funds shall be distributed only for the purposes specified in this subsection and in accordance with the following:

(i) Up to three million three hundred thousand dollars ($3,300,000.00) for payments to employees in the state executive branch, as determined by the governor;

(ii) Up to one hundred forty-five thousand dollars ($145,000.00) for payments to employees within the judicial branch as determined by the appropriate judicial department administrative entity for employees under the entity's purview;

(iii) Up to thirty-one thousand dollars ($31,000.00) for payments to employees within the legislative branch as determined by the legislative management council;

(iv) Up to nine hundred thousand dollars ($900,000.00), for payments to community college employees, to be distributed by the community college commission to each community college in the proportion each college's total employee base salaries bear to the total of all community colleges' base salaries, to be further distributed as determined by each community college board of trustees;

(v) Up to one million eight hundred thousand dollars ($1,800,000.00) for payments to employees of the University of Wyoming, as determined by the University of Wyoming board of trustees.
(c) For state agency employees whose compensation is paid from nongeneral fund sources, there is appropriated from those accounts and funds amounts necessary to provide the payments authorized in subsection (b) of this section.

(d) There is appropriated eight million one hundred thousand dollars ($8,100,000.00) from the school foundation program account to the state auditor for distribution by the department of education to individual school districts who shall provide expenditure documentation as determined by the department of education. This appropriation shall only be expended for the purpose of providing the same retention incentive payment to school district qualifying employees for the fiscal year commencing July 1, 2013 only, as provided under subsection (b) of this section and as limited in this subsection. The base salary for school district employees shall be determined as of the commencement of the district’s 2013-2014 school year for calculation of the full retention incentive payment. The payments shall be as approved by each school district board of trustees subject to the provisions of this section. This appropriation is in addition to the amounts provided under W.S. 21-13-309(p). The full retention incentive payment shall be adjusted for school district employees as follows. If the school district employee’s base salary in the 2013-2014 school year is increased from the employee’s 2012-2013 school year base salary by:

(i) At least one percent (1%), the retention incentive payment authorized shall be up to forty percent (40%) of the full retention incentive payment;

(ii) Less than one percent (1%), the retention incentive payment authorized shall be the entire difference between one percent (1%) of the 2012-2013 base salary and the salary increase. In addition, these qualifying school district employees may receive up to forty percent (40%) of the difference between the full retention incentive payment and the amount provided under the preceding sentence.

(e) For purposes of this section, “qualifying employee” shall mean a state executive branch employee, a judicial branch employee, legislative branch employee, school district employee, community college employee or University of Wyoming employee whose salary is not set by statute and who:

(i) Is employed as of July 1, 2013 by an entity specified in this subsection and is employed by that entity as of the date of the distribution of the retention incentive payment;

(ii) If subject to employee evaluation, received at least a competent rating or its equivalent on his latest employee evaluation;

(iii) Meets other requirements as determined by the respective authorities approving the expenditure of the appropriations in subsections (b) through (d) of this section.

(f) The payment provided in subsections (b) through (d) of this section shall be for the fiscal year commencing July 1, 2013 only and shall not be included
in any budget request for the 2015-2016 fiscal biennium, nor shall it be includ-
ed within any amounts computed under the education resource block grant model. No payment under subsections (b) through (d) of this section shall be considered as cash remuneration for any purpose of any retirement plan administered by the Wyoming retirement board.

(g) Unless otherwise specified, funds appropriated in subsections (b) through (d) of this section shall be effective for the period beginning July 1, 2013 through December 31, 2013 and shall not be transferred or used for any other purposes. Any unexpended general fund appropriation remaining on June 30, 2014 shall revert to the budget reserve account, and any unexpended school foundation program account appropriation remaining on June 30, 2014 shall revert to the school foundation program account.

[JAMESTOWN RIO VISTA LOAN]

Section 331.

(a) The legislature determines that the outstanding debt owed to the state from the Jamestown Rio Vista Water and Sewer District’s Joint Power Act Loan (JPA-077) made pursuant to W.S. 16-1-109 is uncollectible. Pursuant to Wyoming Constitution, Article 3, Section 40, the state loan and investment board shall take actions necessary to discharge and extinguish the loan, including outstanding principal and interest, as an asset or account receivable of the state.

(b) Pursuant to W.S. 16-1-110(b), there is appropriated four hundred twenty-two thousand one hundred seventy-one dollars ($422,171.00) from the general fund to the permanent Wyoming mineral trust fund to restore the loss of corpus of that fund as a result of default in the repayment of Jamestown Rio Vista Water and Sewer District’s Joint Power Act Loan (JPA-077).

[2015-2016 BIENNIAL BUDGET]

Section 332.

(a) In addition to the requirements of W.S. 9-2-1010 through 9-2-1014.1, each agency’s budget request and governor’s recommendation for the 2015-2016 fiscal biennium shall include and be developed using the budgeted amount, at the unit level, of the salary and benefits for each:

(i) Requested position;

(ii) Position proposed to be transferred; and

(iii) Position proposed to be eliminated.

[DISTRICT COURT 2015-2016 BIENNIUM BUDGET REQUEST]

Section 333. The district court budget commission shall insure that all district courts implement uniformity in expenditure accounting and budget submission for the 2015-2016 biennial budget requests.
Section 334.

(a) The director of the department of health and the insurance commissioner shall monitor all federal rulemaking related to the Patient Protection And Affordable Care Act, Public Law 111-148, and prepare comments for submission to the federal government by the governor, insurance commissioner or director of the department of health, as appropriate, on any proposed or adopted rule that would have a substantial positive or negative fiscal impact on the state of Wyoming or its citizens. If adopted rules cause major problems for Wyoming or its people, the insurance commissioner and the director of the department of health shall assist the governor and the appropriate legislative committee in crafting appropriate remedies. The insurance commissioner and the director of the Wyoming department of health shall from time to time as appropriate report to the joint labor, health and social services interim committee and the joint appropriations interim committee on their activities pursuant to this section.

(b) The insurance department is authorized one (1) additional permanent full-time position and one (1) additional full-time position for the period beginning with the effective date of this section and ending June 30, 2014 for the purposes of this section. In addition to any other appropriation to the department of insurance in this act, there is appropriated not to exceed one hundred eighty-three thousand dollars ($183,000.00) from special revenue funds generated pursuant to W.S. 26-2-204 to the insurance department for the salary and benefits of the insurance department employees under this section. Notwithstanding section 312 of this act, the department of health is authorized one (1) full-time position for the purposes of this section from a vacant full-time position within the department.

[BUDGET REDUCTION - COUNTY AND PROSECUTING ATTORNEYS]

Section 335. For fiscal year 2014, the state treasurer shall distribute funds under W.S. 18-3-107(f) by multiplying the amount authorized under that subsection by the denominator of which is equal to the remaining legislative appropriation for payments for that purpose for the 2013-2014 fiscal biennium and the numerator of which is equal to the total payments authorized under W.S. 18-3-107(f) for fiscal year 2014. In no event shall the distribution be greater than the amount specified in W.S. 18-3-107(f).

[BUDGET REDUCTION - TAX REFUND FOR THE ELDERLY AND DISABLED]

Section 336.

(a) Notwithstanding W.S. 39-11-109(c)(ii) through (viii) refunds provided by W.S. 39-11-109(c)(ii) through (viii) for fiscal year 2014 shall be reduced based upon the available legislative appropriation for the program in accordance with the following:
(i) The department of health shall multiply the amount authorized under W.S. 39-11-109(c)(ii) through (viii) by a fraction, the numerator of which is equal to the remaining legislative appropriation for the program for the 2013-2014 fiscal biennium, and the denominator of which is equal to the total refunds to qualifying recipients under W.S. 39-11-109(c)(ii) through (viii) for fiscal year 2014; and

(ii) In no event shall the refund be greater than the amounts authorized under W.S. 39-11-109(c)(ii) through (viii).

[EARLY CHILDHOOD STATE ADVISORY COUNCIL]

Section 337. The Wyoming early childhood state advisory council shall report to the joint education interim committee by August 1, 2013 on the activities of the council.

[SCHOOL DISTRICT REPORTING CONSOLIDATION]

Section 338. The director of the department of education shall review and assess all reports and information required of and collected from Wyoming school districts by law and by rule and regulation of the department and state board. To the extent possible, this review and assessment shall attempt to consolidate reporting requirements and data and information collections. The director shall report to the joint education interim committee by November 1, 2013, providing a compilation of each report and data and information collection requested by the department of Wyoming school districts, and providing a summary of reporting and data collection consolidation efforts together with any consolidation recommendations which may require enabling legislation.

[TASK FORCE ON CAPITOL REHABILITATION AND RESTORATION]

Section 339.

(a) There is created the joint legislative and executive task force on capitol building rehabilitation and restoration.

(b) The task force shall be comprised of:

(i) Three (3) members of the senate appointed by the president of the senate, one (1) of whom shall be senate chairman of the select committee on legislative facilities;

(ii) Three (3) members of the house of representatives appointed by the speaker of the house, one (1) of which shall be the house chairman of the select committee on legislative facilities;

(iii) Five (5) members, one (1) each appointed by each of the five (5) statewide elected officials;

(iv) Two (2) members of the public with special expertise in the history of the capitol building, appointed by the chairman of the select committee on legislative facilities who shall be nonvoting members;
(v) A staff member from the department of state parks and cultural resources, cultural resources division, appointed by the governor who shall be a nonvoting member; and

(vi) A staff member from the department of administration and information, construction management program, appointed by the governor who shall be a nonvoting member.

(c) The legislative members of the task force shall appoint cochairmen to preside over meetings.

(d) The task force shall:

(i) Develop rehabilitation and restoration priorities for the state capitol building;

(ii) Contract for the performance of any function appropriate to carry out its duties, including the employment of consultants and other professionals;

(iii) Periodically report its findings and recommendations to the state building commission, the legislative management council and the joint appropriations interim committee;

(iv) Recommend to the management council statutory changes that may be required to implement project recommendations.

(e) Staff and support for the task force shall be provided by the department of administration and information, construction management program. Members who are government employees or public officials shall be considered on official business of their agency when performing duties as members of the task force. Other members shall receive mileage and per diem in the same manner and amount as state legislators when performing duties. Mileage and per diem shall be paid by the appointing authority.

(f) The task force shall terminate on June 30, 2014.

(g) Recommendations of the task force created by this section shall be submitted for legislative action as provided in W.S. 9-5-109(j).

(h) There is appropriated fifteen thousand dollars ($15,000.00) from the capitol restoration account created by W.S. 9-5-109(j) to the legislative service office. This appropriation shall be for the period beginning with the effective date of this act and ending June 30, 2014. This appropriation shall only be expended for the purpose of funding mileage and per diem for members appointed under paragraph (b)(iv) of this section and salary, mileage and per diem of legislative members. Notwithstanding any other provision of law, this appropriation shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation shall revert as provided by law on June 30, 2014.
[DEPARTMENT OF EDUCATION BASELINE AUDIT]

Section 340.

(a) Two hundred fifty thousand dollars ($250,000.00) is appropriated from the school foundation program account to the office of the governor to conduct an independent audit of the department of education as deemed necessary by the governor in executing the transfer of department divisions, agencies, programs, positions, personnel, property, appropriated funds and functions to the director of the department as required under 2013 Wyoming Session Laws, Chapter 1. The audit shall be completed in sufficient time to assist budget planning for the fiscal biennium beginning July 1, 2014, and ending June 30, 2016. Among other purposes established by the governor, the audit shall include an accounting of:

(i) All existing authorized positions within the department and the source of funding for each position, including both filled positions and vacant positions;

(ii) All programs authorized and appropriated by law from state and federal funds;

(iii) All transfers, additions and changes to and from budgeted amounts at the budget unit level between and within department divisions;

(iv) Use of the B-11 process in transferring and adding or subtracting amounts and positions at the unit level between and within department divisions including those effectuated through the general expenditure modification (GEM) process.

[EFFECTIVE DATE]

Section 400. 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.

Approved February 21, 2013.

Chapter 74

VEHICLE REGISTRATION FEES-ASSISTIVE DEVICES

Original House Bill No. 100

AN ACT relating to vehicle registration fees; providing that the value of assistive devices shall not be included in calculating the value of a vehicle for registration purposes; providing definitions; and providing for an effective date.

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

Section 1. W.S. 31-1-101(a)(v) and by creating a new paragraph (xxxiii) and 31-3-101(a) by creating a new paragraph (iv) are amended to read:

(a) Except as otherwise provided, as used in this act:

(v) “Factory price” means the manufacturer's suggested retail price of the make, model and trim level of a vehicle, when new, but excludes federal excise taxes, the cost of transportation from the place of manufacture to the place of sale to the first user. The factory price shall not include the value of any assistive device. The factory price shall be determined from any current, nationally recognized price guide;

(xxxiii) “Assistive device” means any nonstandard item, equipment, product, system or vehicle modification installed in or on a vehicle and designed to maintain or improve the functional capabilities of a person with a disability. “Assistive device” includes, without limitation, wheelchair lifts, hand or arm controls, pedal extensions, special seating, vehicle kneeling systems and wheelchair securement systems.

31-3-101. Registration fees; exemptions.

(a) Except as otherwise provided, the following fees shall accompany each application for the registration of a vehicle:

(iv) As used in this subsection, “special equipment value” shall not include any value from an assistive device.

Section 2. This act is effective July 1, 2013.

Approved February 27, 2013.

Chapter 75

SIMULCASTING OF PARI-MUTUEL EVENTS

Original House Bill No. 25

AN ACT relating to pari-mutuel wagering; distinguishing between live and simulcast racing in definitions; redefining simulcasting; providing for disbursement of fees; and providing for an effective date.

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

Section 1. W.S. 11-25-102(a)(v) and (vii)(intro) and 11-25-105(b)(ii), by creating a new paragraph (iii) and (d) are amended to read:


(a) As used in this act:

(v) “Pari-mutuel event” means the events which are authorized by the commission for the conduct of horse racing (to include quarter horse, thoroughbred or other approved races), harness racing, cutter racing, chariot racing, chuckwagon racing, professional roping events and simulcasting of dog racing and the events described in this paragraph as prescribed by the com-
mission. Notwithstanding W.S. 6-7-101(a)(iv) and 11-25-107, the commission may authorize and promulgate rules providing for pari-mutuel wagering on events that have previously occurred, utilizing an electronic system or device that affords an opportunity for the exercise of skill or judgment where the outcome is not completely controlled by chance alone:

(vii) “Simulcasting” means the sale of pari-mutuel pools electronically transmitted live or historic on interstate or intrastate televised pari-mutuel events as prescribed by the commission. The commission shall authorize simulcasting subject to the following conditions:

11-25-105. Pari-mutuel permits; fees and reports; disposition of funds; enforcement of provisions.

(b) Every Wednesday following any pari-mutuel event, the permittee shall:

(ii) Pay an amount equal to one-half percent (1/2%) of the total amount wagered attributable to historic pari-mutuel events and one and one-half percent (1 1/2%) of the total amount wagered attributable to live pari-mutuel events, shown by the report to the commission, to be credited by the state treasurer to a separate account, in the manner indicated in subsection (d) of this section; and

(iii) Pay an amount equal to one percent (1%) of the total amount wagered attributable to historic pari-mutuel events, shown by the report to the commission, to be transferred by the commission to the county and the city or town in which the permittee is located, in equal shares, or to the county alone if the permittee is not located within the boundaries of a city or town.

(d) All sums paid to the commission under this act except contributions from permittees to the breeder award fund, amounts paid under paragraph (b)(iii) of this section, fines and penalties shall be credited to the pari-mutuel account which shall be used by the commission for the payment of all expenses incurred in enforcing this act. All fines and penalties collected under this act shall be paid to the state treasurer and credited as provided in W.S. 8-1-109. The state treasurer shall pay out of the account all warrants drawn by the state auditor, upon vouchers issued and signed by the president, vice-president or executive secretary of the commission. The commission shall keep an accurate and true account of all funds received and all vouchers issued by the commission. All funds received and all vouchers issued by the commission shall be audited at least biennially by the director of the state department of audit or his designee and a copy of the audit shall be delivered within thirty (30) days after completion to the governor and the commission. The costs of the audit shall be borne by the commission. The members of the commission shall receive statutory per diem expenses and mileage as allowed state employees, and compensation of fifty dollars ($50.00) for each day during which they are actually engaged in the discharge of their duties. The total expenses incurred by
the commission shall not exceed the total amount in the pari-mutuel account.

Section 2. This act is effective July 1, 2013.

Approved February 27, 2013.

Chapter 76

LIVESTOCK FENCE REPAIRS

Original House Bill No. 84

AN ACT relating to livestock fences; providing immunity for persons who repair livestock fences under specified circumstances; specifying duties regarding repair of livestock fences; and providing for an effective date.

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

Section 1. W.S. 11-20-202(b), 11-24-108(g) and 24-1-112(a) and by creating a new subsection (c) are amended to read:


(b) The board shall enforce the brand inspection provisions of this act. No agent of the board exercising ordinary care and precaution in performing his duties is liable for any damage or loss that may be incurred thereby. The immunity from liability provided by this section shall include liability for damages alleged to have been caused by an agent’s efforts to repair a fence.

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

(g) A peace officer may remove, destroy or otherwise dispose of an animal injured on a state highway after a reasonable attempt to locate the owner of a salvageable animal or a game warden in the case of a wild animal. If reasonably possible, the peace officer shall contact the brand inspector before removing, destroying or disposing of livestock. The carcass of an animal killed on a state highway shall be disposed of by highway maintenance crews. If the owner desires, he may claim the carcass from the maintenance crew. The crews shall report to the inspector brands, marks, tags or other identification. The inspector shall endeavor to establish ownership of the animal and notify the owner in writing or notify the local game warden as may be appropriate. Notwithstanding W.S. 24-1-112 and as part of their duties, any peace officer, inspector or other person acting under this section may, but is not obligated to, attempt to repair any fencing through which an animal has gained improper access to the area in which the animal is found.

24-1-112. Construction and repair of fences to be performed by department of transportation.
(a) Except as provided by W.S. 11-24-108(g) or subsection (c) of this section, in the event that fences paralleling state highways, or built on the highway right-of-way need repair or reconstruction to meet legal fence requirements, as set forth in W.S. 11-28-102, the actual work of repair and reconstruction of the fence, including all corresponding labor costs, shall be performed by the department of transportation.

(c) Notwithstanding subsection (a) of this section, a landowner or the owner or person having custody or charge of livestock may, but is not obligated to, attempt to repair any fence under this section in order to protect livestock or prevent livestock from entering a highway. Nothing in this subsection shall be deemed to create or increase any liability of a landowner or an owner or person having custody or charge of livestock.

Section 2. 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.

Approved February 27, 2013.

Chapter 77

COUNTY FEES

Original House Bill No. 98

AN ACT relating to county clerks; amending fees collected by county clerks as specified; eliminating authority of county clerk to prepare true copies for recording; and providing for an effective date.

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

Section 1. W.S. 18-3-402(a)(vii), (viii), (xvi)(A), (D), (F), (J) through (Q), (S), (T), (W) and (xxiv) and 31-3-102(a)(vii) and (b)(intro) are amended to read:

18-3-402. Duties generally.

(a) The county clerk shall:

    (vii) Record any deed containing a metes and bounds description which may be accompanied by a map prepared in compliance with law and delineating the land described in the deed. If a map delineating the land has been previously recorded, the deed may make reference to the recorded map. The county clerk shall charge a fee of two dollars ($2.00) five dollars ($5.00) for recording these maps;

    (viii) Require any person presenting a document for recording which is legible but not sufficiently clear to produce a readable copy to substitute a clear original or legible true copy of the original document; or the county clerk may prepare a true copy by handwriting or typewriting and attach the same to the
original as part of the document for making the permanent photographic record. The county clerk shall charge a fee of fifty cents ($0.50) per one hundred (100) words for preparing a true copy;

(xvi) Collect and remit to the county treasurer the following fees:

(A) Recording charges for any instrument - first page .......... $8.00-12.00
   Each additional page .............................................. 3.00

(D) Bond oath and notary public commission - first page .... 8.00-12.00
   Each additional page .............................................. 3.00

(F) Marriage license .................................................. 25.00-30.00

(J) Certification ......................................................... 3.00-5.00

(K) State tax liens .................................................... 10.00-20.00

(M) Additional recording charge for any instrument with more than five (5) grantors or grantees of a different surname or more than five (5) claim names - each additional name .......................... 1.00

(N) Additional recording charge for each section (including quarter and quarter-quarter, if applicable), block, lot or tract - description in excess of ten (10) ................................................................. 1.00

(O) Plats filed (including cemeteries and amended plats) .... 50.00-75.00

(P) Liens filed pursuant to Title 29 - first page ..................... 8.00-12.00
   Each additional page .............................................. 3.00

(Q) Filing charge for each corner record or certificate .......... 1.00-5.00

(S) Liens filed upon real property pursuant to W.S. 20-6-106(y)
   Each additional page .............................................. 8.00-12.00
   Additional recording charge for each additional collateral description... .............................................. 3.00

(T) For filing and indexing an original financing and termination statement ................................................................. 10.00-20.00
   For each additional certificate of title upon which the lien is note for perfection ................................................................. 1.00

(W) For lien search and certification of filings of record and affixing the seal ................................................................. 10.00-20.00

(xxiv) File maps as defined in W.S. 33-29-139. The county clerk shall charge a fee of twenty-five dollars ($25.00)-fifty dollars ($50.00) for filing the maps.

31-3-102. Miscellaneous fees.

(a) The following fees shall be collected for the instruments or privileges indicated:
(vii) Certificate of title, original or duplicate .................................$9.00-15.00

(b) A five dollar ($5.00) ten dollar ($10.00) fee shall be collected for each vehicle identification number or rebuilt salvage vehicle decal inspected pursuant to W.S. 31-2-103(a)(vi) or 31-2-108(d). If a vehicle is presented for inspection of both vehicle identification number and rebuilt salvage vehicle decal at the same time, only one (1) fee of five dollars ($5.00) ten dollars ($10.00) shall be collected. The fee shall be deposited as follows:

Section 2. This act is effective July 1, 2013.

Approved February 27, 2013.

Chapter 78

ILLEGAL POSSESSION OF WILDLIFE PARTS

Original House Bill No. 128

AN ACT relating to game and fish; prohibiting importation or possession of illegally taken wildlife; providing penalties; prohibiting possession of parts of wasted big game animals; and providing for an effective date.

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

Section 1. W.S. 23-3-301 by creating new subsections (c) and (d) and 23-3-303(a) are amended to read:

23-3-301. Importation and sale of wildlife prohibited; exceptions.

(c) No person shall knowingly import into Wyoming or knowingly possess from any source any wildlife or wildlife parts taken illegally in any other state or country.

(d) Violation of this section constitutes a high misdemeanor punishable as provided in W.S. 23-6-202(a)(ii).

23-3-303. Waste of edible portion of game bird, fish or animal, except trophy game animal, prohibited; abandonment of meat at meat processing plant.

(a) No person shall take and leave, abandon or allow any game bird, game fish, or game animal except trophy game animal, or edible portion, to intentionally or needlessly go to waste. No person shall knowingly possess any parts of a big game animal wasted as provided in this subsection.

Section 2. This act is effective July 1, 2013.

Approved February 27, 2013.
Chapter 79

RECREATION LIABILITY-ACTIVITIES

Original House Bill No. 90

AN ACT relating to landowner liability; additional activity for which protection from certain liability is provided; specifying that the inclusion of noncommercial aviation activity does not limit liability for airport operations under the Wyoming Governmental Claims Act; and providing for an effective date.

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

Section 1. W.S. 34-19-101(a)(iii) and 34-19-105(a) by creating a new paragraph (iii) are amended to read:


(a) As used in this act:

(iii) “Recreational purpose” includes, but is not limited to, any one (1) or more of the following: hunting, fishing, swimming, boating, camping, picnicking, hiking, pleasure driving, nature study, water skiing, winter sports, bicycling, mountain biking, horseback riding and other equine activities as defined in W.S. 1-1-122(a)(iv), noncommercial aviation activities and viewing or enjoying historical, archaeological, scenic or scientific sites;

34-19-105. When landowner’s liability not limited.

(a) Nothing in this act limits in any way any liability which otherwise exists:


Section 2. This act is effective July 1, 2013.

Approved February 27, 2013.

Chapter 80

GAME FISH-DEFINITION

Original House Bill No. 131

AN ACT relating to game fish; providing for designation of species of fish as nongame species in specified waters through rule and regulation; and providing for an effective date.

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

Section 1. W.S. 23-1-101(a)(v) is amended to read:


(a) As used in this act:

(v) “Game fish” means bass, catfish, crappie, grayling, ling-burbot, northern pike, perch, salmon, sauger, sunfish, trout, walleye or whitefish unless the
species is otherwise designated by the commission in specific waters through rule and regulation;

Section 2. 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.

Approved February 27, 2013.

Chapter 81

INTERFERENCE WITH EMERGENCY CALLS

Original House Bill No. 92

AN ACT relating to crimes and offenses; specifying the inclusion of 911 emergency reporting systems in false reporting offenses; creating the offense of abuse of 911 emergency reporting systems; and providing for an effective date.

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

Section 1. W.S. 6-5-210(a)(intro) and 6-5-212 by creating a new subsection (b) and by amending and renumbering (b) as (c) are amended to read:

6-5-210. False reporting to authorities; penalties.
(a) A person who knowingly reports falsely to a 911 emergency reporting system, law enforcement agency or a fire department that:

6-5-212. Interference with emergency calls; interference with emergency reporting system.
(b) A person commits a misdemeanor if he knowingly calls a 911 emergency reporting system for a purpose other than to report a situation that he reasonably believes requires prompt service in order to preserve or protect human life or health or property.

(b)(c) For purposes of this section article “911 emergency reporting system” means as defined by W.S. 16-9-102(a)(iv).

Section 2. This act is effective July 1, 2013.

Approved February 27, 2013.

Chapter 82

RAILROAD CROSSINGS-ON-TRACK VEHICLES

Original House Bill No. 95

AN ACT relating to public safety; amending railroad crossing safety requirements to include on-track equipment; and providing for an effective date.
Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 31-5-102(a)(xxxvi), 31-5-510(a)(i) through (iv), 31-5-511(a)(iii) and (b)(iii), 31-7-305(h)(i), 31-18-602(c) and (d) and 31-18-605(a)(iii) and (b)(iii) are amended to read:

31-5-102. Definitions.

(a) Except as otherwise provided, as used in this act:

( xxxvi) “Railroad sign or signal” means any sign, signal or device erected by authority of a public body or official or by a railroad and intended to give notice of the presence of railroad tracks or the approach of a railroad train or other on-track equipment;

31-5-510. Railroad crossings generally.

(a) Whenever any person driving a vehicle approaches a railroad grade crossing under any of the circumstances stated in this section, the driver of the vehicle shall stop within fifty (50) feet but not less than fifteen (15) feet from the nearest rail of the railroad, and shall not proceed until he can do so safely. The foregoing requirements apply when:

(i) A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train or other on-track equipment;

(ii) A crossing gate is lowered or a flagman gives or continues to give a signal of the approach or passage of a railroad train or other on-track equipment;

(iii) A railroad train or other on-track equipment approaching within approximately one thousand five hundred (1,500) feet of the highway crossing emits a signal audible from such distance and a highway crossing emits an audible signal in accordance with federal railroad administration requirements and the railroad train or other on-track equipment, by reason of its speed or nearness to the crossing, is an immediate hazard;

(iv) An approaching railroad train or other on-track equipment is plainly visible and is in hazardous proximity to the crossing.

31-5-511. Stopping requirements for certain vehicles at railroad crossings.

(a) The driver of any motor vehicle carrying passengers for hire, or of any school bus whether empty or carrying school children, or of any vehicle carrying a cargo or part of a cargo required to be placarded under United States department of transportation regulations, before crossing at grade any track or tracks of a railroad, shall:

(iii) While stopped, listen and look in both directions along the track for any approaching train or other on-track equipment and for signals indicating the approach of a train or other on-track equipment and not proceed until he can do so safely;

(b) Except for school buses which will stop at all railroad crossings, this sec-
tion shall not apply at:

(iii) Any railroad grade crossing protected by crossing gates or an alternatively flashing light signal intended to give warning of the approach of a railroad train or other on-track equipment;

31-7-305. Disqualification and cancellation; right to a hearing.

(h) For offenses specified in this subsection relating to a railroad-highway crossing, a person who holds, or is required to have, a commercial driver’s license is disqualified from driving a commercial motor vehicle for a period of sixty (60) days if convicted of a first offense under this subsection, for a period of one hundred twenty (120) days if convicted of a second offense under this subsection in a separate incident within a three (3) year period, or for a period of one (1) year for a third or subsequent conviction under this subsection within a three (3) year period for driving a commercial motor vehicle in violation of state or local law or regulation pertaining to one (1) of the following offenses at a railroad-highway crossing:

(i) For drivers who are not required to stop at all railroad-highway crossings, failing to slow down and check that the tracks are clear of an approaching train or other on-track equipment;

31-18-602. Moving heavy equipment at railroad grade crossings.

(c) Before making the crossing the person operating or moving the vehicle or equipment shall first stop the vehicle or equipment not less than fifteen (15) feet nor more than fifty (50) feet from the nearest rail of the railroad and while so stopped shall listen and look in both directions along the track for any approaching train or other on-track equipment and for signals indicating the approach of a train or other on-track equipment. The vehicle shall not proceed until the crossing can be made safely.

(d) No crossing shall be made when warning is given by automatic signal, crossing gates or a flagman or otherwise of the immediate approach of a railroad train, other on-track equipment or car. If a flagman is provided by the railroad, movement over the crossing shall be under his direction.

31-18-605. Stopping requirements for certain vehicles at railroad crossings.

(a) The driver of any motor vehicle carrying passengers for hire or of any vehicle carrying a cargo or part of a cargo required to be placarded under United States department of transportation regulations, before crossing at grade any track or tracks of a railroad, shall:

(iii) While stopped, listen and look in both directions along the track for any approaching train or other on-track equipment and for signals indicating the approach of a train or other on-track equipment and not proceed until he can do so safely;
Ch. 82  SESSION LAWS OF WYOMING, 2013

(3) This section shall not apply at:

(iii) Any railroad grade crossing protected by crossing gates or an alternately flashing light signal intended to give warning of the approach of a railroad train or other on-track equipment;

Section 2. This act is effective July 1, 2013.

Approved February 27, 2013.

Chapter 83

LARGE PROJECT FUNDING

Original House Bill No. 81

AN ACT relating to the Wyoming Wildlife and Natural Resource Funding Act; providing for funding of large projects under that act; specifying large projects approved for funding in 2011; amending funding and timing for specified previously approved large projects; requiring specified conservation easements to include the state of Wyoming as a third party beneficiary; requiring certifications regarding kickbacks and gifts; providing appropriations; providing for reversion of funds; and providing for an effective date.

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

Section 1. W.S. 9-15-801 through 9-15-817 are created to read:

ARTICLE 8

2013 LARGE PROJECT FUNDING


(a) Authorization is granted for funding of the following large project as provided in this section.

(b) Project: Alexander Ranch conservation easement:

(i) Project sponsor: The Conservation Fund;

(ii) Project purpose: Permanent use restriction on approximately one thousand six hundred sixty-four (1,664) acres in Sublette county in order to:

(A) Preclude loss of habitat and key migration corridors for elk, deer, antelope, sage grouse, songbirds, amphibians and other species;

(B) Secure habitat for sage grouse in a core population area; and

(C) Allow for continued agricultural production.

(iii) Project description: Conservation easement;

(iv) Total project budget: Two million five hundred ninety-five thousand three hundred dollars ($2,595,300.00);

(v) Project grant: The Wyoming wildlife and natural resource trust account board is authorized to grant six hundred twenty-five thousand dollars ($625,000.00) to the sponsor for the purposes specified in this subsection;
(vi) Appropriation: There is appropriated from the income account to the board six hundred twenty-five thousand dollars ($625,000.00) or as much thereof as is necessary to carry out the purposes of this subsection. Unexpended and unobligated funds appropriated under this subsection shall revert to the income account on June 30, 2016.

9-15-802. **Wood Ranch conservation easement.**

(a) Authorization is granted for funding of the following large project as provided in this section.

(b) Project: Wood Ranch conservation easement:

   (i) Project sponsor: Wyoming Stock Growers Agricultural Land Trust;

   (ii) Project purpose: Permanent use restriction on approximately one thousand seven hundred eighty-eight (1,788) acres in Crook county in order to:

      (A) Preclude loss of habitat for deer, amphibians, elk, fisheries, songbirds, raptors and other species;

      (B) Allow for continued agricultural production.

   (iii) Project description: Conservation easement;

   (iv) Total project budget: One million six hundred thirty-nine thousand nine hundred dollars ($1,639,900.00);

   (v) Project grant: The Wyoming wildlife and natural resource trust account board is authorized to grant to the sponsor three hundred thousand dollars ($300,000.00) for the purposes specified in this subsection;

   (vi) Appropriation: There is appropriated from the income account to the board three hundred thousand dollars ($300,000.00) or as much thereof as is necessary to carry out the purposes of this subsection. Unexpended and unobligated funds appropriated under this subsection shall revert to the income account on June 30, 2016.

9-15-803. **Arrowhead Ranch conservation easement.**

(a) Authorization is granted for funding of the following large project as provided in this section.

(b) Project: Arrowhead Ranch conservation easement:

   (i) Project sponsor: Wyoming Stock Growers Agricultural Land Trust;

   (ii) Project purpose: Permanent use restriction on approximately four thousand six hundred forty-one (4,641) acres in Natrona county in order to:

      (A) Preclude loss of habitat for mule deer, elk, antelope, amphibians, songbirds and other species;

      (B) Secure migration routes and crucial seasonal habitats for sage grouse; and
(C) Allow for continued agricultural production.

(iii) Project description: Conservation easement;

(iv) Total project budget: Three million four hundred ninety-six thousand two hundred thirty-three dollars ($3,496,233.00);

(v) Project grant: The Wyoming wildlife and natural resource trust account board is authorized to grant to the sponsor eight hundred thirty-three thousand three hundred thirty-three dollars ($833,333.00) for the purposes specified in this subsection;

(vi) Appropriation: There is appropriated from the income account to the board eight hundred thirty-three thousand three hundred thirty-three dollars ($833,333.00) or as much thereof as is necessary to carry out the purposes of this subsection. Unexpended and unobligated funds appropriated under this subsection shall revert to the income account on June 30, 2016.


(a) Authorization is granted for funding of the following large project as provided in this section.

(b) Project: Wilson Ranch conservation easement:

(i) Project sponsor: Wyoming Stock Growers Agricultural Land Trust;

(ii) Project purpose: Permanent use restriction on approximately three thousand seven hundred thirty-two (3,732) acres in Crook county in order to:

(A) Preclude loss of habitat for deer, elk, antelope, songbirds, amphibians, fish and other species; and

(B) Allow for continued agricultural production.

(iii) Project description: Conservation easement;

(iv) Total project budget: Two million four hundred twenty-five thousand five hundred forty dollars ($2,425,540.00);

(v) Project grant: The Wyoming wildlife and natural resource trust account board is authorized to grant to the sponsor six hundred six thousand three hundred eighty-five dollars ($606,385.00) for the purposes specified in this subsection;

(vi) Appropriation: There is appropriated from the income account to the board six hundred six thousand three hundred eighty-five dollars ($606,385.00) or as much thereof as is necessary to carry out the purposes of this subsection. Unexpended and unobligated funds appropriated under this subsection shall revert to the income account on June 30, 2016.


(a) Authorization is granted for funding of the following large project as provided in this section.
(b) Project: Big Horn River invasives:

(i) Project sponsor: Hot Springs County Weed and Pest Control District;

(ii) Project purpose: Removal and retreatment of invasive Russian Olive and Salt Cedar plants along the main stem of the Big Horn River in Hot Springs and Washakie counties in order to:

(A) Restore habitats for deer, waterfowl, fisheries, songbirds and other species;

(B) Restore agricultural production in areas where economic returns have been reduced or lost; and

(C) Provide flood control and floodplain management to prevent downstream flooding.

(iii) Project description: Invasive species removal and landscape restoration;

(iv) Total project budget: One million two hundred thousand dollars ($1,200,000.00);

(v) Project grant: The Wyoming wildlife and natural resource trust account board is authorized to grant to the sponsor three hundred twenty-five thousand dollars ($325,000.00) for the purposes specified in this subsection;

(vi) Appropriation: There is appropriated from the income account to the board one hundred sixty thousand dollars ($160,000.00) or as much thereof as is necessary to carry out the purposes of this subsection. Unexpended and unobligated funds appropriated under this subsection shall revert to the income account on June 30, 2016.


(a) Authorization is granted for funding of the following large project as provided in this section.

(b) Project: Cabins Ranch conservation easement:

(i) Project sponsor: The Conservation Fund;

(ii) Project purpose: Permanent use restriction on approximately two thousand eight hundred thirty-one (2,831) acres in Sublette county in order to:

(A) Preclude loss of habitat for elk, mule deer, moose, amphibians, fisheries, songbirds, raptors and other species;

(B) Secure habitat for sage grouse in a core population area; and

(C) Allow continued agricultural production.

(iii) Project description: Conservation easement;

(iv) Total project budget: Two million ninety-three thousand eight hundred dollars ($2,093,800.00);
(v) Project grant: The Wyoming wildlife and natural resource trust account board is authorized to grant to the sponsor five hundred thousand dollars ($500,000.00) for the purposes specified in this subsection;

(vi) Appropriation: There is appropriated from the income account to the board five hundred thousand dollars ($500,000.00) or as much thereof as is necessary to carry out the purposes of this subsection. Unexpended and unobligated funds appropriated under this subsection shall revert to the income account on June 30, 2016.


(a) Authorization is granted for funding of the following large project as provided in this section.

(b) Project: Culbertson Place conservation easement:

(i) Project sponsor: The Conservation Fund;

(ii) Project purpose: Permanent use restriction on approximately one thousand five hundred thirty-one (1,531) acres in Sublette county in order to:

(A) Preclude loss of habitat and migration routes for moose, elk, mule deer, sage grouse, antelope, amphibians, songbirds and other species;

(B) Secure migration routes and crucial habitat for sage grouse in a core population area; and

(C) Allow continued agricultural production.

(iii) Project description: Conservation easement;

(iv) Total project budget: One million six hundred thirty-two thousand seven hundred dollars ($1,632,700.00);

(v) Project grant: The Wyoming wildlife and natural resource trust account board is authorized to grant to the sponsor three hundred eighty-five thousand dollars ($385,000.00) for the purposes specified in this subsection;

(vi) Appropriation: There is appropriated from the income account to the board three hundred eighty-five thousand dollars ($385,000.00) or as much thereof as is necessary to carry out the purposes of this subsection. Unexpended and unobligated funds appropriated under this subsection shall revert to the income account on June 30, 2016.


(a) Authorization is granted for funding of the following large project as provided in this section.

(b) Project: Rolling Thunder conservation easement:

(i) Project sponsor: The Conservation Fund;

(ii) Project purpose: Permanent use restriction on approximately three
thousand two hundred thirty-nine (3,239) acres in Sublette county in order to:

(A) Preclude loss of habitat for moose, mule deer, elk, sage grouse, waterfowl, fish, songbirds and other species;

(B) Secure migration routes and crucial habitat for large ungulates; and

(C) Allow for continued agricultural production.

(iii) Project description: Conservation easement;

(iv) Total project budget: Two million ninety-seven thousand three hundred dollars ($2,097,300.00);

(v) Project grant: The Wyoming wildlife and natural resource trust account board is authorized to grant to the sponsor four hundred twenty-five thousand dollars ($425,000.00) for the purposes specified in this subsection;

(vi) Appropriation: There is appropriated from the income account to the board four hundred twenty-five thousand dollars ($425,000.00) or as much thereof as is necessary to carry out the purposes of this subsection. Unexpended and unobligated funds appropriated under this subsection shall revert to the income account on June 30, 2016.


(a) Authorization is granted for funding of the following large project as provided in this section.

(b) Project: Barnes Ranch conservation easement:

(i) Project sponsor: Wyoming Game and Fish Commission;

(ii) Project purpose: Permanent use restriction on approximately one thousand nine hundred ten (1,910) acres in Lincoln county in order to:

(A) Preclude loss of habitat for mule deer, bighorn sheep, elk, sage grouse, antelope, Colorado River cutthroat trout and other species;

(B) Secure migration routes and crucial habitat for sage grouse in a core population area; and

(C) Allow for continued agricultural production.

(iii) Project description: Conservation easement;

(iv) Total project budget: one million two hundred fifty-five thousand dollars ($1,255,000.00);

(v) Project grant: The Wyoming wildlife and natural resource trust account board is authorized to grant to the sponsor three hundred thousand dollars ($300,000.00) for the purposes specified in this subsection;

(vi) Appropriation: There is appropriated from the income account to the board three hundred thousand dollars ($300,000.00) or as much thereof as is necessary to carry out the purposes of this subsection. Unexpended and un-
obligated funds appropriated under this subsection shall revert to the income account on June 30, 2016.

9-15-810. **Red Creek conservation easement.**

(a) Authorization is granted for funding of the following large project as provided in this section.

(b) Project: Red Creek conservation easement:

(i) Project sponsor: Wyoming Game and Fish Commission;

(ii) Project purpose: Permanent use restriction on approximately four thousand five hundred (4,500) acres in Sweetwater county in order to:

(A) Preclude loss of habitat for mule deer, elk, antelope, Colorado River cutthroat trout and other species;

(B) Secure migration routes and crucial habitat for sage grouse in a core population area; and

(C) Allow continued agricultural production.

(iii) Project description: Conservation easement;

(iv) Total project budget: Three million four hundred fifty-five thousand dollars ($3,455,000.00);

(v) Project grant: The Wyoming wildlife and natural resource trust account board is authorized to grant to the sponsor six hundred twenty-five thousand dollars ($625,000.00) for the purposes specified in this subsection;

(vi) Appropriation: There is appropriated from the income account to the board six hundred twenty-five thousand dollars ($625,000.00) or as much thereof as is necessary to carry out the purposes of this subsection. Unexpended and unobligated funds appropriated under this subsection shall revert to the income account on June 30, 2016.

9-15-811. **Shell Oil Farson IV.**

(a) Authorization is granted for funding of the following large project as provided in this section.

(b) Project: Shell Oil Farson IV:

(i) Project sponsor: Mule Deer Foundation;

(ii) Project purpose: Restoration and rehabilitation of native rangeland habitats by water development, reseeding, vegetation treatment, fencing and livestock management in order to:

(A) Restore habitats for antelope, deer, elk, songbirds and other species;

(B) Restore agricultural production in areas where economic returns have been reduced or lost; and

(C) Provide enhanced habitat for sage grouse in a high priority sage
grouse core population area.

(iii) Project description: Rangeland enhancement and restoration;

(iv) Total project budget: Five hundred ninety-three thousand two hundred sixty-eight dollars and two cents ($593,268.02);

(v) Project grant: The Wyoming wildlife and natural resource trust account board is authorized to grant to the sponsor two hundred thousand eight hundred ninety-three dollars and ninety-four cents ($200,893.94) for the purposes specified in this subsection;

(vi) Appropriation: There is appropriated from the income account to the board one hundred five thousand nine hundred eighty-five dollars ($105,985.00) or as much thereof as is necessary to carry out the purposes of this subsection. Unexpended and unobligated funds appropriated under this subsection shall revert to the income account on June 30, 2016.


(a) Authorization is granted for funding of the following large project as provided in this section.

(b) Project: Munger Mountain conservation easement

(i) Project sponsor: Jackson Hole Land Trust;

(ii) Project purpose: Permanent use restriction on approximately three hundred (300) acres in Teton county in order to:

(A) Preclude loss of habitat for elk, mule deer, moose, songbirds, wetland and riparian obligates and other species;

(B) Secure migration routes and crucial seasonal habitat for elk and mule deer in an area with high incidents of vehicle collisions;

(C) Maintain viewsheds in an area of high importance to the tourism industry; and

(D) Allow for continued agricultural production.

(iii) Project description: Conservation easement;

(iv) Total project budget: Six million thirty-two thousand thirty dollars ($6,032,030.00);

(v) Project grant: The Wyoming wildlife and natural resource trust account board is authorized to grant to the sponsor six hundred thousand dollars ($600,000.00) for the purposes specified in this subsection;

(vi) Appropriation: There is appropriated from the income account to the board six hundred thousand dollars ($600,000.00) or as much thereof as is necessary to carry out the purposes of this subsection. Unexpended and unobligated funds appropriated under this subsection shall revert to the income account on June 30, 2016.

(a) Authorization is granted for funding of the following large project as provided in this section.

(b) Project: East Gros Ventre Butte conservation easement:

   (i) Project sponsor: Jackson Hole Land Trust;
   
   (ii) Project purpose: Permanent use restriction on approximately four hundred thirteen (413) acres in Teton county in order to:

       (A) Preclude loss of crucial habitat for mule deer and sage grouse and seasonal habitats for songbirds and other species;

       (B) Secure migration routes and crucial habitat for sage grouse in a core population area; and

       (C) Allow for continued agricultural production.

   (iii) Project description: Conservation easement;

   (iv) Total project budget: Seven million six hundred fifty-five thousand five hundred dollars ($7,655,500.00);

   (v) Project grant: The Wyoming wildlife and natural resource trust account board is authorized to grant to the sponsor six hundred thousand dollars ($600,000.00) for the purposes specified in this subsection;

   (vi) Appropriation: There is appropriated from the income account to the board six hundred thousand dollars ($600,000.00) or as much thereof as is necessary to carry out the purposes of this subsection. Unexpended and unobligated funds appropriated under this subsection shall revert to the income account on June 30, 2016.


(a) Authorization is granted for funding of the following large project as provided in this section.

(b) Project: Charlie Ball Place conservation easement:

   (i) Project sponsor: Wyoming Stock Growers Agricultural Land Trust;

   (ii) Project purpose: Permanent use restriction on approximately one thousand seven hundred sixty (1,760) acres in Sublette county in order to:

       (A) Preclude loss of habitat for elk, mule deer, antelope, sage grouse, songbirds and other species;

       (B) Secure migration routes and crucial habitat for sage grouse in a core population area; and

       (C) Allow for continued agricultural production.

   (iii) Project description: Conservation easement;
(iv) Total project budget: One million two hundred twenty-two thousand nine hundred dollars ($1,222,900.00);

(v) Project grant: The Wyoming wildlife and natural resource trust account board is authorized to grant to the sponsor two hundred sixty-five thousand dollars ($265,000.00) for the purposes specified in this subsection;

(vi) Appropriation: There is appropriated from the income account to the board two hundred sixty-five thousand dollars ($265,000.00) or as much thereof as is necessary to carry out the purposes of this subsection. Unexpended and unobligated funds appropriated under this subsection shall revert to the income account on June 30, 2016.


(a) Authorization is granted for funding of the following large project as provided in this section.

(b) Project: A Bar One conservation easement:

(i) Project sponsor: Wyoming Stock Growers Agricultural Land Trust;

(ii) Project purpose: Permanent use restriction on approximately four thousand one hundred sixty (4,160) acres in Carbon county in order to:

(A) Preclude loss of habitat for elk, mule deer, antelope, sage grouse, songbirds and other species;

(B) Secure migration routes and crucial habitat for sage grouse in a core population area; and

(C) Allow for continued agricultural production.

(iii) Project description: Conservation easement;

(iv) Total project budget: Five million six hundred sixty-two thousand nine hundred dollars ($5,662,900.00);

(v) Project grant: The Wyoming wildlife and natural resource trust account board is authorized to grant to the sponsor eight hundred twenty-five thousand dollars ($825,000.00) for the purposes specified in this subsection;

(vi) Appropriation: There is appropriated from the income account to the board eight hundred twenty-five thousand dollars ($825,000.00) or as much thereof as is necessary to carry out the purposes of this subsection. Unexpended and unobligated funds appropriated under this subsection shall revert to the income account on June 30, 2016.


(a) Authorization is granted for funding of the following large project as provided in this section.

(b) Project: Cottonwood Ranch habitat restoration:
(i) Project sponsor: Teton Science School;

(ii) Project purpose: Restoration and rehabilitation of native rangeland habitats by water development, reseeding, vegetation treatment, fencing and livestock management in order to:

(A) Restore habitats for moose, antelope, deer, elk, songbirds and other species;
(B) Restore agricultural production in areas where economic returns have been reduced or lost; and
(C) Provide enhanced habitat for sage grouse in a high priority sage grouse core population area.

(iii) Project description: Rangeland enhancement and restoration;

(iv) Total project budget: One million one hundred two thousand five hundred twenty-five dollars ($1,102,525.00);

(v) Project grant: The Wyoming wildlife and natural resource trust account board is authorized to grant to the sponsor two hundred nine thousand seven hundred thirty-five dollars ($209,735.00) for the purposes specified in this subsection;

(vi) Appropriation: There is appropriated from the income account to the board two hundred nine thousand seven hundred thirty-five dollars ($209,735.00) or as much thereof as is necessary to carry out the purposes of this subsection. Unexpended and unobligated funds appropriated under this subsection shall revert to the income account on June 30, 2016.


(a) Authorization is granted for funding of the following large project as provided in this section.

(b) Project: Jaw Bone Gulch conservation easement:

(i) Project sponsor: Wyoming Stockgrowers Land Trust;

(ii) Project purpose: Permanent use restriction on approximately one thousand seven hundred thirty-one (1,731) acres in Laramie county in order to

(A) Preclude loss of habitat for elk, mule deer, songbirds and other species;
(B) Enhance recreational values of state park lands; and
(C) Allow for continued agricultural production.

(iii) Project description: Conservation easement;

(iv) Total project budget: Two million three hundred eighty thousand dollars ($2,380,000.00);

(v) Project grant: The Wyoming wildlife and natural resource trust ac-
count board is authorized to grant to the sponsor two hundred fifty thousand dollars ($250,000.00) for the purposes specified in this subsection;

(vi) Appropriation: There is appropriated from the income account to the board two hundred fifty thousand dollars ($250,000.00) or as much thereof as is necessary to carry out the purposes of this subsection. Unexpended and unobligated funds appropriated under this subsection shall revert to the income account on June 30, 2016.

**Section 2.** W.S. 9-15-604(b)(iv) through (vi) and 9-15-613(b)(iv) through (vi) are amended to read:


(b) Project: Little Snake River aspen:

(iv) Total project budget: **One million six hundred thousand ($1,600,000.00)**

(v) Project grant: The Wyoming wildlife and natural resource trust account board is authorized to grant to the sponsor **three hundred thousand dollars ($300,000.00)** for the purposes specified in this subsection;

(vi) Appropriation: There is appropriated from the income account to the board one hundred one thousand eight hundred eight dollars ($101,808.00) or as much thereof as is necessary to carry out the purposes of this subsection. In addition to any amounts appropriated prior to 2013, there is appropriated from the income account to the board an additional thirty-five thousand dollars ($35,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended and unobligated funds appropriated under this subsection shall revert to the income account on June 30, 2014.


(b) Project: Little Snake River restoration:

(iv) Total project budget: **One million eight hundred forty-three thousand two hundred dollars ($1,843,200.00) One million eight hundred forty thousand seven hundred ninety-six dollars ($1,840,796.00)**;

(v) Project grant: The Wyoming wildlife and natural resource trust account board is authorized to grant to the sponsor **two hundred forty-five thousand dollars ($245,000.00)** for the purposes specified in this subsection;

(vi) Appropriation: There is appropriated from the income account to the board one hundred fifty thousand dollars ($150,000.00) or as much thereof as is necessary to carry out the purposes of this subsection. In addition to any amounts appropriated prior to 2013, there is appropriated from the income account to the board an additional two hundred thousand dollars ($200,000.00)
or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended and unobligated funds appropriated under this subsection shall revert to the income account on June 30, 2014.

Section 3. Each conservation easement for which funding is authorized under Section 1 or 2 of this act shall include the state of Wyoming as a third party beneficiary solely with the contingent right to enforce the terms of the easement if the grantee fails to enforce any of the terms of the easement. The agreement shall provide that if the easement is transferred for value, sold or extinguished without the consent of the Wyoming wildlife and natural resource trust account board, the state of Wyoming shall have the right to recover from the proceeds of such transfer for value, sale or extinguishment, the state's pro rata share of the proceeds based on the funds the state provided for the creation of the easement.

Section 4. Before any distribution of funds is made pursuant to the appropriations authorized by Sections 1 and 2 of this act, the person receiving the funds shall certify that no gratuities, kickbacks, gifts, commissions, contingency fees or other considerations have been or will be made in connection with the appropriation or the associated grant made by the Wyoming wildlife and natural resource trust account board.

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.

Approved February 27, 2013.

Chapter 84

TRANSFER OF OWNERSHIP OF LIVESTOCK AND BRANDS

Original House Bill No. 225

AN ACT relating to brands; excepting livestock from brand inspection on change of ownership as specified; and providing for an effective date.

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

Section 1. W.S. 11-20-203 by creating a new subsection (d) and 11-20-205 by creating a new subsection (e) are amended to read:

11-20-203. Inspection of brands at time of delivery or removal; certificate required; lack thereof.

(d) No inspection for brands and ownership is required if a change of ownership occurs solely due to:

(i) A legal name change of a person, firm, partnership, corporation or association if the ownership of the firm, partnership, corporation or association remains unchanged and the brand is transferred to the new legal name;
(ii) The transfer of a brand from an individual or the individual and his spouse to a business entity if the individual or the individual and his spouse are owners of a one hundred percent (100%) interest in the business entity;

(iii) A conversion of a business entity as provided in W.S. 17-26-101;

(iv) Marriage.

11-20-205. Procedures generally; estrays.

(e) No inspection for brands and ownership is required if a change of ownership occurs solely due to:

(i) A legal name change of a person, firm, partnership, corporation or association if the ownership of the person, firm, partnership, corporation or association remains unchanged;

(ii) The transfer of a brand from an individual or the individual and his spouse to a business entity if the individual or the individual and his spouse are owners of a one hundred percent (100%) interest in the business entity;

(iii) A conversion of a business entity as provided in W.S. 17-26-101;

(iv) Marriage.

Section 2. This act is effective July 1, 2013.

Approved February 27, 2013.

Chapter 85

PRINTING OF STATE DIRECTORY AND CONSTITUTION

Original House Bill No. 31

AN ACT relating to the secretary of state; providing for printing of state directories and the Wyoming constitution; providing for fees for documents; and providing for an effective date.

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

Section 1. W.S. 9-1-303 by creating a new subsection (d) is amended to read:

9-1-303. Powers and duties; affixing seal to and countersigning commissions and documents; certified copies of acts; file of commissions and appointments; printing of documents.

(d) The secretary of state shall print the following documents and make those documents available to the public upon tender of fees prescribed by rule and regulation, which fees shall be sufficient to the extent practical to recover the secretary of state's cost of the document provided:

(i) The constitution of the state of Wyoming;

(ii) A directory of state departments and selected employees.
Chapter 86

INTERSTATE SHIPMENT OF STATE INSPECTED MEATS

Original House Bill No. 109

AN ACT relating to interstate shipment of meat and poultry; requiring the department of agriculture to conduct a review on the creation of a cooperative interstate shipment program for meat and poultry and identify standards for the program; requiring a report; and providing for an effective date.

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

Section 1.

(a) The Wyoming department of agriculture shall immediately undertake a review of and identification of those acts necessary to participate in a cooperative interstate shipment program for meat and poultry with the United States department of agriculture as established under federal law 21 U.S.C. 683(b) and federal rules and regulation 9 C.F.R. parts 321, 332 and 381 and in accordance with this act.

(b) To promote small, state inspected businesses with twenty-five (25) or fewer employees and allow the sale of meat products across state lines, the Wyoming department of agriculture shall identify small state-inspected establishments which are able to demonstrate that they could meet minimum requirements of a cooperative interstate shipment program.

(c) The Wyoming department of agriculture shall identify application procedures for small, state inspected businesses with twenty-five (25) or fewer employees necessary for operation of and participation in the program.

(d) Not later than October 15, 2013, the department shall report to the joint agriculture, state and public lands and water resources interim committee on the results of the review, including its recommendation as to the establishment of a cooperative interstate shipment program for meat and poultry with the United States department of agriculture as required by this act. The report shall include identification of any additional resources necessary for operation of a program and statutory changes necessary for proper implementation and administration of a program.

Section 2. 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.

Approved February 27, 2013.
Chapter 87

PUBLIC DEFENDER-FEE SCHEDULE AND INDIGENCY STANDARD

Original House Bill No. 190

AN ACT relating to public defenders; providing for posting of fee schedules online; providing for use of indigency standard in court rules; repealing rulemaking authority for setting indigency standards; and providing for an effective date.

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

Section 1. W.S. 7-6-103(c)(vi) and 7-6-106(b) are amended to read:

7-6-103. Creation of office of state public defender; appointment of state public defender and assistants; duties; removal.

(c) The state public defender shall:

(vi) Promulgate rules and regulations establishing a standard fee schedule for services provided by attorneys appointed pursuant to W.S. 7-6-109 and post the schedule on the agency’s website;

7-6-106. Determination of need; reimbursement for services.

(b) In determining whether a person is a needy person and in determining the extent of his inability to pay, and, in the case of an unemancipated minor, the inability to pay of his custodial parent or another person who has a legal obligation of support, the court shall consider the standards promulgated pursuant to W.S. 7-6-103(c)(vii) set forth in Rule 44(d), Wyoming Rules of Criminal Procedure. Release on bail does not necessarily prevent a person from being determined to be needy. In each case the person, subject to the penalties for perjury, shall certify in writing, or by other record, the material factors relating to his ability to pay as the court prescribes.

Section 2. W.S. 7-6-103(c)(vii) is repealed.

Section 3. This act is effective July 1, 2013.

Approved February 27, 2013.

Chapter 88

WORKPLACE SAFETY INITIATIVES

Original House Bill No. 52

AN ACT relating to workplace safety; providing for a discount in worker's compensation premiums for employers who participate in the health and safety consultation program of the Wyoming department of workforce services as specified; and providing for an effective date.

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

Section 1. W.S. 27-14-201(o)(intro) is amended to read:
27-14-201. Rates and classifications; rate surcharge.

(o) The division may, in accordance with its rules and regulations, grant a discount to rates established under this section in an amount not to exceed ten percent (10%) of the base rate for the employment classification of any employer if the employer complies with a safety program approved by the division and a discount in an amount not to exceed five percent (5%) of the base rate for the employment classification if the employer complies with a drug and alcohol testing program approved by the division and a discount in an amount not to exceed ten percent (10%) of the base rate for the employment classification if the employer complies with a health and safety consultation program developed by the department of workforce services in consultation with the occupational health and safety commission. In no instance shall the sum total of discounts under this subsection exceed twenty-five percent (25%) of the base rate for the employment classification for the employer. The discount for the health and safety consultation program shall only remain in effect for three (3) years after the employer is certified to be in compliance with the health and safety consultation program recommendations. In determining safety program approval, drug and alcohol program approval, health and safety consultation program approval and the total discount granted under this subsection, the division shall consider:

Section 2. This act is effective July 1, 2013.

Approved February 27, 2013.

Chapter 89

IMMUNIZATION BY PHARMACISTS

Original House Bill No. 94

AN ACT relating to the Wyoming Pharmacy Act; amending authority of pharmacists to administer immunizations; requiring parental consent for immunization of minor children; and providing for an effective date.

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

Section 1. W.S. 33-24-157(a) and (c) is amended to read:

33-24-157. Immunization administration.

(a) A pharmacist licensed under this act may only prescribe and administer immunizations recommended for healthy adults individuals age seven (7) and older in a private space utilized for counseling and administering immunizations to ensure patient safety and confidentiality as authorized by the board. Parental consent shall be required for prescriptions for immunizations and for administration of immunizations pursuant to this section for any minor child. A pharmacist administering vaccinations pursuant to this section shall enter a
record of the immunization in the Wyoming immunization registry operated by the department of health. Nothing in this subsection shall be deemed to require any pharmacist to administer immunizations to individuals who are less than thirteen (13) years of age. No employer shall discriminate against a pharmacist on the basis that the pharmacist determines not to administer immunizations to individuals who are less than thirteen (13) years of age.

(c) The board, in cooperation with the Wyoming state board of medicine, shall adopt rules specifying immunizations allowed under this act and the requirements a pharmacist shall meet in order to prescribe and administer immunizations, including requirements for spaces in which immunizations shall be administered by a pharmacist.

Section 2. This act is effective July 1, 2013.

Approved February 27, 2013.

Chapter 90

UNIFORM TRUST CODE-NOTICE OF CLAIMS

Original House Bill No. 151

AN ACT relating to trusts; amending notification requirements for claims of creditors; and providing for an effective date.

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

Section 1. W.S. 4-10-507(a)(ii) is amended to read:

4-10-507. Limitation on action by creditors.

(a) Subject to the rights of persons dealing with a fiduciary as provided in W.S. 4-10-1013, a creditor may file a claim against the assets of the trust or commence a judicial proceeding to contest the validity of a trust that was revocable at the settlor’s death within the earlier of:

(ii) One hundred twenty (120) days after the first publication of a notice of the intent of the trustee to have the property of the settlor distributed as permitted under the terms of the trust, has been. The notice shall be published once per week for two (2) consecutive weeks in a newspaper of general circulation in the county or counties where venue of the trust is properly established as provided in W.S. 4-10-204; or

Section 2. This act is effective July 1, 2013.

Approved February 27, 2013.
Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 6-2-701 through 6-2-710 are created to read:

ARTICLE 7
HUMAN TRAFFICKING

6-2-701. Definitions.
(a) As used in this article:
   (i) “Benefit” means anything of value;
   (ii) “Coercion” means any one (1) or more of the following:
       (A) The use or threat of force, abduction, serious harm to or physical restraint against any individual;
       (B) The use of a scheme, plan, pattern or fraudulent statement with intent to cause an individual to believe that failure to perform an act will result in serious harm to or physical restraint against any individual;
       (C) The abuse or threatened abuse of the law or legal process;
       (D) The abuse of a position of power or taking advantage of a position of vulnerability;
       (E) Providing a controlled substance to an individual for the purpose of controlling the person’s behavior;
       (F) Interfering with lawful custody of or access to an individual’s children;
       (G) The destruction of, taking of or the threat to destroy or take an individual’s identification document;
       (H) The use of an individual’s personal services as security payment or satisfaction for a real or purported debt if:
          (I) The reasonable value of the services is not applied toward the liquidation of the debt;
          (II) The length of the services is not limited and their nature is not defined;
          (III) The principal amount of the debt does not reasonably reflect the value of the items or services for which the debt was incurred; or
(IV) The individual is prevented from acquiring accurate and timely information about the disposition of the debt.

(iii) “Commercial sex act” means any sexual act for which anything of value is given to, promised or received by a person in exchange for the sexual act;

(iv) “Deception” means:

(A) A person's creation or confirmation of an individual's impression of material fact or event which is false and which the person knows or has reason to believe is false, including:

(I) The nature of labor or services to be provided;

(II) The fundamental conditions of labor; or

(III) The extent to which the individual will be free to leave the individual's place of residence or workplace; and

(B) The promise of a benefit to or performance of a service to an individual which the person does not intend to be delivered or performed.

(v) “Financial harm” means a detrimental position in relation to wealth, property or other monetary benefits that occurs as a result of another person's illegal act including, but not limited to, blackmail, promoting of prostitution or illegal employment contracts;

(vi) “Forced services” means services performed or provided by a person that are obtained or maintained by another person who:

(A) Causes or threatens to cause serious harm to any person;

(B) Physically restrains or threatens to physically restrain another person;

(C) Abuses or threatens to abuse the law or legal process;

(D) Knowingly destroys, conceals, removes or confiscates any actual or purported passport or other immigration document, or any other actual or purported government identification document, of another person;

(E) Engages in blackmail; or

(F) Causes or threatens to cause financial harm to any person.

(vii) “Identification document” includes a passport, driver's license, immigration document, travel document and any other government issued identification document;

(viii) “Labor” means work of economic or financial value;

(ix) “Minor” means any natural person younger than eighteen (18) years of age;

(x) “Pecuniary damage” means all damages which a victim could recover
against the defendant in a civil action arising out of the same facts or event, including damages for wrongful death. It does not include punitive damages and damages for pain, suffering, mental anguish and loss of consortium;

(xi) “Person” means an individual, partnership, corporation, joint stock company or any other association or entity, public or private;

(xii) “Restitution” means full or partial payment of pecuniary damage to a victim;

(xiii) “Serious harm” means physical or nonphysical harm or property damage, including, but not limited to, bodily injury as defined in W.S. 6-1-104(a)(i), economic loss as defined in W.S. 1-40-102(a)(v), personal injury as defined in W.S. 1-40-102(a)(vii) or reputational harm sufficient to compel a reasonable person of the same background and in the same circumstance of the victim, to perform or to continue performing labor, a service or a commercial sex act in order to avoid incurring that harm;

(xiv) “Services” means activities resulting from a relationship between a person and the actor in which the person performs activities under the supervision of or for the benefit of the actor. Commercial sexual activity is “services” in this article. Nothing in this definition may be construed to legitimize or legalize prostitution;

(xv) “Victim” means the person alleged to have been subjected to human trafficking;

(xvi) “This act” means W.S. 6-2-701 through 6-2-710.

6-2-702. Human trafficking in the first degree; penalty.

(a) A person is guilty of human trafficking in the first degree when the person intentionally or knowingly recruits, transports, transfers, harbors, receives, provides, obtains, isolates, maintains or entices an individual for the purpose of:

(i) Forced labor or servitude in violation of W.S. 6-2-704;

(ii) Sexual servitude in violation of W.S. 6-2-705; or

(iii) Sexual servitude of a minor in violation of W.S. 6-2-706.

(b) Human trafficking in the first degree is a felony punishable by imprisonment for not less than five (5) nor more than fifty (50) years unless the victim is a minor in which case it is a felony punishable by imprisonment for not less than twenty-five (25) nor more than fifty (50) years and a fine of not more than ten thousand dollars ($10,000.00), or both.

6-2-703. Human trafficking in the second degree; penalty.

(a) A person is guilty of human trafficking in the second degree when the person recklessly recruits, transports, transfers, harbors, receives, provides, obtains, isolates, maintains or entices an individual for the purpose of:
(i) Forced labor or servitude in violation of W.S. 6-2-704;
(ii) Sexual servitude in violation of W.S. 6-2-705;
(iii) Sexual servitude of a minor in violation of W.S. 6-2-706.

(b) Human trafficking in the second degree is a felony punishable by imprisonment for not less than two (2) nor more than twenty (20) years and a fine of not more than ten thousand dollars ($10,000.00), or both.

6-2-704. Forced labor or servitude; penalty.
(a) A person is guilty of forced labor or servitude when the person intentionally, knowingly or recklessly uses coercion, deception or fraud to compel an individual to provide forced services.
(b) Intentionally, knowingly or recklessly compelling forced labor or servitude is a felony punishable by imprisonment for not more than fifteen (15) years and a fine of not more than ten thousand dollars ($10,000.00), or both.

6-2-705. Sexual servitude of adult.
(a) A person is guilty of sexual servitude of an adult when the person intentionally, knowingly or recklessly uses coercion, deception or fraud to compel an individual eighteen (18) years of age or older to engage in commercial sexual services.
(b) Intentionally, knowingly or recklessly compelling the sexual servitude of an adult is a felony punishable by imprisonment for not more than three (3) years and a fine of not more than three thousand dollars ($3,000.00), or both.

6-2-706. Sexual servitude of a minor.
(a) A person is guilty of sexual servitude of a minor when the person intentionally, knowingly or recklessly offers, obtains, procures or provides an individual less than eighteen (18) years of age to engage in commercial sexual services.
(b) Intentionally, knowingly or recklessly compelling the sexual servitude of a minor is a felony punishable by imprisonment for not more than five (5) years and a fine of not more than five thousand dollars ($5,000.00), or both.
(c) It is not a defense in a prosecution under this section that the individual consented to engage in commercial sexual services or that the defendant reasonably believed the individual was at least eighteen (18) years of age.

6-2-707. Patronizing a victim of sexual servitude.
(a) A person is guilty of patronizing a victim of sexual servitude when the person pays, agrees to pay or offers to pay anything of value so that the person or another may engage in sexual activity with an individual when the person knows that the individual is a victim of sexual servitude in violation of W.S. 6-2-705 or 6-2-706.
(b) Patronizing a victim of sexual servitude is a felony punishable by a fine of not more than five thousand dollars ($5,000.00), imprisonment for not more than three (3) years, or both.

6-2-708. Victim defenses; vacating convictions.

(a) A victim of human trafficking is not criminally liable for any commercial sex act or other criminal acts committed as a direct result of, or incident to, being a victim of human trafficking in violation of W.S. 6-2-702 through 6-2-707.

(b) A victim of human trafficking who is a minor shall be deemed a child in need of supervision in accordance with the Children in Need of Supervision Act or a neglected child in accordance with the Child Protection Act.

(c) At any time after the entry of a conviction, the court in which it was entered may vacate the conviction if the defendant's participation in the offense is found to have been the result of having been a victim. Official documentation of the defendant's status as a victim at the time of the offense from a federal, state or local government agency shall create a presumption that the defendant's participation in the offense was a result of having been a victim, but shall not be required for granting a motion under this section.

6-2-709. Victims’ rights; services.

(a) As soon as possible after the initial encounter with a person who reasonably appears to a law enforcement agency, district or county and prosecuting attorneys' office to be a victim of human trafficking, the agency or office shall:

(i) Notify the victim services division within the office of the attorney general that the person may be eligible for services under this article; and

(ii) Make a preliminary assessment of whether the victim or possible victim of human trafficking appears to meet the criteria for certification as a victim of a severe form of trafficking in persons as defined in the Trafficking Victims Protection Act, 22 U.S.C. section 7105, or appears to be otherwise eligible for any federal, state or local benefits and services. If it is determined that the victim appears to meet such criteria, the agency or office shall report the finding to the victim and shall refer the victim to services available, including legal service providers. If the possible victim is a minor or is a vulnerable adult, the agency or office shall also notify the department of family services.

(b) The attorney general, a district or county and prosecuting attorney or any law enforcement official shall certify in writing to the United States Department of Justice or other federal agency, such as the United States Department of Homeland Security, that an investigation or prosecution under this article has begun and the individual who is a likely victim of a crime described in this article is willing to cooperate or is cooperating with the investigation to enable the individual, if eligible under federal law, to qualify for an appropriate special immigrant visa and to access available federal benefits. Cooperation with law
enforcement shall not be required of victims of a crime described in this article who are minors. This certification shall be made available to the victim and the victim’s designated legal representative.

(c) Victims of human trafficking under W.S. 6-2-702 through 6-2-706 shall be informed of the rights enumerated in this section, the victim’s right to informed consent and the victim’s rights as a victim of crime. The victim shall also be informed of available housing, educational, medical, legal and advocacy services.

(d) Victims of human trafficking are entitled to restitution and forms of compensation under the Crime Victims Compensation Act.

(e) In a prosecution for an offense under this article, police and prosecuting agencies shall keep the identity of the victim and the victim’s family confidential. The prosecutor shall take reasonable steps to protect the victim and the victim’s family from being revictimized.

6-2-710. Restitution.

(a) In addition to any other punishment prescribed by law, upon conviction for felony under this article, the court shall order a defendant to pay mandatory restitution to each victim as determined under W.S. 7-9-103 and 7-9-114.

(b) If the victim of human trafficking to whom restitution has been ordered dies before restitution is paid, any restitution ordered shall be paid to the victim’s heir or legal representative provided that the heir or legal representative has not benefited in any way from the trafficking.

(c) The return of the victim of human trafficking to the victim’s home country or other absence of the victim from the jurisdiction shall not limit the victim’s right to receive restitution pursuant to this section.

Section 2. W.S. 6-4-101, 6-4-102, 6-4-103(a)(intro) and 7-19-301(a)(iv) by creating a new subparagraph (J) and (viii) are amended to read:

6-4-101. Prostitution; penalties.

Except as provided in W.S. 6-2-701 through 6-2-710, a person who knowingly or intentionally performs or permits, or offers or agrees to perform or permit an act of sexual intrusion, as defined by W.S. 6-2-301(a)(vii), for money or other property commits prostitution which is a misdemeanor punishable by imprisonment for not more than six (6) months, a fine of not more than seven hundred fifty dollars ($750.00), or both.

6-4-102. Soliciting an act of prostitution; penalties.

Except as provided in W.S. 6-2-701 through 6-2-710, a person is guilty of soliciting an act of prostitution if, with the intent that an act of sexual intrusion as defined by W.S. 6-2-301(a)(vii) be committed, that person knowingly or intentionally pays, or offers or agrees to pay money or other property to another per-
son under circumstances strongly corroborative of the intention that an act of prostitution be committed. Soliciting an act of prostitution is a misdemeanor punishable by imprisonment for not more than six (6) months, a fine of not more than seven hundred fifty dollars ($750.00), or both.

6-4-103. Promoting prostitution; penalties.
(a) Except as provided in W.S. 6-2-701 through 6-2-710, a person commits a felony if he:

7-19-301. Definitions.
(a) Unless otherwise provided, for the purposes of this act:

(iv) “Criminal offense against a minor” means the offenses specified in this paragraph in which the victim is less than eighteen (18) years of age. “Criminal offense against a minor” includes an offense committed in another jurisdiction, including a federal court or courts martial, which, if committed in this state, would constitute a “criminal offense against a minor” as defined in this paragraph. “Criminal offense against a minor” includes:

(J) Human trafficking under W.S. 6-2-702 or 6-2-703 or sexual servitude under W.S. 6-2-705 or 6-2-706.

(viii) “Offender” means a person convicted of a criminal offense specified in W.S. 7-19-302(g) through (j), 6-2-702, 6-2-703, 6-2-705 or 6-2-706 or convicted of a criminal offense from Wyoming or any other jurisdiction containing the same or similar elements, or arising out of the same or similar facts or circumstances, as a criminal offense specified in W.S. 7-19-302(g) through (j), 6-2-702, 6-2-703, 6-2-705 or 6-2-706;

Section 3.
(a) The division of victim services shall continue to provide training regarding provisions of this act to be used for presentation to law enforcement agencies, the law enforcement academy, prosecutors, public defenders, judges and others involved in the juvenile and criminal justice systems. The training may include:

(i) State and federal laws on human trafficking;

(ii) Methods used to identify United States citizen and foreign national victims of human trafficking;

(iii) Methods of prosecuting human traffickers; and

(iv) Methods of protecting the rights of victims of human trafficking, including collaboration with nongovernmental and other social service agencies in the course of investigating and prosecuting human trafficking cases.

Section 4. This act is effective July 1, 2013.

Approved February 27, 2013.
Chapter 92

TELECOMMUNICATIONS-INTERNET PROTOCOL ENABLED SERVICES

Original House Bill No. 18

AN ACT relating to telecommunications; exempting internet protocol enabled services from regulation as specified; providing definitions; and providing for an effective date.

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

Section 1. W.S. 37-15-105 is created to read:


(a) As used in this section:

(i) “Internet protocol enabled service” or “IP enabled service” means any service, capability, functionality or application, other than “voice over internet protocol service,” (VoIP) using existing internet protocol, or any successor internet protocol, that enables an end user to send or receive a communication in existing internet protocol format, or any successor internet protocol format, utilizing a broadband connection at the end user’s location, regardless of whether the communication is voice, data or video;

(ii) “Voice over internet protocol service” means any service that:

(A) Enables real time, two-way voice communication originating from or terminating at the user’s location in internet protocol or a successor protocol;

(B) Utilizes a broadband connection at the user’s location; and

(C) Permits a user to receive a call that originates on the public switched telephone network and to terminate a call to the public switched telephone network.

(b) The commission shall not regulate IP enabled service or voice over internet protocol service. Nothing in this section affects or modifies:

(i) Any applicable wholesale tariff or any commission authority to implement or enforce any rights, duties or obligations of any party related to wholesale services;

(ii) Any entity’s obligations or rights or commission authority under sections 251 and 252 of the Federal Communications Act of 1934, 47 U.S.C. §§ 251 and 252;

(iii) Any commission jurisdiction over intrastate switched access rates, terms and conditions, including the implementation of federal law with respect to intercarrier compensation;

(iv) Any obligation for the provision of video or cable service by any entity under applicable law;
(v) Any commission jurisdiction or authority pursuant to W.S. 37-15-401(a)(vii), including but not limited to commission jurisdiction or authority to address federal high cost fund or federal universal service fund issues;

(vi) Any obligation to offer essential telecommunications service as regulated by the commission in other sections of this chapter.

(c) If a service provider voluntarily chooses to receive Wyoming universal service funds to support voice over internet protocol service that otherwise qualifies for support pursuant to W.S. 37-15-501 or 37-15-502, then that supported voice over internet protocol service shall be subject to all laws and rules governing the receipt of such funds, and the support provided to those services shall not exceed the support that would be provided to eligible noncompetitive essential local exchange services on a per-access-line basis.

(d) Voice over internet protocol service shall be subject to the following:


(ii) Any required assessment of 911 or E911 emergency service taxes under W.S. 16-9-101 through 16-9-105;

(iii) Any required special fee under W.S. 16-9-209; or


Section 2. This act is effective July 1, 2013.

Approved February 27, 2013.

Chapter 93

WHOLESALE MALT BEVERAGE DISTRIBUTORS-LIMITATIONS

Original Senate File No. 64

AN ACT relating to alcohol licensing; limiting interests in wholesale licenses for sale of malt beverages; prohibiting issuance of wholesale licenses for sale of malt beverages to breweries; providing exceptions; providing for a temporary license; and providing for an effective date.

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

Section 1. W.S. 12-2-201(a) is amended to read:

12-2-201. Wholesale license for sale of malt beverages only; fee.

(a) Except as otherwise provided in paragraph (ii) of this subsection a wholesale license authorizing the sale of malt beverages only may be granted by the commission to breweries, microbreweries and malt beverage wholesalers resident within this state. Wholesale licensees have the exclusive right to sell malt beverages at wholesale. Any qualified person desiring a wholesale license shall
apply to the commission on forms to be provided and pay a license fee of two hundred fifty dollars ($250.00) annually in advance. A wholesale license issued under this subsection shall be subject to the following:

(i) Except as provided in paragraph (ii) of this section, no brewery or malt beverage importer may have any legal ownership interest, in whole or in part, in the license, business, assets or corporate stock of a licensee under this subsection;

(ii) The commission may issue a temporary wholesale license under this subsection to a brewery or malt beverage importer if a current licensee who has been granted distribution rights for a brand in a designated sales territory is unable to service the territory as a result of the loss of his license, bankruptcy or insolvency, and the loss of license, bankruptcy or insolvency is not the result of action by the brewery or malt beverage importer that is prohibited under the franchise agreement. A temporary license under this paragraph may be issued for a period not to exceed one (1) year and shall be limited to the sale of products in the designated territory;

(iii) Nothing in this subsection shall be interpreted to impair any contract between a brewery, malt beverage manufacturer or malt beverage importer and a distributor.

Section 2. 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.

Approved February 27, 2013.

Chapter 94

HITCHHIKING

Original Senate File No. 29

AN ACT relating to motor vehicles; eliminating prohibition on soliciting rides on highways; and providing for an effective date.

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

Section 1. W.S. 31-5-606(a) is amended to read:

31-5-606. Soliciting on streets and highways.

(a) No person shall be on a highway for the purpose of soliciting a ride, employment, business or contributions from the occupant of any vehicle. This subsection does not apply to persons attempting to obtain assistance for disabled vehicles.

Section 2. This act is effective July 1, 2013

Approved February 27, 2013.
Chapter 95

STATE INVESTMENTS FOR A PUBLIC PURPOSE

Original House Bill No. 215

AN ACT relating to state investments; decreasing amount allowed to be invested in industrial development bonds; decreasing overall amount allowed to be invested for specific public purposes; providing rulemaking authority; and providing for an effective date.

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

Section 1. W.S. 9-4-715(m)(intro) and (n) is amended to read:

9-4-715. Permissible investments.

(m) To promote economic development, the state treasurer may invest and keep invested not to exceed six hundred million dollars ($600,000,000.00) through the purchase of industrial development bonds issued by joint powers boards, municipalities or counties under W.S. 15-1-701 through 15-1-710 subject to the terms and conditions specified under this subsection. The state treasurer may adopt rules as necessary to carry out his duties under this subsection. By December 31 of each calendar year, the state treasurer and the Wyoming business council shall each provide a report to the joint minerals, business and economic development interim committee on the effectiveness of the investment program authorized by this subsection. The reports shall include the costs incurred by the state to the permanent mineral trust fund, expenditures made from the account created under paragraph (v) of this subsection and the revenue received by the Wyoming business council through fees and businesses who utilized the program:

(n) The state treasurer shall not invest state funds for a specific public purpose authorized or directed by the legislature in excess of a total of one billion dollars ($1,000,000,000.00) excluding investments made pursuant to W.S. 37-5-406. Prior to the convening of each general session, the state treasurer shall, after consultation with the board, recommend any adjustments to this allocated amount to the select committee on capital financing and investments.

Section 2. 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.

Approved February 27, 2013.
Chapter 96

CHALLENGE LOAN PROGRAM-NATURAL GAS VEHICLE INFRASTRUCTURE

AN ACT relating to economic development; providing direct loans from the challenge loan program for natural gas fueling infrastructure; providing a limit on the amount of individual loans and the total amount of loans issued for natural gas fueling infrastructure; providing limitations on interest and loan payments; providing criteria for loans for natural gas fueling infrastructure; providing a definition; and providing for an effective date.

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

Section 1. W.S. 9-12-301(a) by creating a new paragraph (x), 9-12-302(a) and 9-12-304(a)(intro), (b)(i) and by creating a new subsection (h) are amended to read:

9-12-301. Definitions.

(a) As used in this article:

(x) “Natural gas fueling infrastructure loan” means a loan issued by the council for the costs of the engineering, design, real property, equipment and labor necessary to install a functioning natural gas filling station to fuel motor vehicles which operate on natural gas as a transportation fuel.

9-12-302. Wyoming partnership challenge loan program; creation; rule-making; administration account.

(a) The council shall establish and administer a partnership challenge loan program under this article and may contract for necessary professional services. Loans authorized under the program shall be limited, except as otherwise provided under W.S. 9-12-304(c) through (g)(h), to community development organizations and state development organizations and made in accordance with the provisions of W.S. 9-12-304. Any community development organization or state development organization may submit an application to the council to participate in the program on forms prescribed by and subject to rules promulgated by the council.

9-12-304. Criteria for loans.

(a) Except as otherwise provided under subsections (c) through (g)(h) of this section, loans under this article may only be made by the council to community development organizations and state development organizations which meet the following eligibility criteria:

(b) Loans, loan commitments or loan guarantees or any combination thereof shall be made under this article only:

(i) If the total amount to a single community development organization, or to a business for an economic disaster loan as provided under subsec-
tion (c) of this section or to a business for bridge financing as provided under subsection (d) of this section, does not exceed five hundred thousand dollars ($500,000.00), if the total amount to state development organizations does not exceed three million five hundred thousand dollars ($3,500,000.00), if the amount to a business for a federally guaranteed loan as provided under subsection (e) of this section does not exceed one million dollars ($1,000,000.00), if the amount to a business for a loan guarantee does not exceed one hundred thousand dollars ($100,000.00) per loan guaranteed or eighty percent (80%) of any net loan loss by the bank, whichever is less, or if the amount to a business for a Wyoming main street loan participation as provided under subsection (g) of this section does not exceed one hundred thousand dollars ($100,000.00) or if the amount to a business for a natural gas fueling infrastructure loan as provided under subsection (h) of this section does not exceed seventy-five percent (75%) of the total project cost or one million dollars ($1,000,000.00), whichever is less;

(h) Any business may apply to the council for a natural gas fueling infrastructure loan as defined in W.S. 9-12-301(a)(x). The council shall prescribe the form and contents of the application. The council shall review each application and make a determination as soon as practicable. In the event of a default, the state shall have priority over any claim of the business receiving the natural gas fueling infrastructure loan or third party. Notwithstanding W.S. 9-12-303, no interest or principal payments shall be due for the first two (2) years of the loan term. All deferred interest during the first two (2) years of the loan term shall accrue to the principal balance. All loans issued under this subsection shall not exceed five million dollars ($5,000,000.00) and after five million dollars ($5,000,000.00) in loans have been issued, no further loans shall be issued under this subsection without further legislative approval. Subsection (a) of this section does not apply to natural gas fueling infrastructure loans under this subsection. In evaluating applications for a natural gas fueling infrastructure loan, the council shall consider whether:

(i) The geographic area in which the proposed natural gas fueling infrastructure will be located is currently served by existing natural gas fueling infrastructure; and

(ii) The location of the proposed natural gas fueling infrastructure has a significant number of government or private fleet vehicles with the potential to convert to natural gas.

Section 2. This act is effective July 1, 2013.

Approved February 27, 2013.
Chapter 97

NATURAL GAS STATE VEHICLES

Original Senate File No. 52

AN ACT relating to motor vehicles; providing that the state of Wyoming shall purchase vehicles that operate on compressed natural gas as specified; providing conforming amendments; providing an exception; imposing duties; providing a sunset date; and providing for an effective date.

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

Section 1. W.S. 9-17-101 and 9-17-102 are created to read:

CHAPTER 17
NATURAL GAS MOTOR VEHICLES


(a) The department of administration and information, the University of Wyoming, community college districts and state agencies responsible for their own motor vehicle fleet shall when replacing a motor vehicle or expanding their motor vehicle fleet purchase motor vehicles which operate on compressed natural gas, or a combination of compressed natural gas and gasoline or diesel in an amount equal to or greater than fifty percent (50%) of the total number of replacement vehicles purchased for a specific location if:

(i) The municipality or locality in which the motor vehicle will be stationed is served by a compressed natural gas filling station which is accessible to the state agency and has the correct volume, flow rate and footprint to accommodate the local state vehicle fleet;

(ii) The department of administration and information determines that a compressed natural gas filling station which meets the requirements of paragraph (i) of this subsection will be constructed in the municipality or locality within six (6) months of the replacement date for a motor vehicle;

(iii) The motor vehicle to be purchased is readily commercially available in models which operate on compressed natural gas, or a combination of compressed natural gas and gasoline or diesel.

(b) This section shall not apply if the responsible department or agency determines that compliance with the requirements of subsection (a) of this section is unfeasible or economically impractical or appropriate compressed natural gas vehicles or compressed natural gas is unavailable. If the department makes a determination pursuant to this subsection, it shall provide notice of its determination to those agencies identified in subsection (a) of this section and shall promptly provide a written report to the joint minerals, business and economic development interim committee containing the reasons for the determination.

(c) The governor, upon a demonstration of financial hardship by the responsible department or agency, may waive or reduce the requirements of this sec-
tion. The governor shall promptly provide a written report to the joint minerals, business and economic development interim committee explaining the reasons for any waiver or reduction pursuant to this subsection.

9-17-102. Sunset.

W.S. 9-17-101 is repealed effective June 30, 2017.

Section 2. W.S. 9-2-1016(h) by creating a new paragraph (iii) is amended to read:

9-2-1016. General services division.

(h) The general services division shall:

(iii) Procure motor vehicles which operate on compressed natural gas as specified in W.S. 9-17-101.

Section 3. 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.

Approved February 27, 2013.

Chapter 98

CONFIDENTIALITY OF DOMESTIC ABUSE VICTIM INFORMATION

Original Senate File No. 117

AN ACT relating to domestic violence protection; providing that the address, city and state of residence and other information identifying the residence of a victim of domestic abuse shall remain confidential in a court proceeding; providing for additional confidentiality; and providing for an effective date.

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

Section 1. W.S. 14-3-441 and 35-21-112 are created to read:

14-3-441. Confidentiality in court proceedings.

In the event a confidentiality order has been entered pursuant to W.S. 35-21-112 or any other court order allowing a party to maintain confidentiality of addresses or other information identifying the residence of the victim of domestic abuse, the address and city or state of residence and other information identifying the residence of the victim of domestic abuse and any child residing with the victim of domestic abuse shall remain confidential in any court proceedings under this title.


(a) Notwithstanding any other provisions of law, in any proceedings before a court of the state of Wyoming, the confidentiality of the address, city and state of residence or any other information identifying the residence of a victim of domestic abuse shall remain confidential as provided in this section.
(b) The victim of domestic abuse may at any point during the court proceedings file a motion with the court for entry of an order providing for the confidentiality of the address, city and state of residence or any other information identifying the residence of the victim of domestic abuse and any children residing with the victim of domestic abuse during the court proceedings. The motion may be accompanied with all relevant affidavits or documents to establish that the person requesting confidentiality is a victim of domestic abuse and that the person may be subject to additional acts of domestic abuse if confidentiality is not maintained.

(c) Upon a filing of a motion pursuant to subsection (b) of this section, the court shall issue an order prohibiting the release of the address, city and state of residence and any other information identifying the residence of a person if:

   (i) The person filing the motion has been granted an order of protection under this act or similar act in another state or territory of the United States and the order of protection remains in effect; or

   (ii) The court finds by a preponderance of the evidence that the person is a victim of domestic abuse and that the person may be subject to additional acts of domestic abuse if confidentiality is not maintained.

(d) An order issued under this section shall only provide confidentiality in the action in which it is granted and for those additional purposes specified by law referencing an order issued pursuant to this section.

Section 2. W.S. 1-25-101, 1-25-103, 20-2-202(a)(iii), 20-2-309(b)(intro) and by creating a new subsection (h) and 20-5-309(a)(intro) are amended to read:

1-25-101. Verified petition to be presented; information to be shown in petition; order of court making change; record to be made.

Every person desiring to change his name may petition the district court of the county of the petitioner's residence for the desired change. The petition shall be verified by affidavit setting forth the petitioner's full name, the name desired, a concise statement of the reason for the desired change, the place of his birth, his place of residence and the length of time he has been an actual bona fide resident of the county in which the petition is filed. If the court is satisfied that the desired change is proper and not detrimental to the interests of any other person, it shall order the change to be made, and record the proceedings in the records of the court. In the event a confidentiality order has been entered pursuant to W.S. 35-21-112 or any other court order allowing a party to maintain confidentiality of addresses, city or state of residence or other information identifying the residence, the address, city or state of residence or other information identifying the residence of the party shall remain confidential.

1-25-103. Notice to be given by publication.

Except in a proceeding in which the court has issued a confidentiality order
pursuant to W.S. 35-21-112 or any other court order allowing a party to maintain confidentiality of addresses, city or state of residence or other information identifying the residence of the party, public notice of the petition for a change of name shall be given in the same manner as service by publication upon non-residents in civil actions.


(a) The court may order visitation it deems in the best interests of each child and the court shall:

(iii) Require either parent who plans to change their home city or state of residence, to give written notice thirty (30) days prior to the move, both to the other parent and to the clerk of district court stating the date and destination of the move. In the event a confidentiality order has been entered pursuant to W.S. 35-21-112 or any other court order allowing a party to maintain confidentiality of addresses or other information identifying the residence of the victim of domestic abuse, the address, city or state of residence or other information identifying the residence of the victim of domestic abuse shall remain confidential.

20-2-309. Contents of orders; change of address or employment; income withholding entered; payment.

(b) All child support orders shall be accompanied by a confidential statement that contains the names, addresses, dates of birth, places of birth and social security numbers of each party and each child to whom the order relates and the names and addresses of each party’s employer. Except as provided in subsection (h) of this section, the confidential statement may be inspected by:

(h) The confidential statement required pursuant to subsection (b) of this section shall not be inspected or further released except as provided in this subsection if the court has issued a confidentiality order pursuant to W.S. 35-21-112 or any other court order allowing a party to maintain confidentiality of addresses, city or state of residence or other information identifying the residence of the victim of domestic abuse. The court may release the confidential statement required under subsection (b) of this section to the department of family services to the extent necessary to enforce the Child Support Enforcement Act and the Uniform Interstate Family Support Act, provided:

(i) The department releases information protected by a confidentiality order only to governmental agencies or courts of competent jurisdiction and does not release information protected by the confidentiality order to the opposing party or attorneys representing or employed by the opposing party;

(ii) The department shall exclude or redact information protected by a confidentiality order from information provided under this subsection to the greatest extent possible in conformance with the Child Support Enforcement Act and the Uniform Interstate Family Support Act;
(iii) The department shall provide written notice to parties receiving information protected by a confidentiality order from the department stating that the information is protected by a confidentiality order and shall only be disseminated by the receiving party to the extent necessary to comply with the Child Support Enforcement Act and the Uniform Interstate Family Support Act.

20-5-309. Information to be submitted to the court.

(a) Subject to a confidentiality order entered pursuant to W.S. 35-21-112 or any other court order allowing a party to maintain confidentiality of addresses or other identifying information or other law providing for the confidentiality of procedures, addresses and other identifying information, in a child custody proceeding each party in its first pleading or in an attached affidavit shall give information, if reasonably ascertainable, under oath as to the child’s present address or whereabouts, the places where the child has lived during the last five (5) years and the names and present addresses of the persons with whom the child has lived during that period. The pleading or affidavit shall state whether the party:

Section 3. This act is effective July 1, 2013.

Chapter 99

PRIVATE ROADS

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

Section 1. W.S. 24-9-105 is created to read:

24-9-105. Rules of procedure; legislative findings and intent.

(a) The supreme court may adopt rules governing proceedings commenced under W.S. 24-9-101, including limited application of the rules relating to procedure, discovery and evidence and such other rules as the court determines appropriate to provide for expedited and efficient proceedings, including appellate proceedings, which minimize the delay and cost in actions to establish a private road.

(b) It is the intent of the legislature to provide for a more expeditious and affordable means to establish a private road under this article. The legislature further intends that the precedents established with respect to the creation of
private roads prior to the July 1, 2013 amendments to this article should continue to be followed to the extent they are not inconsistent with the provisions of this article.

Section 2. W.S. 24-9-101(a)(intro), (i), (iii) through (vi), (b) through (f), (h) and (j), 24-9-103(a) through (d) and (f) and 24-9-104 are amended to read:

24-9-101. Answer and complaint; initial hearing; appointment of viewers and appraisers.

(a) Any person whose land has no outlet to, nor connection with a public road, may file an application in writing with the board of county commissioners in the county where he commences an action in district court in any county in which any part of the land is located for a private road leading from his land to some convenient public road. The application shall contain the following information: Plaintiff shall join as defendants the owners of record, owners of recorded easements and rights of way and any lessee, mortgagee or occupant of the land over which any proposed road would cross. The complaint shall contain a short and plain statement of:

(i) The legal description of the land owned by the applicant to which access is sought and a statement that all or some of the land is located within the county;

(ii) A description of the applicant’s efforts to purchase a legally enforceable access to a public road;

(iv) A description sufficient to identify the general location of any access routes proposed by the applicant;

(v) The legal description and the names and addresses of the affected parties of all land over which any proposed access routes would cross; Affected parties includes the owners of record, owners of recorded easements and rights of way and any lessee, mortgagee or occupant of the land over which any proposed road would cross and may include the state of Wyoming, and

(vi) A statement as to whether any actions of the applicant or any person with the consent and knowledge of the applicant caused the applicant’s land to lose or to not have any legally enforceable access.

(b) Within ten (10) days after filing an application with the board, the applicant shall give notice in writing by certified mail, with return receipt, to the affected parties of all lands over which any private road is applied for, of his pending application for a private road. The notice shall include a complete copy of the original application and any amendments thereto. Each affected party receiving notice under this subsection shall, within forty-five (45) days of receiving notice, provide written notice by certified mail with return receipt requested, to the board and the applicant of the defendant’s answer shall set forth the location and description, in the manner described in paragraphs
(a)(iv) and (v) of this section, of any alternate routes proposed by the affected party, defendant and the owners of record, owners of recorded easements and rights of way and any lessee, mortgagee or occupant of the land over which any proposed alternate routes would cross.

(c) The board court shall review the application within eighty-five (85) days of its receipt and if the board finds the application contains the information required by subsection (a) of this section and notice has been provided in accordance with subsection (b) of this section, it shall schedule a hearing to determine whether the applicant has no legally enforceable access to his land. The hearing shall be scheduled not sooner than one hundred forty-five (145) days after the filing of the application with the board.

(d) If the applicant plaintiff has had access to his land and that access is being denied or restricted, the board of county commissioners court may grant temporary access to the applicant plaintiff over a route identified by the board until the application has been processed and finalized court pending the outcome of the proceedings.

(e) After the board has scheduled a hearing date under subsection (c) of this section, the applicant shall give written notice of the date, time and place of the hearing on the application, by certified mail with return receipt, to all affected parties named in the original application, all landowners affected by the application, and shall join as defendants persons identified under subsection (b) of this section or otherwise identified by a defendant as the owners of record, owners of recorded easements and rights of way and any lessee, mortgagee or occupant of the land over which any proposed alternative routes proposed as provided in subsection (b) of this section and any other landowners the board believes may be affected by the application or by any alternative route which may be considered by the board. The written notice shall include a copy of the original application and any amendments thereto and shall be provided at least forty-five (45) days prior to the pending hearing. If any affected party, including any landowner affected by any alternative route proposed as provided in subsection (b) of this section, is a nonresident, and there is no resident agent upon which personal service can be had, then the notice may be published once a week for three (3) weeks in a newspaper published in the county. The first publication shall be at least forty-five (45) days prior to the hearing.

(f) The board court may assess to the applicant costs for acting on the application under this section and W.S. 24-9-103 and require the applicant plaintiff to file a bond to pay for those costs allowed under W.S. 24-9-103.

(h) If at the completion of the hearing the board finds that the applicant plaintiff has satisfied the requirements of this section and access is necessary because the
applicant plaintiff has no legally enforceable access, the board shall within thirty (30) days of the completion of the hearing enter its order so finding and certify the application directly to the district court unless the board elects to retain jurisdiction. If the application is certified the court shall proceed as provided in subsection (m) of this section. If the board elects to retain jurisdiction it shall proceed with the application as provided in this subsection, subsections (j) through (k) of this section and W.S. 24-9-103. The board If the court finds the requirements of this section have been met and access is necessary, the court shall appoint three (3) disinterested freeholders and electors of the county persons as viewers and appraisers. Before entering upon their duties the viewers shall take and subscribe to an oath that they will faithfully and impartially perform their duties under their appointment as viewers and appraisers. The board court shall cause an order to be issued directing direct them to meet on a day named in the order on the proposed road, and view and appraise any damages, and make a recommendation to the board. Prior to meeting on-site to view the proposed road, the viewers shall give notice in writing to the applicant and affected parties of the lands through which the proposed road or any alternative road may pass, of the time and place where the viewers will meet, at least ten (10) days before viewing the road, at which time and place all persons interested may appear and be heard by the viewers. The viewers and appraisers shall then proceed to locate and mark out a private road and alternative routes as they deem appropriate, provided the location of the road shall not be marked out to cross the lands of any affected party who was not given notice under subsection (e) of this section person not joined in the action. The viewers and appraisers shall recommend to the court the most reasonable and convenient route, provided that access shall be along section and boundary lines whenever practical. The viewers and appraisers may recommend specific conditions that the board court place on the road, as the board deems necessary, including provisions for maintenance and limitations on the amount and type of use. The proposed road shall not exceed thirty (30) feet in width from a certain point on the land of the applicant plaintiff to some certain point on the public road, and shall be located so as to do the least possible damage to the lands through which the private road is located. The viewers and appraisers shall also appraise any damages sustained by the owner over which the road is to be established and make full and true returns, with a plat of the road to the board of county commissioners court. The viewers and appraisers shall also determine whether or not any gates or cattleguards should be placed at proper points on the road, and appraise any damages in accordance with that determination.

(j) In determining any damages to be suffered by the owner or owners of the lands through which the access shall be provided a defendant, the viewers and appraisers shall appraise the value of the property affected by the road before and after the road is in place. Damages also may include reasonable compensa-
tion for any improvements on the lands over which any private road is to be granted which were not paid for and will be used by the applicant/plaintiff.

24-9-103. Report of viewers and appraisers; trial to the court; costs.

(a) The viewers and appraisers so appointed, or a majority of them, shall make a report of their recommendations to the board of county commissioners at the next regular session/court, and also the amount of damages, if any, appraised by them, and the person or persons defendant entitled to such damages. Upon receiving the report of the viewers and appraisers, the board shall hold a hearing after twenty (20) days prior written notice to all affected parties having an interest in the lands through which the proposed road or any alternative road may pass, at which time the affected parties may address the report. The boardmatter shall be tried to the court without a jury. The court may either accept, reject or modify the report and recommendations. The board/court shall select the most reasonable and convenient route for the access, provided that access shall be along section and boundary lines whenever practical. In compliance with the Wyoming Administrative Procedure Act, the board/court shall issue a final order specifying the route, selected by the board, any conditions imposed by the board/court and any damages and costs to be paid by the applicant/plaintiff.

(b) The applicant and any other person aggrieved by the action of the board including the amount of any damages awarded, A party may appeal to the district court at any time within thirty (30) days from the date of the order any final judgment of the district court under this section to the supreme court.

(c) After the board of county commissioners/court has received a survey of the route and proof of payment by the applicant of any damages and costs ordered to be paid, the board shall cause a certified copy of the order to be filed with the county clerk. The court shall enter an order incorporating a legal description of the road, a legal description of the land benefitted by the road, declaring the road to be a private road, and citing in the order any conditions imposed by the board/court. A certified copy of the court’s order shall be filed in the office of the county clerk.

(d) In addition to paying any damages to be suffered by the affected parties having an interest in the land through which the access shall be provided, the applicant shall be responsible for obtaining and paying for any defendants, the court shall order the plaintiff to pay appropriate costs, which shall include any survey, plat, engineering and construction costs incurred concerning the location and construction of the road.

(f) In addition to paying other damages and costs required by this section and by W.S. 24-9-101, the applicant/plaintiff shall be responsible for paying the reasonable costs of an appraisal obtained by an affected party/defendant if that appraisal was adopted in substantial part as a basis for damages and varied
more than fifteen percent (15%) from the valuation determined by the viewers and appraisers appointed under W.S. 24-9-101(h).

**24-9-104. Water and timber ways.**

Upon the presentation of a petition signed by at least five (5) freeholders of any neighborhood, praying for passage to any watercourse for the purpose of watering livestock, or for the convenient access to timber, the board of county commissioners may, in their discretion, district court may establish such water or timber way as provided in W.S. 24-9-101 through 24-9-103 relating to the opening of private roads.

**Section 3.** W.S. 24-9-101(g), (k) and (m) and 24-9-103(e) are repealed.

**Section 4.** This act is effective July 1, 2013.

Approved February 28, 2013.

**Chapter 100**

**TRANSFER ON DEATH DEED**

Original House Bill No. 201

AN ACT relating to nontestamentary transfers of real property; providing for the transfer of real property by deed on death of grantor; creating definitions; specifying procedures, limitations and exclusions; providing for revocation of a transfer on death deed; modifying duties of county clerks accordingly; and providing for an effective date.

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

**Section 1.** W.S. 2-18-101 through 2-18-106 are created to read:

CHAPTER 18

NONTESTAMENTARY TRANSFER ON DEATH OF REAL PROPERTY

**2-18-101. Short title.**

This chapter shall be known as and may be cited as the “Nontestamentary Transfer of Real Property on Death Act.”

**2-18-102. Definitions.**

(a) As used in this chapter:

(i) “Grantee beneficiary” or “grantee” means the person to whom an owner grants an interest in the real property that is the subject of the transfer on death deed;

(ii) “Owner” means a person who executes a transfer on death deed as provided in W.S. 2-18-103;

(iii) “Successor grantee beneficiary” means the person to whom an owner grants an interest in the real property that is the subject of the transfer on death deed if the primary grantee beneficiary does not survive the owner;
(iv) “Transfer on death deed” means a deed authorized by W.S. 2-18-103.

2-18-103. Transfer on death deed.

(a) A deed that conveys an interest in real property, including any debt secured by a lien on real property, to a grantee beneficiary designated by the owner and that expressly states that the deed is effective on the death of the owner transfers the deceased owner’s interest to the grantee beneficiary designated by name in the transfer on death deed effective on the death of the owner, subject to all conveyances, assignments, contracts, mortgages, deeds of trust, liens, security pledges, and other encumbrances made by the owner or to which the owner was subject during the owner’s lifetime. The grantee beneficiary also takes title subject to any interest in the property of which the grantee beneficiary has either actual or constructive notice.

(b) A transfer on death deed may designate multiple grantees who take title as joint tenants with right of survivorship, tenants in common, or any other tenancy that is valid under the laws of this state.

(c) A transfer on death deed may designate a successor grantee beneficiary. If the transfer on death deed designates a successor grantee beneficiary, the deed must state the condition on which the interest of the successor grantee beneficiary would vest.

(d) If real property is owned by persons as joint tenants with the right of survivorship, a deed that conveys an interest in the real property to a grantee beneficiary designated by all of the then surviving owners and that expressly states that the deed is effective on the death of the last surviving owner transfers the interest to the designated grantee beneficiary effective on the death of the last surviving owner. If a transfer on death deed is executed by fewer than all of the owners of real property owned as joint tenants with right of survivorship, the transfer on death deed is valid if the last surviving owner is one of the persons who executes the transfer on death deed. If the last surviving owner did not execute the transfer on death deed, the transfer lapses and the deed is void. An estate in joint tenancy with right of survivorship is not affected by the execution of a transfer on death deed that is executed by fewer than all of the owners of the real property, and the rights of a surviving joint tenant with right of survivorship prevail over a grantee beneficiary named in a transfer on death deed.

(e) A transfer on death deed is valid only if the deed is executed and recorded, as provided by law, in the office of the county clerk in the county in which the real property is situated, before the death of the owner or the last surviving owner. A transfer on death deed may be used to transfer an interest in real property to the trustee of a trust even if the trust is revocable.

(f) A transfer on death deed may be revoked at any time by the owner or, if there is more than one (1) owner, by any of the owners who executed the transfer on death deed. To be effective, the revocation must be executed and
recorded, as provided by law, in the office of the county clerk in the county in which the real property is situated, before the death of the owner who executes the revocation. If the real property is owned as joint tenants with right of survivorship and if the revocation is not executed by all the owners who executed the transfer on death deed, the revocation is not effective unless executed by the last surviving owner.

(g) If an individual who is a recipient of medical assistance for which it would be permissible for the department of health to file a claim pursuant to W.S. 42-4-206 or to assert a lien pursuant to W.S. 42-4-207 conveys an interest in real property by means of a transfer on death deed, the department of health may assert a lien against the property that is the subject of the transfer on death deed for the amount which would have been recoverable against the owner's estate pursuant to W.S. 42-4-206 and may file a lien against the property pursuant to W.S. 42-4-207.

(h) If an owner executes and records more than one (1) transfer on death deed concerning the same real property, the last transfer on death deed that is recorded before the owner's death is the effective transfer on death deed.

(j) This section does not prohibit other methods of conveying property that are permitted by law and that have the effect of postponing enjoyment of an interest in real property until the death of the owner. This section does not invalidate any deed otherwise effective by law to convey title to the interests and estates provided in the deed that is not recorded until after the death of the owner.

(k) The signature, consent, or agreement of, or notice to, a grantee beneficiary of a transfer on death deed is not required for any purpose during the lifetime of the owner.

(m) A transfer on death deed that is executed, acknowledged, and recorded in accordance with this section is not revoked by the provisions of a will.

(n) Proof of the death of the owner or a grantee beneficiary shall be established by affidavit as provided under W.S. 34-11-101. The affidavit shall be recorded in the office of the county clerk of the county in which the real property is situated. No affidavit shall be recorded unless a certificate of clearance, issued by the Wyoming department of health, certifies that all medical assistance claims have either been satisfied or do not exist. The certificate of clearance shall be simultaneously submitted with the affidavit for filing.

(o) Title to the interest in real property transferred by a transfer on death deed shall vest in the designated grantee beneficiary only on the death of the owner.

2-18-104. Form of transfer on death deed.

A transfer on death deed is sufficient if it complies with other applicable law and if it is in substantially the following form:
Transfer on Death Deed

I (we) .... (owner) hereby convey to .... (grantee beneficiary) effective on my (our) death the following described real property:

(Legal Description)

If a grantee beneficiary predeceases the owner, the conveyance to that grantee beneficiary must either (choose one):

[ ] Become void.
[ ] Become part of the estate of the grantee beneficiary.

Dated this .... day of .... year).

............................................
(Signature of grantor(s))

(Acknowledgment)

2-18-105. Form for revoking a transfer on death deed.

An instrument revoking a transfer on death deed is sufficient if it complies with other applicable law and is in substantially the following form:

Revocation of Transfer on Death Deed

The undersigned hereby revokes the transfer on death deed recorded on .... (date), in deed book .... on page ...., in the office of the clerk of .... county, Wyoming, concerning the following described real property:

(Legal Description)

Dated this .... day of .... (year).

............................................
(Signature of grantor(s))

(Acknowledgment)


A grantee beneficiary may refuse to accept all or any part of the real property interest conveyed by a transfer on death deed. If a grantee beneficiary refuses to accept or disclaims any real property interest, the grantee beneficiary shall have no liability under this chapter by reason of being designated as grantee beneficiary.

Section 2. W.S. 34-1-119 and 42-4-207 by creating a new subsection (k) are amended to read:

34-1-119. Duties of county clerk generally.

(a) The county clerk of each county within this state shall receive and record at length all deeds, mortgages, conveyances, patents, certificates and instruments left with him for that purpose, and he shall endorse on every such instrument
the day and hour on which it was filed for record. The county clerk shall not record any document until the address of the grantee, mortgagee or assignee of the mortgagee is furnished to the county clerk, but this requirement shall not affect the validity of the recording of any instrument. Only instruments which are the originally signed documents or properly certified or authenticated copies thereof may be properly recorded. A document is properly certified if in compliance with Rule 902 of the Wyoming Rules of Evidence or other applicable rule or statute.

(b) Whenever a transfer on death deed is filed with the county clerk pursuant to W.S. 2-18-103, the county clerk shall furnish the following information to the Wyoming department of health, division of healthcare financing within fourteen (14) days of recording the deed:

(i) The name of the grantor;

(ii) The name of the grantee;

(iii) The legal description of the property being transferred.

42-4-207. Recovery of incorrect payments; recovery of correct payments; liens.

(k) The department may file a lien upon real property pursuant to W.S. 2-18-103(g) upon the death of the grantor. The department may file such lien regardless of whether the grantee applied for a certificate of clearance pursuant to W.S. 2-18-103(n) or filed an affidavit to establish the death of the grantor pursuant to W.S. 34-11-101.

Section 3. This act is effective July 1, 2013.

Approved February 28, 2013.

Chapter 101

HATHAWAY SUCCESS CURRICULUM

Original House Bill No. 177

AN ACT relating to the Hathaway student scholarship program; modifying requirements for the Hathaway success curriculum as specified; clarifying success curriculum waivers; specifying application; and providing for an effective date.

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

Section 1. W.S. 21-16-1307(b) by creating a new paragraph (vi), (d)(v), by creating a new paragraph (vi), (e)(ii), by creating a new paragraph (iii) and (f)(ii) is amended to read:

21-16-1307. Success curriculum; test standards.

(b) The success curriculum required to qualify for honor or performance
scholarship eligibility under this article for students graduating from high school in the 2010-2011 school year and each school year thereafter shall be as follows:

(vi) Effective school year 2015-2016 and each school year thereafter:

(A) Fine and performing arts – two (2) years of instruction in fine and performing arts, all of which shall be taken in grades nine (9) through twelve (12); or

(B) Career–vocational education – two (2) years of instruction in career-vocational education, all of which shall be taken in grades nine (9) through twelve (12); or

(C) Foreign language – two (2) years of foreign language taken in grades nine (9) through twelve (12) which are in addition to the two (2) years required under paragraph (v) of this subsection, provided that at least two (2) of the total four (4) years, when combined with paragraph (v) of this subsection, shall be sequenced in the same foreign language pursuant to requirements of paragraph (v) of this subsection.

(d) The success curriculum required to qualify for opportunity scholarship eligibility under this article for students graduating from high school in the 2010-2011 school year and each school year thereafter shall be as follows:

(v) Except as provided by subsection (vi) of this subsection, foreign language – demonstrate proficiency on the state standards for the foreign cultures and languages common core of knowledge requirement under W.S. 21-9-101(b)(i)(K) which may include American sign language as one (1) component of foreign language proficiency;

(vi) Effective school year 2015-2016 and each school year thereafter, and in lieu of paragraph (v) of this subsection, one (1) of the following:

(A) Foreign language – two (2) sequenced years of the same foreign language which need not be taken consecutively, at least one (1) of which shall be taken in grades nine (9) through twelve (12), or two (2) sequenced years of instruction in the native language of the Eastern Shoshone or the Northern Arapahoe, or two (2) sequenced years of instruction in American sign language, either of which need not be taken consecutively but at least one (1) year of which is taken in grades nine (9) through twelve (12); or

(B) Fine and performing arts – two (2) years of instruction in fine and performing arts, all of which shall be taken in grades nine (9) through twelve (12); or

(C) Career–vocational education – two (2) years of instruction in career-vocational education, all of which shall be taken in grades nine (9) through twelve (12).

(e) The success curriculum required to qualify for provisional opportu-
nity scholarship eligibility under this article for students graduating from high school in the 2010-2011 school year and each school year thereafter shall be the curriculum required for high school graduation under W.S. 21-2-304(a)(iii) subject to the following:

(ii) Except as provided in paragraph (iii) of this subsection, demonstration of proficiency on the state standards for the foreign cultures and languages common core of knowledge requirement under W.S. 21-9-101(b)(i)(K) which may include American sign language as one (1) component of foreign language proficiency;

(iii) Effective school year 2015-2016 and each school year thereafter, and in lieu of paragraph (ii) of this subsection, instruction in one (1) of the following:

(A) Foreign language – two (2) sequenced years of the same foreign language which need not be taken consecutively, at least one (1) of which shall be taken in grades nine (9) through twelve (12), or two (2) sequenced years of instruction in the native language of the Eastern Shoshone or the Northern Arapahoe, or two (2) sequenced years of instruction in American sign language, either of which need not be taken consecutively but at least one (1) year of which is taken in grades nine (9) through twelve (12); or

(B) Fine and performing arts – two (2) years of instruction in fine and performing arts, all of which shall be taken in grades nine (9) through twelve (12); or

(C) Career–vocational education – two (2) years of instruction in career-vocational education, all of which shall be taken in grades nine (9) through twelve (12).

(f) The courses set forth as success curricula requirements under this article shall be aligned with the student content and performance standards established pursuant to W.S. 21-2-304(a)(iii). The department shall by rule and regulation:

(ii) Establish exceptions as necessary due to good cause to specific coursework within the success curriculum specified under this article for students attending or graduating from an eligible high school or a home-based educational program. In addition, the department shall waive any requirement for success curriculum coursework for fine and performing arts or career-vocational education for honor or performance scholarship eligibility, upon written certification by the superintendent of a district that these courses are not available in the district to the student. Not later than September 1 each year, the department shall report to the joint education interim committee any waiver granted under this section for the immediately preceding school year; and

Section 2. This act is effective July 1 2013.
Chapter 102

VEHICLE ACCIDENT REPORTING

Original House Bill No. 152

AN ACT relating to motor vehicles; providing for proof of financial responsibility; deleting accident reporting requirements for persons involved in vehicle accidents; making conforming amendments; and providing for an effective date.

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

Section 1. W.S. 31-9-110 is created to read:

31-9-110. Providing proof of financial responsibility.

For purposes of this act, a person shall be considered to have provided and filed proof of financial responsibility whenever a search of the online insurance verification system or other verification system provides proof of financial responsibility.

Section 2. W.S. 31-5-1106(c), 31-5-1108(a), 31-5-1111 and 31-9-402 by creating a new subsection (b) are amended to read:

31-5-1106. Written reports required of police officers; reporting of vehicles struck by bullets.

(c) Every police officer who investigates a motor vehicle accident of which report must be made as required in this section resulting in bodily injury to or death of any person or total property damage to an apparent extent of one thousand dollars ($1,000.00) or more, either at the time of and at the scene of the accident or thereafter by interviewing the participants or witnesses shall forward a written report of the accident to the highway department within ten (10) days after his investigation of the accident.

31-5-1108. Report forms; failure to make report; false report.

(a) The highway department shall prepare and upon request supply to police departments, coroners, sheriffs and other suitable agencies or individuals, forms for accident reports required hereunder, appropriate with respect to the persons required to make the reports and the purposes to be served. The written reports to be made by persons involved in accidents and by investigating officers shall call for sufficiently detailed information to disclose with reference to a traffic accident the cause, conditions then existing and the persons and vehicles involved.

31-5-1111. Reports required by municipalities.

(a) Any municipality may by ordinance require that the driver of a vehicle involved in an accident, or the owner of the vehicle, shall also file with a designated city department a report of the accident or a copy of any report herein required to be filed with the highway department. All reports shall be for the confidential use of the city department and subject to W.S. 31-5-1110. Any ac-
incident report required of persons involved in accidents shall be without prejudice to the individual so reporting and shall be for the confidential use of the municipality for accident prevention purposes, except that:

(i) The municipality may disclose the identity of a person involved in an accident when the identity is not otherwise known or when the person denies his presence at the accident;

(ii) The municipality shall disclose to any person requesting the information whether any person or vehicle was covered by a vehicle insurance policy and the name of the insurer.

31-9-402. Types of proof.
(b) Proof of financial responsibility may be furnished as allowed by W.S. 31-9-110.

Section 3. W.S. 31-5-1106(a) and (b), 31-5-1107(a) and (c), 31-5-1108(d), 31-5-1110(a) and 31-7-128(d) are repealed.

Section 4. This act is effective July 1, 2013.
Approved February 28, 2013.

Chapter 103

ADJUNCT PROFESSOR INCENTIVES

Original House Bill No. 163

AN ACT relating teachers; establishing a loan repayment program; enabling teachers to provide concurrent enrollment instruction; specifying eligibility criteria; prescribing procedures and providing for repayment of loans; providing for program administration by the Wyoming community college commission; granting rulemaking authority; sunsetting the program; providing an appropriation; and providing for an effective date.

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

Section 1. W.S. 21-7-701 is created to read:

ARTICLE 7

WYOMING ADJUNCT PROFESSOR LOAN REPAYMENT PROGRAM

21-7-701. Wyoming adjunct professor loan repayment program; eligibility criteria; procedures; program reporting.

(a) The Wyoming adjunct professor loan repayment program is created to provide assistance to public school teachers in attaining necessary qualifications to provide instruction in concurrent enrollment programs. This program shall be administered by the Wyoming community college commission established under W.S. 21-18-201. The commission shall promulgate rules and regulations to govern the loan program. Application shall be on a form and in a manner prescribed by the commission. Applicants shall have a Wyoming
residence, as defined in W.S. 22-1-102(a)(xxx), and may apply for loans from the program in accordance with this section.

(b) To qualify for a loan under this section, the applicant shall first:

(i) Be employed by a Wyoming school district as a teacher, as defined by W.S. 21-7-102;

(ii) Be certified by and in good standing with the professional teaching standards board, as required by W.S. 21-7-303;

(iii) Be nominated by the employing Wyoming school district for consideration by the commission. The nomination shall include a copy of the agreement reached between the teacher, the employing school district and one (1) of the seven (7) Wyoming community colleges or the University of Wyoming that will be a party to the agreement under W.S. 21-20-201 upon the completion of the program;

(iv) The agreement required by paragraph (iii) of this subsection shall include the following:

(A) Identification of the classes approved under W.S. 21-20-201 that will be taught upon successful completion of the program;

(B) Identification of the appropriate accredited college-level educational program, including a list of the specific classes, that will enable the teacher to provide instruction in the agreed upon courses at the high school and college level upon completion;

(C) An estimate of the cost of tuition and fees required to complete the program;

(D) The terms of repayment of the loan, which shall include successful completion of the educational program and teaching of the agreed upon classes for two (2) years in a Wyoming school district.

(c) Subject to the availability of funds appropriated for this program, loans under this section may be granted to qualified applicants to pay the cost of tuition and fees as certified by the accredited educational program for the classes listed in the agreement required under paragraph (b)(iv) of this section.

(d) The employing school district shall certify to the community college commission the amount required to pay tuition and fees in accordance with the agreement reached under paragraph (b)(iv) of this section upon completion of the teacher’s coursework. The certification shall include documentation of successful completion of prior coursework paid for by the community college commission under this section.

(e) Any teacher who fails to complete the academic program for which the loan was provided or who fails to maintain employment in accordance with the terms of the agreement required under paragraph (b)(iii) of this section shall commence cash repayment of the loan within forty-five (45) days.
(f) Loan repayment options under this section may be deferred for a period not to exceed five (5) years while a loan recipient is serving full time on active duty with any branch of the military services of the United States.

(g) The Wyoming community college commission shall have the authority specified under W.S. 21-18-202(c) to implement this section and shall establish terms and conditions of loans issued under this section, including:

   (i) Interest rates and loan terms;

   (ii) The form and process for loan application, review and award;

   (iii) Criteria under which students may be relieved from having to repay loans and interest thereon, in whole or in part, where the requirement to repay would cause undue hardship.

(h) Funding of the loan program established under this section shall be by appropriation of the legislature.

(j) Cash repayment of loans and interest thereon shall be credited to the school foundation program account.

(k) The community college commission shall annually review the loan program established under this section and report to the governor and the legislature in accordance with W.S. 9-2-1014, regarding program results, funds received and loans issued during the preceding academic year, together with the status of all outstanding loan commitments and repayments under the program. The report required under this subsection shall include information regarding the impact of the program on courses approved under W.S. 21-20-201.

(m) The loan repayment program created by this section shall expire effective June 30, 2020.

(n) Notwithstanding subsection (m) of this section:

   (i) Any person who receives a loan under this section shall continue to receive funding for the program as the person remains eligible as required by this section;

   (ii) Repayment of loans awarded under this section shall continue as specified by this section until all loan obligations have been satisfied.

Section 2.

(a) For the period beginning July 1, 2013, and ending June 30, 2014, one hundred thousand dollars ($100,000.00) is appropriated from the school foundation account to the Wyoming community college commission to implement this act. This appropriation shall only be expended for the loan program as provided for under this act. Notwithstanding any other provision of law, this appropriation shall not be transferred or expended for any other purpose. No funds appropriated under this section shall be used by the Wyoming community college commission for administration of the program, including expenses of the authority and loan administration.
(b) The Wyoming community college commission shall promulgate rules and regulations required under this act in sufficient time to enable implementation of this act in the 2013-2014 academic year.

Section 3. 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.

Approved February 28, 2013.

Chapter 104

MUNICIPAL JURISDICTION-EXTRATERRITORIAL AUTHORITY

Original House Bill No. 85

AN ACT relating to municipalities; repealing five (5) mile extraterritorial jurisdiction for enforcement of health or quarantine ordinances and regulations; subjecting one-half (1/2) mile extraterritorial jurisdiction asserted by municipal ordinance to county commissioner resolution; and providing for an effective date.

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

Section 1. W.S. 15-3-202(b)(ii) is amended to read:

15-3-202. Mayoral veto; messages; jurisdiction beyond corporate limits; exception.

(b) The mayor has such jurisdiction as may be vested in him by ordinance:

(ii) In all matters excepting taxation within one-half (1/2) mile of the corporate limits of the city. The board of county commissioners of any county containing any area over which jurisdiction has been asserted pursuant to this paragraph may enact a resolution nullifying the ordinance as to any unincorporated area of the county subject to the ordinance. Upon the effective date of the resolution the ordinance shall no longer be effective as to the unincorporated area of the county specified in the resolution.

Section 2. W.S. 15-3-202(b)(i) is repealed.

Section 3. This act is effective July 1, 2013.

Approved February 28, 2013.

Chapter 105

COUNTY OFFICES-BUSINESS DAYS

Original Senate File No. 86

AN ACT relating to counties; clarifying days of operation; and providing for an effective date.
Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 18-3-103(b) is amended to read:

18-3-103. Offices and records to be kept within county; exceptions; records open to public inspection; removal for purposes of copying; penalty.

(b) All county officers shall keep their offices open during the usual business hours of each day excluding Saturdays, Sundays, legal holidays and other days as established by the county commissioners through resolution.

Section 2. This act is effective July 1, 2013.

Approved February 28, 2013.

Chapter 106

FIREFIGHTERS’ LICENSE PLATES

Original House Bill No. 235

AN ACT relating to motor vehicles; authorizing retired firefighters to receive special firefighter's license plates; and providing for an effective date.

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

Section 1. W.S. 31-2-218(a) is amended to read:

31-2-218. Firefighter’s license plates.

(a) A firefighter employed by a city, county, state or duly created fire protection district, or a volunteer firefighter as defined by W.S. 35-9-601 or a firefighter retired from his department with at least ten (10) years of service may apply for distinctive license plates for any motor vehicle that is not a commercial vehicle or multipurpose vehicle owned or leased by him upon registration of the vehicle. If the firefighter became a member of a bona fide fire department after January 1, 1995, he shall have a minimum of one (1) year service with the fire department and be firefighter one certified or engine boss wildfire certified in order to apply for the license plate. The fire chief or his designated assistant shall sign a written statement that the applicant is eligible to obtain the license plate. A written statement of eligibility for a retired firefighter shall be signed only by the fire chief. License plates issued under this section shall be displayed upon the vehicle for which they are issued. The license plates shall bear a distinctive symbol and letters identifying the registrant as a firefighter.

Section 2. This act is effective July 1, 2013.

Approved February 28, 2013.
AN ACT relating to inspection of brands; providing an exception for brand and ownership inspection and movement of livestock in emergency situations; providing for declaration and recognition of emergency situations as specified; and providing for an effective date.

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

Section 1. W.S. 11-20-203 is amended to read:

11-20-203. Inspection of brands at time of delivery or removal; certificate required; lack thereof; emergency movement of livestock.

(a) Except as hereafter otherwise provided in this section or except as provided in W.S. 11-20-211, 11-20-224 and 11-20-230, it is unlawful for any person, firm, partnership, corporation, or association to sell, change ownership or to remove or cause to be removed in any way from any county in Wyoming to any other state or country, any livestock unless each animal has been inspected for brands and ownership at the time of delivery or removal by an authorized Wyoming brand inspector and a proper certificate of inspection or clearance has been issued.

(b) Except as otherwise provided in this section, transporting livestock across state lines without first having had such inspection and having obtained such certificates is prima facie evidence of intent to avoid inspection and to steal, take and carry away the animals and is punishable as provided in W.S. 6-3-402.

(c) Except as hereafter otherwise provided in this section or except as provided in W.S. 11-20-211, 11-20-217, 11-20-224 and 11-20-230, it is unlawful for any person, firm, partnership, corporation or association to remove or cause to be removed in any way from any county in Wyoming to any other county, any livestock unless each animal has been inspected for brands and ownership at the time of delivery or removal by an authorized Wyoming brand inspector and a proper certificate of inspection or clearance has been issued, except where the board has established brand inspection zones for each species of livestock. Brand inspection zones may encompass an area based on multiple contiguous counties or the entire state, as determined by the board. Brand inspection zones shall be reviewed and reauthorized annually by the board and shall be in effect for a calendar year.

(d) Notwithstanding any other provision of this section, a person, firm, partnership, corporation or association may move livestock to another county in this state in the case of an emergency situation declared or recognized by the board or director. If a livestock animal is moved under this subsection, the person moving the animal shall notify the board or an agent of the board not later than forty-eight (48) hours after the movement has occurred. Prior to moving
the livestock back to the original location or to any other location, the person shall obtain an inspection of brands and ownership and the board shall not charge a fee for the inspection. If livestock will be moved across state lines in an emergency situation declared or recognized by the board or director under this subsection, the person, firm, partnership, corporation or association shall immediately contact the board and follow the direction of the board for inspection of brands and ownership. The board or director may declare an emergency situation under this subsection at any time it is required for public safety or the safety of livestock. If livestock is moved prior to declaration of an emergency situation by the board or director, the board or director may recognize the situation as an emergency situation after the fact if it determines that any movement of livestock was required for public safety or for the safety of livestock.

Section 2. 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.

Approved February 28, 2013.

Chapter 108

INSURANCE GUARANTY ASSOCIATION ACT-AMENDMENTS

Original Senate File No. 113

AN ACT relating to insurance; expanding coverage under the Insurance Guaranty Association Act; amending time limits for filing claims under the Insurance Guaranty Association Act; and providing for an effective date.

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

Section 1. W.S. 26-31-103(a)(ii)(C), (D) and by creating new subparagraphs (E) and (F), 26-31-106(c)(ii) and (iii) and 26-31-111(c) are amended to read:

26-31-103. Definitions.

(a) As used in this chapter:

(ii) “Covered claim” means an unpaid claim which arises out of and is within the coverage and does not exceed the applicable limits of an insurance policy to which this chapter applies issued by an insurer, if the insurer is an insolvent insurer and the claimant or insured is a resident of this state at the time of the insured event or the property from which the claim arises is permanently located in this state, but “covered claim” does not include:

(C) Any amount exceeding the applicable limits of liability provided by an insurance policy to which this chapter applies; or

(D) Supplementary payment obligations, including but not limited to adjustment fees and expenses, attorney fees and expenses, court
costs, interest and bond premiums;:

(E) Any amount awarded as punitive or exemplary damages, unless those damages are specifically named as covered risks in the policy under which coverage is provided; or

(F) Any amount claimed for incurred but not reported damages.

26-31-106. Duties and powers of association.

(c) Notwithstanding subsection (a) of this section, the association:

(ii) Shall pay not more than seven thousand five hundred dollars ($7,500.00) per policy for a covered claim for return of each unearned premium, which exceeds two hundred fifty dollars ($250.00);

(iii) Shall pay not more than one hundred fifty thousand dollars ($150,000.00) per claimant, three hundred thousand dollars ($300,000.00) for each covered claim, which exceeds two hundred fifty dollars ($250.00) other than worker’s compensation and return of unearned premium claims;

26-31-111. Exhaustion of remedies under policy; claims recoverable from more than one association; claim limitation.

(c) Notwithstanding any provision in this chapter, a covered claim shall not include any claim filed with the association after the earlier of:

(i) The final date set by the court for the filing of claims against the liquidator or receiver of an insolvent insurer; or

(ii) Twenty-five (25) months after the date of the order of liquidation.

Section 2. This act is effective July 1, 2013.

Approved February 28, 2013.

Chapter 109

STROKE AND HEART ATTACK TREATMENT CENTERS

Original Senate File No. 147

AN ACT relating to public health and hospitals; providing for designation by the department of health of hospitals as centers for heart attack and stroke care as specified; providing designation criteria; granting rulemaking authority; and providing for an effective date.

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

Section 1. W.S. 35-2-1001 is created to read:

35-2-1001. Designation of heart attack and stroke centers.

(a) The department of health shall establish by rule and regulation the process for recognition and designation of hospitals as:
(i) Heart attack receiving centers;
(ii) Heart attack referring centers;
(iii) Comprehensive stroke centers; and
(iv) Primary stroke centers.

(b) The designation of hospitals pursuant to subsection (a) of this section shall recognize those hospitals that are accredited by the society for cardiovascular patient care, the American heart association, the joint commission on the accreditation of healthcare organizations or another nationally recognized accreditation organization as determined by the department in its rules and regulations.

(c) The department shall withdraw the designation of a hospital pursuant to subsection (a) of this section if the department determines that the hospital is not in compliance with the requirements of this section or rules and regulations adopted pursuant to this section.

(d) The department shall adopt rules and regulations to enforce this article, which shall include all of the following:

(i) Specific criteria for qualification pursuant to subsection (a) of this section, including identification of accrediting organizations;
(ii) Designation application procedures;
(iii) Procedures for withdrawal of a designation;
(iv) Support for the coordination among designated hospitals for the referral and transfer of patients to facilitate appropriate care for acute heart attack and stroke patients.

Section 2. This act is effective July 1, 2013.

Approved February 28, 2013.

Chapter 110

AUTHORIZED TAKING OF AN EAGLE UNDER FEDERAL AND STATE LAW

Original Senate File No. 162

AN ACT relating to the taking of wildlife; providing an exception to the prohibition against taking eagles; granting rulemaking authority; and providing for an effective date.

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

Section 1. W.S. 23-3-101 is amended to read:

23-3-101. Taking eagle prohibited.

Any person who takes an eagle is guilty of a high misdemeanor punishable as
provided in W.S. 23-6-202(a)(ii) unless the taking is authorized by federal law or commission rules adopted in compliance with federal law.

Section 2. 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.

Approved February 28, 2013.

Chapter 111

MEDICAL ASSISTANCE-HOSPICE CARE

Original Senate File No. 48

AN ACT relating to Medicaid; authorizing payment for certain hospice services; providing for a budget; and providing for an effective date.

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

Section 1. W.S. 42-4-103(a)(xxv) is amended to read:

42-4-103. Authorized services and supplies.
(a) Services and supplies authorized for medical assistance under this chapter include:

(xxv) Hospice care as defined in W.S. 35-2-901(a)(xii) and authorized under 42 U.S.C. § 1396a(a)(10)(A)(ii)(VII) including hospice care in a hospice facility for an eligible individual and room and board for individuals receiving the care in a hospice facility. Reimbursement rates for hospice care shall be set annually to match Medicare hospice reimbursement rates. The room and board reimbursement rate for hospice facilities shall not exceed fifty percent (50%) of the statewide average of the Medicaid nursing home room and board rate. For the purposes of this paragraph, “eligible individual” means a person who is eligible for hospice care as defined in the state Medicaid plan in effect on July 1, 2012;

Section 2. The department of health shall submit as part of its budget request for the 2015-2016 biennial budget a new unit number for the services and supplies authorized by this act. The new unit number shall contain an appropriation from the general fund which shall be deducted from one (1) or more units within the department’s budget, providing for the movement of general funds which is expense neutral.

Section 3. This act is effective July 1, 2013.

Approved February 28, 2013.
Chapter 112

INSURANCE-COVERAGE OF INHERITED ENZYMATIC DISORDERS

Original House Bill No. 145

AN ACT relating to insurance; requiring coverage of inherited enzymatic disorders; providing a definition; providing for applicability; and providing for an effective date.

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

Section 1. W.S. 26-20-401 is created to read:

ARTICLE 4
INHERITED ENZYMATIC DISORDER COVERAGE

26-20-401. Inherited enzymatic disorder coverage required.

(a) All individual and group health insurance policies providing coverage on an expense incurred basis, individual and group service or indemnity type contracts issued by any insurer including any nonprofit corporation and individual and group service contracts issued by a health maintenance organization or delivered on or after July 1, 2013, shall provide coverage for the equipment, supplies and outpatient self-management training and education, including medical nutrition therapy for the treatment of inherited enzymatic disorders caused by single gene defects involved in the metabolism of amino, organic and fatty acids if prescribed by a health care professional legally authorized to prescribe such items under law. Covered inherited enzymatic disorder outpatient self-management training and education shall be provided by a certified, registered or licensed health care professional with expertise in inherited enzymatic disorders. For purposes of this section, required covered outpatient self-management training and education shall be limited to:

(i) A one (1) time evaluation and training program when medically necessary, within one (1) year of diagnosis;

(ii) Additional medically necessary self-management training shall be provided upon a significant change in symptoms, condition or treatment.

(b) For purposes of this section, “inherited enzymatic disorders” includes and is limited to phenylketonuria, maternal phenylketonuria, maple syrup urine disease, tyrosinemia, homocystinuria, histidinemia, urea cycle disorders, hyperlysinemia, glutaric acidemias, methylmalonic acidemia and propionic acidemia.

(c) The benefits provided under this section shall be subject to the same annual deductibles or coinsurance established for all other covered benefits within a given policy. Private third party payors may not refuse, reduce or eliminate coverage due to the requirements of this section. Enforcement of this section shall be performed by the commissioner or his designee.
(d) This section shall apply to both public and private health benefit plans, as defined in W.S. 26-1-102(a)(xxxiii) and (xxxiv), delivered or issued on or after July 1, 2013.

Section 2. This act is effective July 1, 2013.

Approved March 1, 2013.
Chapter 114
LIFE RESOURCE CENTER
Original House Bill No. 68

AN ACT relating to the administration of government; directing a study of the most effective means of providing care to life resource center clients; directing the contents of the study; requiring a report; and providing for an effective date.

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

Section 1.

(a) The department of health shall conduct a study of the most effective and efficient means of providing needed care to clients of the Wyoming life resource center, including whether care should be provided at the life resource center or through community based services. The study shall include:

(i) Development of a proposed plan for providing care most effectively and efficiently to the clients of the life resource center and, if transition of certain clients of the life resource center to community services is recommended, a plan for that transition that meets all legal requirements and considers input from guardians;

(ii) A report on the current and a ten (10) year historic trend of the numbers of clients served at the life resource center and the cost of services provided to those clients under the Medicaid program, under private pay arrangements or under any other third party payor. To the extent practicable, costs shall be itemized to identify separately those costs that reflect the direct provision of client services and the costs of the physical plant maintenance that do not directly support client services;

(iii) An estimate of the costs of providing community based services or comparable services in other settings, including nursing homes, to the same clients receiving services as of March 1, 2013;

(iv) An estimate of the cost savings, if any, that would be realized by transitioning some or all life resource center clients to community based services or services in other settings, including nursing homes;

(v) An estimate of one-time costs to implement the transition;

(vi) A determination of whether there are sufficient service providers in the state who are appropriately certified, capable and willing to provide necessary services in the community to the clients of the life resource center;

(vii) A comparison of operational costs with similar facilities in other states on a per client basis;

(viii) Consultation with parents, guardians and family members of current clients about the matters described in paragraphs (i) through (vii) of this subsection. At least two (2) informational meetings and opportunities for
parents, guardians and family members to provide testimony shall be held by the department. The department shall provide written notice to parents and guardians of each current client at least two (2) weeks prior to each meeting;

(ix) Opportunities to reduce the overhead and other operational costs of the center.

(b) The department of health shall have the authority to contract with experts and consultants as may be useful in conducting the study. In contracting for services in amounts not to exceed fifty thousand dollars ($50,000.00) with experts and consultants for purposes of conducting this study, the department shall be exempt from the procurement requirements set out in W.S. 9-2-1016 and any other state laws, rules or policies governing the procurement of services by a state agency. This exemption shall expire on June 30, 2014 or upon completion of the study, whichever occurs first.

(c) The department shall submit a written report of its study to the joint labor, health and social services interim committee and the joint appropriations interim committee by November 1, 2013.

Section 2. 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.

Approved March 1, 2013.

Chapter 115

HOSPITALIZATION OF MENTALLY ILL PERSONS

Original House Bill No. 102

AN ACT relating to emergency detention and involuntary hospitalization proceedings; providing that emergency detention proceedings involving minor children be brought under the Child Protection Act, as specified; and providing for an effective date.

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

Section 1. W.S. 25-10-109(f) and 25-10-110 by creating a new subsection (o) are amended to read:


(f) When a person is detained under emergency circumstances, treatment may be given during the emergency detention period if the person voluntarily and knowingly consents. The parent or guardian of a minor or incompetent person may consent to treatment. If the parent or guardian of a minor patient does not consent to treatment, a petition may be filed under the Child Protection Act. Treatment may be given without the consent of the detained person or his parent or guardian when treatment is limited to diagnosis or evalua-
tion or when treatment is necessary to prevent immediate and serious physical harm to the person or others. Prior to treatment, the person shall be fully advised of the scope of treatment, and a report of the treatment shall be filed with the court if involuntary hospitalization proceedings are commenced. An examiner or a physician who provides treatment in good faith pursuant to this subsection shall be immune from civil liability for the treatment except there shall be no immunity from liability for negligent acts or deliberate misconduct.

25-10-110. Involuntary hospitalization proceedings.

(o) In proceedings under this section involving a minor, the department shall, to the extent feasible, consult with the minor’s parents or legal guardian.

Section 2. This act is effective July 1, 2013.

Approved March 1, 2013.

Chapter 116

HEALTH BENEFIT EXCHANGE STUDY AND SELECT COMMITTEE

AN ACT relating to the administration of government and health insurance exchanges and related functions under federal law; providing for a select legislative committee and a study and report; providing duties of the select committee and specified state agencies; limiting expansion of Medicaid as specified; providing an appropriation; and providing for an effective date.

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

Section 1.

(a) There is created the select committee on health benefit exchanges consisting of the following members:

(i) Three (3) members of the Wyoming senate appointed by the president of the senate and three (3) members of the Wyoming house of representatives appointed by the speaker of the house of representatives. The president and the speaker shall each designate a cochairman unless they jointly designate a chairman.

(b) Members of the select committee shall be paid salary, per diem and mileage as provided in W.S. 28-5-101 for their official duties as members of the committee. Payment for expenses and authorized expenditures other than salary, per diem and mileage for in-state meetings shall be made first from any grant monies available for that purpose and then from the appropriation provided by this act.

(c) The select committee shall be staffed by the legislative service office. The Wyoming insurance department, the department of health and other state agencies shall provide technical and analytical assistance to the select com-
mittee as requested. Grant monies, if available, may be used to contract with experts and consultants as may be useful in performing the analysis required by this act.

(d) The department of insurance shall apply for grants to fund any or all of the analysis and activities required by this act. However, no grant shall be accepted which, in the judgment of the attorney general, commits the state of Wyoming to operate a state-based benefit exchange.

(e) The select committee shall terminate December 31, 2014.

Section 2.

(a) In performing the analysis of the federal exchange or its alternatives required by section 3 of this act, the following principles shall guide the select committee:

(i) Improvement in the quality and availability of information necessary to make informed purchasing decisions between health insurance policies;

(ii) Expansion in the number and quality of health insurance options in Wyoming;

(iii) Reduction in administrative overhead costs;

(iv) Improvement in the buying experience and efficient delivery of health insurance policies to consumers;

(v) The provision of health insurance coverage in Wyoming at a reasonable cost;

(vi) Measures to control the cost of operating an exchange and revenue generation measures which make an exchange self-sustaining;

(vii) Other factors which enhance the availability, quality and cost of health insurance policies in Wyoming.

Section 3.

(a) The following topics and issues shall be analyzed by the select committee:

(i) To the extent an Affordable Insurance Exchange (“exchange”) is operated in Wyoming under the Patient Protection and Affordable Care Act, Public Law 111-148, and the Health Care and Education Reconciliation Act of 2010, Public Law 111-152 (“ACA”): study the operation of the exchange in all its parts and functions in order to determine the processes by which the exchange is operated; summarize the operation of the exchange; analyze the efficiency of its operation and determine if the assumption of any exchange function would be to the advantage of the state of Wyoming; indicate the benefits and detriments of having the state assume the function, the means by which the function could be performed and estimate the cost of assuming the function; in analyzing the state's assumption of any function, analyze those factors identified in the Centers for Medicare and Medicaid Services' Application for Approval of Afford-
able State-based and State Partnership Insurance Exchanges ("Exchange Blueprint") which relate to that function;

(ii) To the extent an exchange is operated by the federal government in Wyoming under the ACA, identify any benefits or detriments which may result or have resulted from the operation of the exchange, including benefits or detriments to health insurance purchasers, employers, health insurance companies, health insurance sellers and the state, including the state Medicaid program. In addition to other matters, the committee shall analyze:

(A) Changes in health insurance premium rates for policies both within and outside of a health insurance exchange that occur following January 1, 2014;

(B) The characteristics of those persons who purchased insurance or otherwise participated in the exchange;

(C) The risk pool created within the exchange and the adequacy of the pool;

(D) The types of benefit plans that were offered in the exchange and whether the state employees’ health plan, created pursuant to the State Employees’ and Officials’ Group Insurance Act, was included in the exchange;

(E) The impact of the exchange on self-insurance plans.

(iii) The number of people enrolled in Medicaid via application through the portal for Medicaid enrollment in the exchange, the cost per enrollee incurred and the error rate in the enrollment process. The department of health shall conduct an in depth audit of a random sample of those enrolled via the exchange portal and those enrolled via other means and compare the results. The audit shall be completed by September 1, 2014;

(iv) Consider alternative exchange methods that could provide benefits equal to or greater than those provided by any exchange operated by the federal government in Wyoming under the ACA. Among any other potential exchange methods, consider all methods available under the ACA, including a state-based exchange, a state-partnership exchange and a federally facilitated exchange. Consider the use of private/public partnerships in operating an exchange;

(v) Study the possibility of the state entering into an interstate compact or agreement with one (1) or more other states for the purpose of offering health insurance to employers and individual residents of this state in cooperation with another state or states, either with or without the combination of risk pools among the states. The committee shall summarize the extent to which any interstate agreement or compact could function as part of an exchange operated under the ACA. The select committee may arrange for and host a health symposium to promote partnerships with other likeminded states to explore
compacts and partnerships including shared information technology or insurance risk pools. The committee may also apply to appropriate foundations and interest groups for grants as necessary to host multi-state cooperative presentations in the state regarding interstate compacts on health insurance exchanges, combination of risk pools and interstate sales of health insurance policies;

(vi) Study the availability of any grants offered by the United States department of health and human services or otherwise which would be available to fund any activity authorized by this act or the assumption of any exchange function identified pursuant to this act. Identify any time limits and limitations on expenditures associated with each grant;

(vii) Identify any function necessary in planning for the operation of an exchange or in the operation of an exchange which could not or should not be conducted by the state. The committee shall identify vendors or other entities that could conduct the function;

(viii) Whether the state could improve the Medicaid application and enrollment process through the exchange in a state operated or partnership exchange.

Section 4.

(a) The select committee shall make a preliminary report to the governor, the joint appropriations interim committee and the joint labor, health and social services interim committee by December 1, 2013. The report shall make a recommendation as to whether Wyoming should operate or participate in an exchange and, if so, what exchange functions should be conducted by the state. The report shall include a summary of the work and conclusions reached on each of the study topics required by section 3. The report shall make a preliminary assessment as to the availability and desirability of interstate compacts or agreements in operating an exchange in Wyoming. The preliminary report shall include a draft of any suggested legislation for sponsorship by the joint labor, health and social services interim committee for introduction during the 2014 budget session.

(b) Following the 2014 budget session, the select committee shall continue to study any exchange operated for Wyoming residents pursuant to the ACA according to section 3 of this act.

(c) The select committee shall make a final report by October 1, 2014 to the governor, the joint appropriations interim committee and the joint labor, health and social services interim committee regarding the committee's activities during the 2014 interim and the committee's final recommendations concerning those subjects required to be covered in the preliminary report. The final report shall include a draft of any suggested legislation for sponsorship by the joint labor, health and social services interim committee and introduction during the 2015 general session.
Section 5. No further expansion of eligibility for Medicaid shall occur without prior approval from the legislature.

Section 6. There is appropriated from the general fund thirty-seven thousand six hundred dollars ($37,600.00) to the legislative service office for payment of salary, per diem and mileage for members of the select committee on health benefit exchanges and for costs associated with conducting the study and activities authorized by this act. Any unexpended, unobligated funds remaining from this appropriation shall revert on June 30, 2015.

Section 7. 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.

Approved March 1, 2013.

Chapter 117

MEDICAID REFORM

AN ACT relating to the Medicaid program; providing direction to the department of health for the reform and redesign of the program; requiring reports; repealing a cap on the number of participants in the home and community based waiver program; providing an appropriation; exempting contracts from procurement requirements as specified; and providing for an effective date.

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

Section 1.

(a) The department of health shall proceed with a reform and redesign of the Wyoming Medicaid program to include the following elements that were identified by the department in its final report on the Medicaid options study performed pursuant to 2012 Wyoming Laws, Chapter 103:

(i) Concerning all health care and waiver services, the department shall, to the extent practical, implement:

(A) Use of incentives to encourage recipients to engage in designated activities or behaviors to achieve and maintain a healthy lifestyle;

(B) Use of incentives to encourage health care providers to meet identified, measurable performance outcomes in the provision of health care;

(C) Decreased use of emergency rooms for nonemergency care by such methods as a nurse triage hotline, targeted education and increased monitoring for excessive utilization and inappropriate drug seeking behavior;

(D) An evaluation of enhanced use of managed care using tiers of services and more intense management for high cost clients. The department shall explore the use of managed care for all or a designated part of the Medic-
aid population, with the goal of delivering care of the same or better quality as currently delivered but at reduced cost. The managed care plan shall include identification of goals, outcome measurements and evaluation tools. The department may initiate the process of federal approval for necessary state plan amendments;

(E) Inclusion of supplementary services at the time a prospective client applies for Medicaid benefits, such as referrals to other benefit programs and job training resources;

(F) Expansion of prenatal services to all women whose children are likely to be eligible for Medicaid;

(G) Expansion of available behavioral health services, with particular attention to persons with serious and persistent mental illness or serious psychological distress;

(H) Increased fraud prevention and reduction activities;

(J) Use of a capitated payment model instead of a fee-for-service payment model for some health care providers, including predetermined bundled payments for specific health events or time periods;

(K) Use of health homes to coordinate patient care;

(M) Screening, brief intervention and referral for treatment for pregnancy and maternity care;

(N) Enhanced healthcare management for foster care children.

(ii) Concerning long term care services, the department shall, to the extent practical, implement:

(A) Development of an assessment tool to replace the “Assessment of Medical Necessity for Long Term Care” required by W.S. 42-6-102;

(B) Redesign of nursing facility reimbursements to reflect patient acuity, percentage of Medicaid occupancy and regional economic factors;

(C) Elimination of the caps on the number of clients admitted to the long term care and assisted living facility waiver programs. The objective shall be to optimize the services provided to current clients and to extend appropriate services to persons currently on waiting lists for waiver services within the current budget.

(iii) Concerning developmental disability and acquired brain injury services, the department shall, to the extent practical, implement:

(A) Creation of two (2) separate waiver programs, including one (1) for supportive services and one (1) for comprehensive services. The objective shall be to optimize the services provided to current clients and to extend appropriate services to persons currently on waiting lists for waiver services within the current budget;
(B) Creation of individual budget amounts for each person served on the waivers to reflect assessed individual needs in consultation with the clients’ guardians, and as appropriate, current case managers and providers;

(C) Replacement where possible of higher cost residential and day habilitation services with lower cost, more integrated services;

(D) The department shall develop a plan to determine the needs of individual clients, placement options and continuum of care that recognizes change of need and change of circumstances over time;

(E) Provide for a case management system for the waiver programs that is free of conflicts of interest.

(b) The department shall hold at least two (2) informational meetings to provide opportunities for clients, guardians and service providers affected by the program changes proposed in paragraph (a)(iii) of this section to provide testimony. The department shall provide notice to those clients, guardians and service providers at least two (2) weeks prior to each meeting.

(c) The department of health shall make a preliminary report by October 1, 2013 and a final report by October 1, 2014 to the joint labor, health and social services interim committee regarding the status of the reform and redesign of the Medicaid program pursuant to subsection (a) of this section. The report shall separately identify those items that have been implemented or are scheduled for implementation and those items that are contingent on a state Medicaid plan amendment or approval of a waiver by the centers for Medicare and Medicaid services. To the extent practicable, the report shall include an estimate of the costs or savings associated with each reform and redesign item.

Section 2. W.S. 42-6-106(a) is repealed.

Section 3.

(a) There is appropriated one hundred twenty thousand dollars ($120,000.00) from the general fund to the department of health. This appropriation shall be for the period beginning with the effective date of this act and ending June 30, 2014. This appropriation shall only be expended for the purpose of studying and developing an implementation plan for Medicaid reform pursuant to this act. Notwithstanding any other provision of law, this appropriation shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation shall revert as provided by law on June 30, 2014. This appropriation shall not be included in the department’s 2015-2016 standard biennial budget request.

(b) The department of health shall have the authority to contract with experts and consultants as may be useful in conducting any study provided for in this act. In contracting for services with experts and consultants for purposes of conducting any study, the department shall be exempt from the procure-
ment requirements set out in W.S. 9-2-1016 and any other state laws, rules or policies governing the procurement of services by a state agency other than the requirement for approval of those contracts by the attorney general. This exemption shall expire on June 30, 2014 or upon completion of the study, whichever occurs first.

Section 4. 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.

Chapter 118

MEDICAID FRAUD RECOVERY

AN ACT relating to Medicaid; creating the Wyoming Medicaid False Claims Act; authorizing civil recoveries for the state as specified; providing duties of the attorney general and district attorneys; providing procedures; providing for a limitations period and applicability of the act; providing for admissibility of verdicts as specified; prescribing criminal penalties as specified for failure to maintain required records; creating a cause of action for retaliatory employment actions; and providing for an effective date.

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

Section 1. W.S. 42-4-301 through 42-4-306 are created to read:

ARTICLE 3
FALSE MEDICAID CLAIMS

42-4-301. Short title.
This act shall be known and may be cited as the “Wyoming Medicaid False Claims Act.”

42-4-302. Definitions.
(a) As used in this act:

(i) “Claim” means any request or demand under the Medicaid program, whether under a contract or otherwise, for money, property or services that:

(A) Is presented to an officer, employee or agent of the state or a political subdivision of the state; or

(B) Is made to a contractor, grantee or other recipient, if the money or property is to be spent or used on the state’s behalf or to advance a state program or interest, and if the state provides or has provided any portion of the money or property requested or demanded.

(ii) “Material statement” means a statement that affects the payment or receipt of money or property;
“This act” means W.S. 42-4-301 through 42-4-306.

42-4-303. Acts subjecting person to treble damages; costs and civil penalties; exceptions.

(a) Except as provided in subsection (c) of this section, any person who commits any of the following acts in relation to the Wyoming Medicaid program shall be liable to the state for three (3) times the amount of damages which the state sustains because of the act of that person. A person who commits any of the following acts shall also be liable to the state for the costs of a civil action brought to recover any penalties or damages provided in this subsection, and shall be liable to the state for a civil penalty of not less than one thousand dollars ($1,000.00) and not more than ten thousand dollars ($10,000.00) for each violation:

(i) Knowingly presents or causes to be presented a false or fraudulent claim for payment or approval;

(ii) Knowingly makes, uses or causes to be made or used, a false record or statement material to a false or fraudulent claim;

(iii) Is a beneficiary of an inadvertent submission of a false claim to any employee, officer or agent of the state or a political subdivision of the state, or to any contractor, grantee or other recipient of state funds or funds of any political subdivision of the state, who subsequently discovers the falsity of the claim and fails to disclose the false claim and make satisfactory arrangements for repayment to the state or affected political subdivision within ninety (90) days after discovery of the false claim;

(iv) Conspires to commit a violation of paragraph (i), (ii) or (iii) of this subsection.

(b) Notwithstanding subsection (a) of this section, the court may assess not more than two (2) times the amount of damages which the state sustains because of the act in violation of subsection (a) of this section, and no civil penalty, if the court finds all of the following:

(i) The person committing the violation furnished officials of the state who are responsible for investigating false claims violations with all information known to that person about the violation within forty-five (45) days after the information is requested; and

(ii) The person has substantially cooperated with any investigation by the state.

(c) The provisions of subsections (a) and (b) of this section shall not apply to a recipient as defined by W.S. 42-1-101(a)(v). Any recipient who knowingly:

(i) Presents or causes to be presented a false or fraudulent claim shall be liable to the state for the amount of damages which the state sustains because of the claim and shall be liable for a civil penalty of not more than one thousand dollars ($1,000.00);
(ii) Violates paragraph (i) of this subsection a second or subsequent time shall be liable to the state for three (3) times the amount of damages which the state sustains because of the claim and shall be liable for a civil penalty of not more than one thousand dollars ($1,000.00).

42-4-304. Investigations and prosecutions; powers of prosecuting authority; remedies for retaliation; venue; no private right of action.

(a) The attorney general or a district attorney may investigate alleged violations of W.S. 42-4-303(a) and (c). If the attorney general or district attorney finds that a person has violated or is violating W.S. 42-4-303(a) or (c), the attorney general or district attorney may bring a civil action under this section against that person.

(b) Any employee, contractor or agent of a person being investigated for a violation of W.S. 42-4-303(a) shall be entitled to recover all economic damages suffered if that employee, contractor or agent is discharged, demoted, suspended, threatened, harassed or in any other manner retaliated against in the terms and conditions of employment because of lawful acts taken in good faith by the employee or others in an action reported, filed or investigated under this act. An action by an employee, contractor or agent under this subsection shall not be brought more than three (3) years after the date when the retaliation occurred. A person may bring an action in the appropriate district court for the relief provided in this subsection. This subsection shall not otherwise be construed to create a private cause of action for violations of this act and is limited to the remedies expressly created by this subsection related to employment retaliation.

(c) Except as provided in subsection (b) of this section, any action under this act may be brought in the district court of any county in which the defendant, or any of them, resides. If the defendant is not a resident of the state of Wyoming, the action shall be brought in the first judicial district court in Laramie County.

(d) Except as provided in subsection (b) of this section, nothing in this act shall be construed to create a private cause of action.

(e) The remedies provided in this act are separate from and additional to any remedies available under the State Government Fraud Reduction Act.

42-4-305. Limitation of actions; retroactivity; burden of proof.

(a) A civil action under W.S. 42-4-304(a) shall not be brought more than six (6) years after the date on which the violation was committed or more than three (3) years after the date when facts material to the right of action are known or reasonably should have been known by the official of the state charged with responsibility to act in the circumstances, whichever occurs last, provided that in no event shall a civil action be brought more than seven (7) years after the date on which the violation is committed.
(b) In any action brought under W.S. 42-4-304(a), the state shall be required to prove all essential elements of the cause of action, including damages, by clear and convincing evidence.

(c) Notwithstanding any other provision of law, a guilty verdict rendered in a criminal proceeding charging false statements or fraud is admissible in any civil action which involves the same transaction as in the criminal proceeding and which is brought under W.S. 42-4-304.

**42-4-306. Remedies under other laws; liberality of construction; joint and several liability.**

(a) The provisions of this act are not exclusive, and the remedies provided for in this act shall be in addition to any other remedies provided for in any other law or available under common law.

(b) Liability pursuant to this act is joint and several for any violation done by two (2) or more persons.

**Section 2.** W.S. 42-4-102(a) by creating new paragraphs (xii) and (xiii) and 42-4-111 by creating a new subsection (e) are amended to read:

**42-4-102. Definitions.**

(a) As used in this chapter:

(xii) “Intentional” means that a person, with respect to information, intended to act in violation of the law;

(xiii) “Knowing” or “knowingly” includes intentional or intentionally and means that a person, with respect to information, acts:

(A) With actual knowledge of the information;

(B) In deliberate ignorance of the truth or falsity of the information; or

(C) In reckless disregard of the truth or falsity of the information.

**42-4-111. Providing or obtaining assistance by misrepresentation; penalties.**

(e) It is unlawful for a person to knowingly fail to maintain records in accordance with Medicaid program rules as necessary to disclose fully the nature of the goods, services, items, facilities or accommodations for which a claim was submitted or payment was received under the Medicaid program. Any person who violates this subsection is guilty of:

(i) A misdemeanor punishable by imprisonment for not more than thirty (30) days, a fine of not more than seven hundred fifty dollars ($750.00), or both, if:

(A) The medical assistance claimed for which records were not maintained is less than twenty-five percent (25%) of the Medicaid claims submitted by that person in any consecutive three (3) month period; and
(B) The value of the claims for which the records were not maintained is at least five thousand dollars ($5,000.00).

(ii) A misdemeanor punishable by imprisonment for not more than six (6) months, a fine of not more than one thousand dollars ($1,000.00), or both, if:

(A) The medical assistance claimed for which records were not maintained is twenty-five percent (25%) or more of the Medicaid claims submitted by that person in any consecutive three (3) month period; and

(B) The value of the claims for which the records were not maintained is at least five thousand dollars ($5,000.00).

(iii) A felony punishable by imprisonment for not more than five (5) years, a fine of not more than ten thousand dollars ($10,000.00), or both, if:

(A) The person intended to defraud and the medical assistance claimed for which records were not maintained is twenty-five percent (25%) or more of the Medicaid claims submitted by that person in any consecutive three (3) month period; and

(B) The value of the claims for which the records were not maintained is more than five thousand dollars ($5,000.00).

Section 3. This act is effective July 1, 2013.

Approved March 1, 2013.

Chapter 119

JUVENILE CITATIONS-NOTIFICATION BY LAW ENFORCEMENT

Original House Bill No. 175

AN ACT relating to juveniles; requiring notification to parents, guardians or custodians when a juvenile is issued a citation as specified; and providing for an effective date.

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

Section 1. W.S. 14-6-206 by creating a new subsection (c) is amended to read:

14-6-206. Child in custody; no detention without court order; exceptions; notice to parent or guardian; release.

(c) After issuing any citation to a child for a violation of a state or federal law or a municipal ordinance for which incarceration or a fine may be imposed, the law enforcement agency issuing the citation or its designee shall take reasonable actions to notify the child’s parent, guardian or custodian.

Section 2. This act is effective July 1, 2013.

Approved March 7, 2013.
Chapter 120

PROOF OF MOTOR VEHICLE INSURANCE

Original Senate File No. 87

AN ACT relating to motor vehicle insurance; providing for issuance of electronic motor vehicle insurance identification cards as proof of insurance; and providing for an effective date.

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

Section 1. W.S. 31-4-103(b)(intro) and 31-8-201 by creating a new subsection (c) are amended to read:

31-4-103. Failure to maintain liability coverage; penalties; exceptions.

(b) Any police officer as defined by W.S. 31-5-102(a)(xxxiii), issuing a citation for any moving violation under W.S. 31-5-101 through 31-5-1402 or inspecting any vehicle, shall require the operator of any motor vehicle required to be registered to produce evidence of whether the operator or owner of the motor vehicle has in full force and effect a motor vehicle liability policy in amounts provided by W.S. 31-9-405(b) or a bond in amounts provided by W.S. 31-9-102(a)(xi). If the operator cannot show written proof of financial responsibility, the driver shall have seven (7) days to produce such proof. Any operator or owner of a motor vehicle required to be registered who is not able to demonstrate evidence of compliance with subsection (a) of this section may be charged with violating that subsection. Additionally, the judge may order any driver failing to produce written proof of financial responsibility to pay restitution in accordance with W.S. 7-9-101 through 7-9-115. Effective January 1, 1992. The displaying or exhibiting of a validly issued insurance identification card as provided by W.S. 31-8-201 by an operator or owner of the motor vehicle constitutes compliance with this section. No operator or owner of a motor vehicle charged with violating this section shall be convicted if he produces in court one (1) of the following which was valid at the time of arrest or at the time the citation was issued:

31-8-201. Issuance of identification card by insurers; information.

(c) The identification card prescribed by this section may be carried by the insured in an electronic format if:

(i) The insured and the insurer both agree to the issuance of the card in electronic format; and

(ii) The electronic identification card contains the information required by this section.

Section 2. This act is effective July 1, 2013.

Approved March 13, 2013.
Chapter 121

OVERWEIGHT AND OVERSIZE VEHICLES

AN ACT relating to motor vehicles; providing for designation of highways to carry overweight and oversize vehicles as specified; and providing for an effective date.

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

Section 1. W.S. 31-18-804(n)(intro) and (i) and by creating a new subsection (u) is amended to read:

31-18-804. Permits for and certain highways to carry, overweight and oversize vehicles; government vehicles.

(n) Certain highways may be designated to carry vehicles of greater weight, length, size and number of vehicles than given in this section if it has been determined by the governor or director that a situation of economic hardship exists or that the general welfare of the state of Wyoming or another state would benefit from the operation designation. Vehicles operating on the designated highways shall pay permit fees obtain a permit under this section in accordance with rules adopted by the director. Provisions for the operations designation may be made if the director has determined:

(i) That the operation of the combinations of vehicles under this subsection would relieve a situation that is detrimental to the economy or general welfare of the state or another state; and

(u) Nothing in this article shall be interpreted to authorize the operation of triple trailers as prohibited by W.S. 31-5-1009.

Section 2. 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.

Approved March 13, 2013.

Chapter 122

LIEN NOTICE

AN ACT relating to liens; modifying provisions relating to notice; and providing for an effective date.

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

Section 1. W.S. 29-1-312(c) and 29-1-313(a) are amended to read:

29-1-312. Lien statement to be filed; contents; notice; fee.
(c) Notice shall be sent by the lien claimant to the last record owner or his agent in the case of a real property lien within five (5) thirty (30) days after the lien statement is filed. The notice shall be in substantially the same format and contain the same information as the form of notice specified in W.S. 29-10-103. The notice forms shall be made available and may be obtained at the county clerk's office of each county. Failure to send the notice required under this subsection shall not affect the validity of the lien.

29-1-313. Notice of satisfaction to be filed.

(a) Whenever any debt which is secured by a lien pursuant to this act is paid and satisfied, the lien claimant shall file notice of satisfaction of the lien in the office of the county clerk of any county in which the lien is filed and the lien claimant shall send the record owner a copy of the notice of satisfaction within five (5) thirty (30) days. The county clerk shall record and index the notice of satisfaction of the lien. The notice of satisfaction shall be acknowledged, but may be signed by the lien claimant or the attorney for the lien claimant.

Section 2. This act is effective July 1, 2013.

Approved March 13, 2013.

Chapter 123
INSURANCE-LIMITED LINES

Original Senate File No. 5

AN ACT relating to insurance; creating specialty limited lines producer license requirements; expanding limited lines insurance regulation; providing for regulation of group and master property and casualty insurance policies; providing definitions; providing for fees; and providing for an effective date.

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

Section 1. W.S. 26-9-234 and 26-23-401 through 26-23-406 are created to read:

26-9-234. Specialty limited lines producer license.

(a) The commissioner may issue to an applicant a specialty limited lines producer license for the sale, solicitation or delivery of specialty lines insurance where the sale of the product is ancillary to the business of the person offering the product.

(b) Application under this section shall be made in accordance with W.S. 26-9-206, except business entity applicants applying for a specialty limited lines producer license shall be exempt from providing shareholders, officers and directors information. However, if the business entity derives more than fifty percent (50%) of its revenue from the sale of insurance, information shall be provided for all officers, directors and shareholders of record that have benefi-
cial ownership of ten percent (10%) or more of any class of securities, who are subject to 15 U.S.C. 78p or subsequent similar federal enactment.

(c) An examination is not required for issuance of a specialty limited lines producer license nor is a licensee required to comply with continuing education requirements of W.S 26-9-231.

(d) A business entity licensed as a specialty limited lines producer shall keep a register of each location at which insurance is offered on the licensed business entity’s behalf.

(e) A business entity licensed as a specialty limited lines producer for specialty limited lines insurance shall submit the register required in subsection (d) of this section within ten (10) days upon request of the commissioner. The registry shall be open to inspection and examination by the commissioner.

(f) A specialty limited lines producer shall not advertise, represent or otherwise hold out the license holder or an endorsee of the license holder as an agent licensed under this chapter unless the entity or individual holds the applicable license.

(g) An endorsee of the specialty limited lines producer that offers and disseminates specialty limited lines insurance on behalf of the licensed business entity and under the direction of a specialty limited lines insurance producer is not required to be individually licensed and is eligible to offer or disseminate specialty limited lines insurance if all of the following apply:

(i) The endorsee is eighteen (18) years of age or older;

(ii) The endorsee shall have received a program of instruction or training prior to receiving permission to operate on behalf of the business entity and under the direction of the designated responsible producer. The training materials shall be made available to the commissioner upon request; and

(iii) The endorsee’s compensation shall not be based primarily on the placement of the insurance product but the endorsee may receive compensation for activities under the specialty limited lines license which is incidental to their overall compensation.

(h) An endorsee’s authorization to offer or disseminate specialty limited lines insurance shall expire when the endorsee’s employment with or representation of the licensed entity is terminated.

(i) Individuals who offer or disseminate specialty limited lines insurance whose compensation is primarily dependent on the placement of the insurance product shall obtain a specialty limited lines insurance producer license as set forth in this section.

(k) Charges for specialty limited lines insurance may be billed and collected by a specialty limited lines producer. Any charge to the covered person for coverage that is not included in the cost associated with the purchase or lease
of the covered product or related services shall be separately itemized on the covered person's bill. If the insurance coverage is included with the purchase or lease of the covered product or related services the specialty limited lines producer shall clearly and conspicuously disclose to the covered person that the insurance coverage is included with the covered product or related services. Specialty limited lines producers that are billing and collecting these charges shall not be required to maintain these funds in a segregated account provided that the specialty limited lines producer is authorized by the insurer to hold these funds in an alternative manner. Specialty limited lines producers may receive compensation for billing and collection services.

(m) The commissioner may adopt rules necessary to implement this section.

(n) To the extent that they are not in conflict with this section, all provisions of the Wyoming Insurance Code apply to licensees under this section.

ARTICLE 4
GROUP OR MASTER POLICY PROPERTY AND CASUALTY INSURANCE ACT

26-23-401. Qualifications for group or master personal and commercial lines property and casualty insurance policies.

(a) Personal and commercial lines property and casualty insurance may be offered to a resident of this state under a group or master policy issued or delivered pursuant to this section.

(b) Group or master property and casualty personal lines policies shall be subject to the following requirements:

(i) The group or master personal lines property and casualty policy shall not be issued or delivered in this state unless the commissioner finds that:

(A) The issuance of the group or master policy is not contrary to the best interest of the public;

(B) The issuance of the group or master policy would result in economies of acquisition or administration; and

(C) The benefits are reasonable in relation to the premiums charged.

(ii) A group or master personal lines property and casualty insurance coverage shall not be offered in this state by an insurer under a policy issued or delivered in another state unless this state has made a determination that the requirements of subparagraph (b)(i)(C) have been met;

(iii) The premium for the group or master personal lines property and casualty policy shall be paid either from the policyholder's funds or from funds contributed by the covered persons, or from both.

26-23-402. Group or master policy.

(a) A group or master policy for personal or commercial lines property and
casualty insurance coverage shall be issued to the policyholder. Eligible members or covered persons insured under a group or master policy shall be provided evidence of coverage setting forth a statement as to the insurance protection to which they are entitled.

(b) A group or master policy for personal or commercial lines property and casualty insurance coverage shall not be issued or delivered in this state unless the policy form, together with all forms for riders, certificates and endorsements to the policy form, meet the applicable filing requirements in this state. Subsequent amendments to the policy form or forms for riders, certificates and endorsements to the policy form shall not be issued or delivered until they meet the applicable filing requirements in this state.

(c) The group or master personal or commercial lines property and casualty policy shall set forth the coverages, exclusions and conditions of the insurance provided therein, together with the terms and conditions of the agreement between the policyholder and the insurer. The policy shall make express provisions for the following:

   (i) Methods of premium collection;

   (ii) Enrollment period, effective date provisions and eligibility standards for members or covered persons;

   (iii) Termination or modification of the policy; and

   (iv) Conversion privileges of the members or covered persons, if any.

(d) If the group or master personal or commercial lines property or casualty master policy provides for remittance of premium by the policyholder, failure of the policyholder to remit premiums when due shall not be regarded as nonpayment of premium by the member or covered person who has made his contribution on a timely basis.

26-23-403. Policy coverage.

(a) Coverage under a group or master personal or commercial lines property and casualty insurance policy may be terminated as to a member or covered person only for:

   (i) Failure of the member or covered person to make required premium contributions;

   (ii) Termination of the master policy in its entirety or as to the class to which the member or covered person belongs;

   (iii) Discontinuance of the member's or covered person's membership in a class eligible for coverage;

   (iv) Termination of membership or covered person's services; or

   (v) Material misrepresentation of a fact in obtaining coverage which if known to the master policyholder would have caused the master policyholder
not to offer coverage to the member or covered person;

(vi) Fraud or material misrepresentation in the presentation of a claim;

(vii) Exhausting the aggregate limit of liability, if any, under the terms of the policy.

(b) Termination of coverage under subsection (a) of this section shall be effective as follows:

(i) Upon written notice made as described in W.S. 26-35-101 sent not less than ten (10) days prior to the proposed effective date of cancellation if cancellation is for the reason stated in paragraph (a)(i) of this section;

(ii) Immediately if cancellation is for the reasons stated in paragraph (a)(iii), (iv), (v) or (vi) of this section;

(iii) Immediately if cancellation is for the reason stated in paragraph (a)(vii) of this section. However, the insurer shall send notice of cancellation to the covered person within thirty (30) calendar days after exhaustion of the limit and if notice is not timely sent, coverage shall continue notwithstanding the aggregate limit of liability until the insurer sends notice of termination to the covered person; or

(iv) Upon written notice made as described in W.S. 26-35-101 sent not less than thirty (30) days prior to the proposed effective date of cancellation if cancellation is for the reason stated in paragraph (a)(ii) of this section.

(c) Coverage under a continuous group or master personal or commercial line property and casualty insurance policy may be modified in accordance with the following:

(i) The insurer shall provide the group or master policyholder and covered persons with at least thirty (30) days prior written notice of the change in coverage; and

(ii) The insurer shall provide the group or master policyholder with a revised policy or endorsement and each covered person with a revised certificate, endorsement, updated brochure or other evidence indicating a change in the terms and conditions has occurred and a summary of material changes.


(a) No insurer shall issue or deliver a group or master personal lines property and casualty insurance policy if it is a condition of membership in a group that any member purchase insurance pursuant to the policy, or if any member shall be subject to any penalty by reason of his nonparticipation.

(b) No insurer shall issue or deliver a group personal lines property and casualty insurance policy if:

(i) The purchase of insurance available under the policy is contingent upon the purchase of any other insurance; or
(ii) The purchase or price of any other insurance, product or service is contingent upon the purchase of insurance available under the group personal lines property and casualty insurance policy.


(a) No master policy or certificate of insurance for group property and casualty insurance coverage shall be issued or delivered in this state unless issued or delivered by an insurer which is duly licensed in this state to write the lines of insurance covered by the master policy.

(b) This article shall not apply to the mass marketing or any other type of marketing of individual property and casualty insurance policies.

(c) This article shall not apply to policies of credit property or credit casualty insurance which insure the debtors of a creditor or creditors with respect to their indebtedness or to policies of lender placed insurance programs.

(d) Nothing in this article shall limit the authority of the insurance commissioner with respect to complaints or disputes involving residents of this state arising out of a master policy that has been issued or delivered in another state.

(e) The insurance commissioner is authorized to promulgate rules and regulations as may be necessary to carry out the provisions of this article.

26-23-406. Effective date.

This article shall take effect July 1, 2013. No master policy or certificate of insurance for group property and casualty insurance coverage shall be issued or delivered in this state after the effective date unless issued or delivered in compliance with this article. A master policy or certificate that is lawfully in effect on July 1, 2013 shall comply with the provisions of this article within twenty-four (24) months of the effective date.

Section 2. W.S. 26-4-101(a)(xiv), 26-9-202(a) and 26-9-229 by creating a new subsection (d) are amended to read:

26-4-101. Fee schedule.

(a) The commissioner shall collect in advance or contemporaneously fees, licenses and miscellaneous charges as specified in this subsection. Collection may include the acceptance of electronic funds transfer. All fees and other charges collected by the commissioner as specified in this subsection shall be nonrefundable:

(xiv) Limited license: pursuant to W.S. 26-9-209(c).

Application for original individual license and issuance of license, if issued ................................................................................................................. $20.00

Continuation of license ................................................................. $20.00

Application for original business entity license and issuance of license, if issued ................................................................. $100.00

(a) As used in this chapter:

(i) “Business entity” means a corporation, association, partnership, limited liability company, limited liability partnership or other legal entity;

(ii) “Endorsee” means an employee or representative of a specialty limited lines producer;

(iii) “Home state” means the District of Columbia and any state or territory of the United States in which an insurance producer maintains his principal place of residence or principal place of business and is licensed to act as an insurance producer;

(iv) “License” means a document issued by the commissioner authorizing a person to act as an insurance producer for the lines of authority specified in the document. The license itself does not create any authority, actual, apparent or inherent, in the holder to represent or commit an insurer;

(v) “Limited line credit insurance” includes credit life, credit disability, credit property, credit unemployment, involuntary unemployment, mortgage life, mortgage guaranty, mortgage disability, guaranteed automobile protection insurance, and any other form of insurance offered in connection with an extension of credit that is limited to partially or wholly extinguishing that credit obligation that the commissioner determines should be designated a form of limited line credit insurance;

(vi) “Limited line credit insurance producer” means a person who sells, solicits or negotiates one (1) or more forms of limited line credit insurance coverage to individuals through a master, corporate, group or individual policy;

(vii) “Limited lines insurance” means those lines of insurance referred to in W.S. 26-9-209(c), 26-9-221, 26-9-234, 26-32-101, 26-36-113, 26-37-102(a)(iv), 26-50-103 or 31-14-120 or any other line of insurance the commissioner deems necessary to recognize for the purposes of complying with W.S. 26-9-208(e);

(viii) “Limited lines producer” means a person authorized by the commissioner to sell, solicit or negotiate limited lines insurance;

(ix) “Location” means any physical location in the state of Wyoming or any website, call center site or similar location directed to residents of the state of Wyoming;

(x) “Negotiate” means the act of conferring directly with or offering advice directly to a purchaser or prospective purchaser of a particular contract of insurance concerning any of the substantive benefits, terms or conditions of the contract, provided that the person engaged in that act either sells insurance or obtains insurance from insurers for purchasers;
(xi) “Portable electronic device insurance” means insurance which may be offered on a month to month or other periodic basis as a group or master property and casualty insurance policy providing coverage for the repair or replacement of portable electronic devices which may provide coverage for portable electronic devices against any one (1) or more of the following causes of loss: loss, theft, inoperability due to mechanical failure, malfunction, damage or other similar causes of loss. For purposes of this title, with respect to portable electronic device insurance, property and casualty insurance shall be deemed to include inland marine insurance. Portable electronic device insurance does not include a service contract as defined in chapter 49 of this title;

(xii) “Rental car insurance” means insurance offered, sold or solicited in connection with and incidental to the rental of rental cars, whether at the rental office or by preselection of coverage in master, corporate, group or individual agreements that is nontransferable, applies only to the rental car that is the subject of the rental agreement and is limited to the following kinds of insurance and shall not include the rental car company’s agreement to waive its right of indemnity against a renter for damages to the rental vehicle:

(A) Personal accident insurance for renters and other rental car occupants, for accidental death or dismemberment and for medical expenses resulting from an accident that occurs with the rental car during the rental period;

(B) Liability insurance, which at the exclusive option of the rental car company, may include uninsured or underinsured motorist coverage, whether offered separately or in combination with other liability insurance, that provides protection to the renters and to other authorized drivers of a rental car for liability arising from the operation of the rental car during the rental period;

(C) Personal effects insurance that provides coverage to renters and other vehicle occupants for loss of or damage to personal effects in the rental car during the rental period;

(D) Roadside assistance and emergency sickness protection insurance;

(E) Any other insurance product sold incidental to the rental transaction.

(xiii) “Sell” means to exchange a contract of insurance by any means, for money or its equivalent, on behalf of an insurer;

(xiv) “Solicit” means attempting to sell insurance or asking or urging a person to apply for a particular kind of insurance from a particular insurer;

(xv) “Specialty limited lines insurance” means insurance offered or disseminated in connection with and ancillary to a specialty limited lines producer’s core business. The term includes the following types of insurance: rental car insurance, portable electronic device insurance, travel insurance and any other line of insurance the commissioner deems necessary;
(xvi) “Specialty limited lines producer” means a person or business entity licensed as a limited lines producer and qualified to offer, sell or solicit specialty limited lines insurance;

(xvii) “Terminate” means the cancellation of the relationship between an insurance producer and the insurer or the termination of a producer’s authority to transact insurance;

(xviii) “Travel insurance” means insurance coverage for personal risks incident to planned travel, including but not limited to interruption or cancellation of trip or event, loss of baggage or personal effects, damages to accommodations or rental vehicles, and sickness, accident, disability or death occurring during travel, and does not include major medical plans, which provide comprehensive medical protection for travelers with trips lasting six (6) months or longer;

(xix) “Uniform application” means the current version of the National Association of Insurance Commissioners’ uniform application for resident and nonresident producer licensing;

(xx) “Uniform business entity application” means the current version of the National Association of Insurance Commissioners’ uniform business entity application for resident and nonresident business entities.


(d) A limited lines producer for specialty limited lines shall not be required to treat monies collected from customers purchasing additional specialty limited lines insurance as funds received in a fiduciary capacity, provided that:

(i) The charges for specialty limited lines insurance coverage are itemized and ancillary to the principal business transaction; and

(ii) The insurer has consented in writing, signed by an officer of the insurer, that premiums need not be segregated from funds received by the producer for the principal business transaction.

Section 3. W.S. 26-9-209(c) and 26-50-101 through 26-50-109 are repealed.

Section 4. This act is effective July 1, 2013.

Approved March 13, 2013.

Chapter 124

UNIFORM CONSUMER CREDIT CODE AMENDMENTS

Original Senate File No. 22

AN ACT relating to trade and commerce; amending provisions of the Wyoming Uniform Consumer Credit Code as specified; creating definitions; amending definitions; increasing the jurisdictional amount of a transaction under the Uniform Consumer Credit Code as specified; providing authority to the banking
commissioner to enforce violations of United States department of defense regulations pertaining to consumer loans to military personnel as specified; repealing provisions relating to regulations adopted by the board of governors of the federal reserve system; and providing for an effective date.

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

Section 1. W.S. 40-14-365 is created to read:

Part 9. Violations

40-14-365. Violations.
The administrator is authorized to enforce an appropriate remedy, penalty, action or license revocation or suspension, as provided in articles 5 and 6 of this chapter, against a person licensed under the act for a violation of any portion of Section 670 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-634, H.R. 5122), or any regulation promulgated thereunder.

Section 2. W.S. 40-14-120(a)(i), (iii) and by creating a new paragraph (iv), 40-14-140(a) by creating new paragraphs (xxi) and (xxii) and by renumbering (xxi) as (xxiii), 40-14-142(a) by creating new paragraphs (lxxvii) and (lxxviii) and by amending and renumbering (lxxvii) as (lxxix), 40-14-204(a)(v), 40-14-206(a)(ii), 40-14-209(a)(i) and (b)(v), 40-14-212(b)(i)(intro) and (ii), 40-14-213(a)(iii), 40-14-222(f), 40-14-257(a)(intro), 40-14-304(a)(iv), 40-14-309(a)(i), 40-14-311(a)(iv) and (b)(ii), 40-14-320(e), 40-14-348(b)(i)(intro) and (ii), 40-14-355(a)(intro) and 40-14-604(b), (c)(intro), (ii)(A) and (e) are amended to read.

40-14-120. Territorial application.
(a) Except as otherwise provided in this section, this act applies to consumer credit transactions made in this state. For purposes of this act, a consumer credit transaction is made in this state if:

(i) A signed writing evidencing the obligation or offer of the consumer is received by the creditor or person acting on behalf of the creditor in this state;

(iii) The credit transaction is secured by a dwelling, as defined in W.S. 40-14-640(a), located in Wyoming; or

(iv) A consumer who is a resident of this state enters into a consumer credit transaction while in this state with a creditor who has offered or advertised in this state by means, including but not limited to mail brochure, telephone, print, radio, television, internet or other electronic means.

40-14-140. General definitions.
(a) In addition to definitions appearing in subsequent articles, in this act:

(xxii) “Incident to the extension of credit” means a charge assessed at any time during the duration of a credit transaction that is not assessed to a consumer in a comparable cash transaction whether imposed by the original creditor or an assignee or servicer of the credit transaction;
(xxii) “Regulation Z” means regulation Z as promulgated by the board of governors of the federal reserve system and codified in 12 C.F.R. part 1026 et seq., as amended:

(xxii) (xxiii) “This act” means W.S. 40-14-101 through 40-14-702.

40-14-142. Index of definitions.

(a) Definitions in this act and the sections in which they appear are:

(lxxvii) “Incident to the extension of credit” – W.S. 40-14-140(a)(xxi);

(lxxviii) “Regulation Z” – W.S. 40-14-140(a)(xxii);


40-14-204. Definition of “consumer credit sale”.

(a) Except as provided in subsection (b) of this section, “consumer credit sale” is a sale of goods, services or an interest in land in which:

(v) With respect to a sale of goods or services, the amount financed does not exceed fifty thousand dollars ($50,000.00) or the debt is secured by a dwelling, as defined in W.S. 40-14-640(a)(iv), located in Wyoming.

40-14-206. Definition of “consumer lease”.

(a) “Consumer lease” means a lease of goods:

(ii) In which the amount payable under the lease does not exceed twenty-five thousand dollars ($25,000.00) or the debt is secured by a dwelling, as defined in W.S. 40-14-640(a)(iv), located in Wyoming.

40-14-209. Definition of “credit service charge”.

(a) “Credit service charge” means the sum of:

(i) All charges payable directly or indirectly by the buyer and imposed directly or indirectly by the seller as a condition of or an incident to the extension of credit, including any of the following types of charges which are applicable: time price differential, service, carrying or other charge however denominated, premium or other charge for any guarantee or insurance protecting the seller against the buyer’s default or other credit loss; and

(b) Credit service charge does not include:

(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 of the federal Consumer Credit Protection Act, P.L. 90-321, 82 Stat. 146, 15 U.S.C. § 470 et seq.; or
343

40-14-212. Credit service charge for consumer credit sales other than revolving charge accounts.

(b) The credit service charge, calculated according to the actuarial method, may not exceed:

(i) Where the amount financed does not exceed fifty thousand dollars ($50,000.00)–seventy-five thousand dollars ($75,000.00), the equivalent of the greater of either of the following:

(ii) Where the amount financed exceeds fifty thousand dollars ($50,000.00) seventy-five thousand dollars ($75,000.00), any credit service charge specified in the buyer’s sale agreement.

40-14-213. Additional charges.

(a) In addition to the credit service charge permitted by this part, a seller may contract for and receive the following additional charges in connection with a consumer credit sale:

(iii) Charges for other benefits, including insurance, conferred on the buyer, if the benefits are of value to him and if the charges are reasonable in relation to the benefits, are of a type which is not for credit, and are excluded as permissible additional charges from the credit service charge by the federal Consumer Protection Act or by rule adopted by the administrator.

40-14-222. Applicability; information required.

(f) Disclosure and advertising of consumer credit shall be made pursuant to rules and regulations of the administrator not inconsistent with the federal Consumer Credit Protection Act, 15 U.S.C. § 1601 et seq. and amendments thereto and the regulations promulgated by the board of governors of the federal reserve board pursuant to the act.

40-14-257. Definition.

(a) A “consumer related sale” is a sale of goods, services, or an interest in land which is not subject to the provisions of this act applying to consumer credit sales and in which the amount financed does not exceed fifty thousand dollars ($50,000.00)–seventy-five thousand dollars ($75,000.00) if:

40-14-304. Definition of “consumer loan”.

(a) Except with respect to a loan primarily secured by an interest in land, “consumer loan” is a loan made by a person regularly engaged in the business of making loans in which:

(iv) Either the principal does not exceed fifty thousand dollars ($50,000.00) seventy-five thousand dollars ($75,000.00) or the debt is secured by an interest in land or a dwelling, as defined in W.S. 40-14-640(a)(iv), located in Wyoming.

40-14-309. Definition of “loan finance charge”.
(a) “Loan finance charge” means the sum of:

(i) All charges payable directly or indirectly by the debtor and imposed directly or indirectly by the lender as a condition of or an incident to the extension of credit, including any of the following types of charges which are applicable: interest or any amount payable under a point, discount, or other system of charges, however denominated, premium or other charge for any guarantee or insurance protecting the lender against the debtor’s default or other credit loss; and

40-14-311. Additional charges.

(a) In addition to the loan finance charge permitted by this article, a lender may contract for and receive the following additional charges in connection with a consumer loan:

(iv) Charges for other benefits, including insurance, conferred on the debtor, if the benefits are of value to him and if the charges are reasonable in relation to the benefits, are of a type which is not for credit, and are excluded as permissible additional charges from the loan finance charge by the federal Consumer Credit Act or by rule adopted by the administrator.

(b) An additional charge may be made for insurance written in connection with the loan, other than insurance protecting the lender against the debtor’s default or other credit loss:

(ii) With respect to consumer credit insurance providing life, accident, or health coverage, if the insurance coverage is not a factor in the approval by the lender of the extension of credit, and this fact is clearly disclosed in writing to the debtor, and if, in order to obtain the insurance in connection with the extension of credit, the debtor gives specific affirmative written indication of his desire to do so after written disclosure to him of the cost thereof;

40-14-320. Applicability; information required.

(e) Disclosure and advertising of consumer credit shall be made pursuant to rules and regulations of the administrator not inconsistent with the federal Consumer Credit Protection Act, 15 U.S.C. § 1601 et seq., and amendments thereto, and the regulations promulgated by the board of governors of the federal reserve board pursuant to the act.

40-14-348. Loan finance charge.

(b) The loan finance charge, calculated according to the actuarial method, may not exceed:

(i) Where the initial principal does not exceed fifty thousand dollars ($50,000.00) or seventy-five thousand dollars ($75,000.00), the equivalent of the greater of either of the following:

(ii) Where the initial principal exceeds fifty thousand dollars ($50,000.00)
seventy-five thousand dollars ($75,000.00), any loan finance charge specified in the debtor’s loan agreement.

40-14-355. Definition of “consumer related loan”; finance charge.

(a) A “consumer related loan” is a loan which is not subject to the provisions of this act applying to consumer loans and in which the principal does not exceed fifty thousand dollars ($50,000.00) seventy-five thousand dollars ($75,000.00) if:

40-14-604. Powers of administrator; harmony with federal regulations; reliance on rules; duty to report and cooperate.

(b) The administrator shall may adopt rules not inconsistent with the federal Consumer Credit Protection Act and rules and regulations of the federal reserve board adopted under it to assure a meaningful disclosure of credit terms so that a prospective debtor will be able to compare more readily the various credit terms available to him and to avoid the uninformed use of credit. These rules may supersede only those provisions of this act which are inconsistent with the federal Consumer Credit Protection Act and rules and regulations of the federal reserve board adopted under it, may contain classifications, differentiations or other provisions, and may provide for adjustments and exceptions for any class of transactions subject to this act which in the judgment of the administrator are necessary or proper to effectuate the purposes or to prevent circumvention or evasion of, or to facilitate compliance with, the provisions of this act relating to disclosure of credit terms.

(c) To keep the administrator’s rules in harmony with the federal Consumer Credit Protection Act and the regulations prescribed from time to time pursuant to that act by the board of governors of the federal reserve system and with the rules of administrators in other jurisdictions which enact the Uniform Consumer Credit Code, the administrator, so far as is consistent with the purposes, policies and provisions of this act, shall may:

(ii) In adopting, amending, and repealing rules, take into consideration:

(A) The regulations so prescribed by the board of governors of the federal reserve system consumer financial protection bureau; and

(e) The administrator shall, as required by W.S. 9-2-1014, report to the governor on the operation of his office, on the use of consumer credit in the state, and on the problems of persons of small means obtaining credit from persons regularly engaged in extending sales or loan credit. For the purpose of making the report, the administrator is authorized to conduct research and make appropriate studies. The report shall include a description of the examination and investigation procedures and policies of his office, a statement of policies followed in deciding whether to investigate or examine the offices of credit suppliers subject to this act, a statement of the number and percentages of offices which are periodically investigated or examined, a statement of the types
of consumer credit problems of both creditors and debtors which have come to his attention through his examinations and investigations and the disposition of them under existing law, a statement of the extent to which the rules of the administrator pursuant to this act are not in harmony with the regulations prescribed by the board of governors of the federal reserve system pursuant to the federal Consumer Credit Protection Act or the rules of administrators in other jurisdictions which enact the Uniform Consumer Credit Code and the reasons for such variations, and a general statement of the activities of his office and of others to promote the purposes of this act. The report shall not identify the creditors against whom action is taken by the administrator.

Section 3. W.S. 40-14-120(a)(ii), 40-14-140(a)(x), 40-14-142(a)(xxxii), 40-14-213(b)(iii), 40-14-222(e), 40-14-311(b)(iii), 40-14-320(d) and 40-14-523 are repealed.

Section 4. This act is effective July 1, 2013.

Approved March 13, 2013.

Chapter 125

CONSERVATION DISTRICTS-SPECIAL EXPERTISE

AN ACT relating to conservation districts; providing for conservation district supervisors to be deemed to have special expertise as specified; providing that conservation district supervisors may represent a conservation district in federal land planning decisions as a cooperating agency with special expertise; providing that supervisors for a conservation district which has adopted a comprehensive plan may participate in efforts to coordinate the plan with federal agencies as specified; providing criteria for consideration by the supervisors of a conservation district when developing a comprehensive plan as specified; and providing for an effective date.

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

Section 1. W.S. 11-16-135 is created to read:

11-16-135. Special expertise of supervisors of conservation districts.

When representing a conservation district as a cooperating agency in matters related to the National Environmental Policy Act and in federal land planning, implementation and management actions, supervisors of a conservation district shall be deemed to have special expertise on all subject matters for which they have statutory responsibility as provided in W.S. 11-16-122, including but not limited to all subject matters directly or indirectly related to stabilization of the agriculture industry, protection of natural resources including but not limited to data and information, conservation of soil and water resources, control and prevention of soil erosion, flood prevention or the conservation, development, utilization and disposal of water within the district.
Section 2. W.S. 11-16-122(b)(viii), (xvi) and by creating a new paragraph (xxviii) is amended to read:

11-16-122. Powers and duties of districts and supervisors thereof generally.

(b) A conservation district organized under this act and the supervisors thereof, in addition to other powers granted by this act, may:

(viii) Cooperate, or including but not limited to representing the conservation district as a cooperating agency with special expertise as provided by the National Environmental Policy Act and in federal land planning implementation as provided in W.S. 11-16-135(a), enter into agreements with and furnish financial or other aid to, any agency, governmental or otherwise, or any owner or occupier of lands within the district, in carrying on range management or erosion control and prevention operations and works of improvement for flood prevention or the conservation, development, utilization and disposal of water within the district, subject to such conditions as the supervisors deem necessary;

(xvi) Develop and implement comprehensive resource use and management plans for range improvement and stabilization, conservation of soil, and water and vegetative resources, control and prevention of soil erosion and for flood prevention or the conservation, development, utilization and disposal of water within the district, which plans shall include range management provisions and shall specify in detail the acts, procedures, performances and avoidances necessary or desirable to carry out the plans, including the specification of engineering operation, fence and stockwater developments, methods of cultivation, the growing of grass and other vegetation, cropping and range programs, tillage and grazing practices, and changes in use of lands. In developing plans under this paragraph, the supervisors of the district shall consider the customs and culture of residents of the district as those customs and culture relate to the land and resource, current and historical information and data related to the uses of the land and resource;

(xxviii) The supervisors of a conservation district which has officially adopted a comprehensive plan pursuant to W.S. 11-16-122(b)(xvi) may coordinate with federal agencies as provided in the Federal Land Policy and Management Act of 1976, the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the national Forest Management Act of 1976 and any other federal statute which provides for coordination with local governments and federal regulations adopted pursuant to those acts.

Section 3. 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.
Chapter 126

CIRCUIT COURT MAGISTRATES

Original Senate File No. 11

AN ACT relating to magistrates of the circuit court; eliminating mandatory full-time magistrates; requiring supreme court to determine necessity of full-time magistrate; and providing for an effective date.

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

Section 1. W.S. 5-9-206 and 5-9-207 are amended to read:

5-9-206. Full-time magistrates; selection.

(a) In every county receiving the services of a circuit court and wherein a circuit court judge does not reside, there shall be one (1) full-time magistrate who shall meet the qualifications under W.S. 5-9-201.

(b) Upon determination by the supreme court after consultation with the appropriate board of county commissioners, that a full-time magistrate is necessary, all of the circuit judges whose circuit includes the county together shall agree upon a person to fill the office of a full-time magistrate under subsection (a) of this section. The name of the agreed upon person shall be submitted for approval or rejection to the board of county commissioners of the county wherein the full-time magistrate will serve. Upon approval by the board, the circuit court shall appoint the person as a magistrate as provided in W.S. 5-9-202.

(c) When a vacancy occurs in the office of a full-time magistrate, the supreme court shall determine whether a full-time magistrate shall be appointed. In making its determination, the supreme court shall take into account whether one (1) or more part-time magistrates will sufficiently meet the needs of the county. If the supreme court after consultation with the appropriate board of county commissioners, determines that a full-time magistrate shall not be appointed, one (1) or more part-time magistrates shall be appointed as provided in W.S. 5-9-210.

5-9-207. Full-time magistrates; term of office; retention; removal.

(a) The term of office of each full-time magistrate selected under W.S. 5-9-206 and appointed under W.S. 5-9-202 shall be four (4) years. The magistrate shall serve for one (1) year after that person's appointment and until the first Monday in January following the next general election after the expiration of that year.

(b) At the general election, the full-time magistrate shall stand for retention in office in the county wherein the magistrate was appointed. Irrespective of any vote of the electorate whereby the magistrate is retained in office, the circuit judges of the circuit by unanimous vote may remove the magistrate.

Section 2. This act is effective July 1, 2013.

Approved March 13, 2013.
AN ACT relating to veterinarians; providing requirements for animal euthanasia as specified; providing applicability; providing definitions; conforming a provision; repealing provisions related to the animal euthanasia certification board; and providing for an effective date.

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

Section 1. W.S. 33-30-223 through 33-30-225 are created to read:


(a) No person shall practice as an animal euthanasia technician unless a permit is obtained as provided in W.S. 33-30-224. Nothing in this section shall be deemed to apply to any employee of the Wyoming game and fish department who is euthanizing wildlife in the course of his duties.

(b) An animal euthanasia technician shall register with the Wyoming board of pharmacy to purchase, possess and administer drugs labeled by the manufacturer for the purpose of euthanizing animals, excluding Schedule I drugs as defined in W.S. 35-7-1013 and 35-7-1014.

(c) If at any time there is a change in employment or sponsorship of an animal euthanasia technician by a law enforcement agency, the law enforcement agency shall immediately notify the board of the change. Changes include transfer to another division or part of the law enforcement agency as well as firing, termination or other release of employment or sponsorship by the law enforcement agency. The board shall adopt rules relating to changes in employment or sponsorship by law enforcement agencies for the purposes of this section.

33-30-224. Requirements for certification.

(a) The board may issue a certificate as an animal euthanasia technician to any applicant who files an application upon a form and in the manner prescribed by the board, accompanied by the appropriate fee and who furnishes satisfactory evidence to the board of the following:

(i) The applicant has reached the age of majority;

(ii) The applicant has no felony convictions;

(iii) The applicant has no misdemeanor convictions involving moral turpitude and no criminal violations relating to cruelty to animals or animal neglect;

(iv) The applicant is employed or sponsored by a law enforcement agency;

(v) The applicant has completed an animal euthanasia training and testing program approved or developed by the board.

(b) The board may, in its sole discretion, require an applicant to appear before the board.
(c) Upon examination of all credentials the board may consider the credentials adequate evidence of professional competence and issue a certificate.

(d) Persons certified as an animal euthanasia technician in this state as of July 1, 2013 are presumed to have met all requirements for certification under this section and are eligible for renewal of certification in accordance with the provisions of this section.

33-30-225. Reciprocity.

Persons permitted to practice as an animal euthanasia technician under the laws of any other state having requirements substantially equal to those provided for in this act may, in the discretion of the board, be issued a certificate to practice in this state.

Section 2. W.S. 33-30-202(a) by creating new paragraphs (x) and (xi) and 35-7-1010 are amended to read:


(a) When used in this act, these words and phrases, unless the context otherwise indicates, shall be defined as follows:

(x) “Animal euthanasia technician” means a person who is employed or sponsored by a law enforcement agency whose duties include euthanizing an unwanted, sick, injured or dangerous domestic animal;

(xii) “Euthanasia” means the act or practice of providing a humane death for an animal.

35-7-1010. Board of pharmacy designated agency to administer registration.

The Wyoming state board of pharmacy in addition to any other duties imposed upon it by law is hereby designated as the agency to administer the registration of the manufacture, distribution and dispensing of controlled substances as hereinafter provided in this act. The board shall register certified animal euthanasia technicians as provided by W.S. 33-30-219 33-20-223(b), for the limited purposes of purchasing, possessing and administering euthanizing drugs as defined by W.S. 33-30-216(a)(v), labeled by the manufacturer for the purpose of euthanizing animals, excluding Schedule I drugs as defined in W.S. 35-7-1013 and 35-7-1014, and performing the duties and powers of a certified animal euthanasia technician.

Section 3. W.S. 7-19-106(a)(x), 33-30-204(m)(xiv) and 33-30-216 through 33-30-222 are repealed.

Section 4. Any amount in the account created under W.S. 33-30-219(c) repealed by this act shall, on the effective date of this act, be transferred to the account created under W.S. 33-30-204(k).

Section 5. This act is effective July 1, 2013.

Approved March 13, 2013.
Chapter 128

PARTITION ACTIONS SUBJECT TO SUBDIVISION LAWS

Original Senate File No. 53

AN ACT relating to partitions of real property; requiring specified partition orders to comply with subdivision laws; and providing for an effective date.

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

Section 1. W.S. 1-32-103, 1-32-104 and 18-5-303(a)(ii) are amended to read:

1-32-103. Filing and contents of petition.
A person entitled to partition of an estate may file his petition in the district court setting forth the nature of his title, a description of the lands, tenements or hereditaments of which partition is demanded, and naming each tenant in common, coparcener or other interested person as defendant. If the petition seeks a division of property which division would otherwise be subject to the provisions of title 18, chapter 5, article 3 of the Wyoming statutes, the petition shall disclose that fact.

1-32-104. Finding of court; order for partition; appointment of commissioners; ordering writ of execution to issue.
If the court finds that the plaintiff has a legal right to any part of the estate, it shall order partition in favor of the plaintiff or all parties in interest, appoint three (3) disinterested persons of the vicinity to be commissioners to make the partition and order a writ of execution to issue. A partition under this article shall be subject to the provisions of title 18, chapter 5, article 3 of the Wyoming statutes including any exemptions provided therein and as authorized by the county pursuant to those provisions. The court shall order the partition only after compliance by the petitioner with those provisions, as applicable.

18-5-303. Exemptions from provisions.
(a) Unless the method of sale or other disposition is adopted for the purpose of evading the provisions of this article, this article shall not apply to the following subdivisions of land however, the following subdivisions are subject to requirements which may be adopted by the board of county commissioners regarding documentation of the proper use and implementation of the following exemptions:

(ii) A division which may be created by any court of this state pursuant to the law of eminent domain, by operation of law or by order of any court in this state, except that this paragraph shall not exempt a partition of real property pursuant to W.S. 1-32-101 through 1-32-122 from compliance with this article if the division would otherwise be subject to the provisions of this article;

Section 2. This act is effective July 1, 2013.

Approved March 13, 2013.
Chapter 129

SCHOOL CAPITAL CONSTRUCTION

Original Senate File No. 105

AN ACT relating to school facilities projects; providing appropriations for school facility projects for the remainder of the biennial period commencing July 1, 2012; providing definitions; modifying construction schedule parameters; and providing for effective dates.

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

Section 1.

(a) As used in this section:

(i) “Needs index priority” means the needs index priority used by the school facilities commission in developing 2013 supplemental budget recommendation for the fiscal year beginning July 1, 2013, and ending June 30, 2014;

(ii) “Previous” means continuation of projects prioritized by needs indices in effect prior to the index developed for the 2013 supplemental budget recommendation for the fiscal year beginning July 1, 2013, and ending June 30, 2014.

(b) The following amounts are appropriated from the school capital construction account to the school facilities commission for the remainder of the fiscal biennium beginning July 1, 2012, and ending June 30, 2014, for the specified purposes:

(i) For design projects:

(A) Up to four million nineteen thousand forty-one dollars ($4,019,041.00) subject to the prescribed maximum amounts:

<table>
<thead>
<tr>
<th>Needs Index Priority</th>
<th>School District</th>
<th>Project</th>
<th>Maximum Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Previous (7)</td>
<td>Carbon #1</td>
<td>High School</td>
<td>$ 303,488*</td>
</tr>
<tr>
<td>Previous (57)</td>
<td>Park #1</td>
<td>Middle School</td>
<td>$ 110,945*</td>
</tr>
<tr>
<td>Previous</td>
<td>Fremont #21</td>
<td>K-8 School</td>
<td>$ 2,406,464*</td>
</tr>
<tr>
<td>3</td>
<td>Natrona #1</td>
<td>Elementary School</td>
<td>$ 616,308*</td>
</tr>
<tr>
<td>9</td>
<td>Goshen #1</td>
<td>Elementary School</td>
<td>$ 406,316*</td>
</tr>
<tr>
<td>Phased</td>
<td>Big Horn #2</td>
<td>High School</td>
<td>$ 175,520*</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td>$ 4,019,041</td>
</tr>
</tbody>
</table>

(B) Appropriations under subparagraph (A) of this paragraph which are asterisked (*), are supplemented by previous appropriations for that specific design project, resulting in total design funding for that project greater than the amount appropriated under this subparagraph.

(ii) Notwithstanding the introductory provision of this subsection, for the period commencing July 1, 2013, and ending June 30, 2014, for capital construction projects:
(A) Up to one hundred seventy million nine hundred eighty-six thousand four hundred eighty-one dollars ($170,986,481.00) subject to following maximum amounts:

<table>
<thead>
<tr>
<th>Needs Index Priority</th>
<th>School District</th>
<th>Project</th>
<th>Maximum Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Previous (57)</td>
<td>Park #1</td>
<td>Middle School</td>
<td>$20,829,927*</td>
</tr>
<tr>
<td>Previous (7)</td>
<td>Carbon #1</td>
<td>High School</td>
<td>$2,023,250*</td>
</tr>
<tr>
<td>Previous</td>
<td>Fremont #21</td>
<td>K-8 School</td>
<td>$10,629,235*</td>
</tr>
<tr>
<td>3</td>
<td>Natrona #1</td>
<td>Elementary</td>
<td>$7,178,085*</td>
</tr>
<tr>
<td>9</td>
<td>Goshen #1</td>
<td>Elementary</td>
<td>$6,267,812</td>
</tr>
<tr>
<td>13</td>
<td>Albany #1</td>
<td>High School</td>
<td>$62,793,354</td>
</tr>
<tr>
<td>16</td>
<td>Uinta #1</td>
<td>Elementary School</td>
<td>$17,739,919</td>
</tr>
<tr>
<td>17</td>
<td>Fremont #14</td>
<td>Elementary School</td>
<td>$15,214,785</td>
</tr>
<tr>
<td>21</td>
<td>Laramie #1</td>
<td>Junior High School</td>
<td>$4,000,000</td>
</tr>
<tr>
<td>25</td>
<td>Natrona #1</td>
<td>Alternative High School</td>
<td>$16,318,523</td>
</tr>
<tr>
<td>Phased</td>
<td>Big Horn #2</td>
<td>High School</td>
<td>$4,218,261</td>
</tr>
<tr>
<td>Phased</td>
<td>Campbell #1</td>
<td>Elementary School</td>
<td>$3,773,330</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td><strong>$170,986,481</strong></td>
</tr>
</tbody>
</table>

(B) Appropriations under subparagraph (A) of this paragraph which are asterisked (*), are supplemented by previous appropriations for that specific construction project, resulting in total construction funding for that project greater than the amount appropriated under this subparagraph.

(iii) Up to two million four hundred thirty-two thousand nine hundred forty-two dollars ($2,432,942.00) for the following demolition projects subject to prescribed maximum amounts:

<table>
<thead>
<tr>
<th>Needs Index Priority</th>
<th>School District</th>
<th>Project</th>
<th>Maximum Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
<td>Natrona #1</td>
<td>Admin Bldg</td>
<td>$50,000</td>
</tr>
<tr>
<td>N/A</td>
<td>Washakie #1</td>
<td>Demolition</td>
<td>$150,000</td>
</tr>
<tr>
<td>N/A</td>
<td>Park #1</td>
<td>Design/Demolition</td>
<td>$2,232,942</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td><strong>$2,432,942</strong></td>
</tr>
</tbody>
</table>

(iv) Up to two million nine hundred fifty thousand dollars ($2,950,000.00) for land acquisitions approved by the school facilities commission. Prior to expenditure of this appropriation, the school facilities department shall report proposed acquisitions to the cochairmen of the joint appropriations committee and the select school facilities committee. Expenditures under this paragraph shall at minimum address the land acquisition needs for a future 6-12 school building in Big Horn School District No. 4 and future elementary school buildings in Campbell County School District No. 1, Fremont County School Dis-
district No. 25 and Sheridan County School District No. 2;

(v) Up to six million six hundred fifty-six thousand twenty dollars ($6,656,020.00) for the following ancillary building projects, subject to the prescribed maximum amounts:

<table>
<thead>
<tr>
<th>Needs Index Priority</th>
<th>School District</th>
<th>Project</th>
<th>Maximum Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
<td>Lincoln #2</td>
<td>Admin Building</td>
<td>$3,182,251</td>
</tr>
<tr>
<td>N/A</td>
<td>Carbon #1</td>
<td>Bus Barn</td>
<td>$3,473,769</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td><strong>$6,656,020</strong></td>
</tr>
</tbody>
</table>

(vi) Up to one million five hundred fifty-one thousand two hundred sixty dollars ($1,551,260.00) for the following track construction projects, subject to the prescribed maximum amounts:

<table>
<thead>
<tr>
<th>Needs Index Priority</th>
<th>School District</th>
<th>Project</th>
<th>Maximum Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
<td>Johnson #1</td>
<td>Renovation of High School Track</td>
<td>$50,619</td>
</tr>
<tr>
<td>N/A</td>
<td>Lincoln #1</td>
<td>Study of Track Remedy</td>
<td>$25,000</td>
</tr>
<tr>
<td>N/A</td>
<td>Laramie #2</td>
<td>Renovation of High School Sports Field and Track</td>
<td>$1,475,641</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td><strong>$1,551,260</strong></td>
</tr>
</tbody>
</table>

(vii) For component level projects:

(A) Up to four million five hundred ninety-seven thousand three hundred dollars ($4,597,300.00), subject to the following maximum amounts:

<table>
<thead>
<tr>
<th>Component Category</th>
<th>Projects</th>
<th>School District</th>
<th>Project</th>
<th>Maximum Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>e.</td>
<td>Platte #2</td>
<td>Elementary/High School</td>
<td></td>
<td>$150,000</td>
</tr>
<tr>
<td>s.</td>
<td>Carbon #1</td>
<td>K-12 School</td>
<td></td>
<td>$500,000</td>
</tr>
<tr>
<td>e.</td>
<td>Campbell #1</td>
<td>Elementary School</td>
<td></td>
<td>$460,000</td>
</tr>
<tr>
<td>e.</td>
<td>Platte #2</td>
<td>Ancillary Building</td>
<td></td>
<td>$15,000</td>
</tr>
<tr>
<td>s.</td>
<td>Campbell #1</td>
<td>Elementary School</td>
<td></td>
<td>$92,000</td>
</tr>
<tr>
<td>s.</td>
<td>Goshen #1</td>
<td>High School</td>
<td></td>
<td>$650,000</td>
</tr>
<tr>
<td>s., i.</td>
<td>Platte #1</td>
<td>Elementary School</td>
<td></td>
<td>$450,000</td>
</tr>
<tr>
<td>s.</td>
<td>Campbell #1</td>
<td>7-12 School</td>
<td></td>
<td>$150,000</td>
</tr>
<tr>
<td>s.</td>
<td>Fremont #25</td>
<td>K-3 School</td>
<td></td>
<td>$156,800</td>
</tr>
<tr>
<td>s.</td>
<td>Fremont #25</td>
<td>4-5 School</td>
<td></td>
<td>$96,000</td>
</tr>
<tr>
<td>c.</td>
<td>Campbell #1</td>
<td>Elementary School</td>
<td></td>
<td>$200,000</td>
</tr>
<tr>
<td>c.</td>
<td>Campbell #1</td>
<td>Elementary School</td>
<td></td>
<td>$241,500</td>
</tr>
</tbody>
</table>
c. Campbell #1 Elementary School $ 126,500
s. Campbell #1 Elementary School $ 632,500
c. Campbell #1 Elementary School $ 92,000
s. Campbell #1 7-12 School $ 135,000
s. Laramie #2 Elementary School $ 65,000
c. Weston #1 Bus Barn $ 385,000
Total $4,597,300

(B) As used in subparagraph (A) of this paragraph, the following component project categories are defined as follows:

(I) “c.” means a building component with a life expectancy of twenty (20) years or more;

(II) “e.” means the building envelope or protective shell;

(III) “i.” means illumination building components;

(IV) “s.” means components pertaining to building safety, security or health.

(viii) Up to six million two hundred forty-two thousand nine hundred fifteen dollars ($6,242,915.00) for unanticipated costs associated with design, construction and component level projects funded under this subsection;

(ix) Ten million dollars ($10,000,000.00) for planning and design remedies to address school building capacity needs as identified by the school facilities commission and reported to the select committee on school facilities and the joint appropriations committee by March 31, 2013.

(c) From amounts appropriated by 2012 Wyoming Session Laws, Chapter 16, Section 1(d), five hundred seventeen thousand three hundred thirty-four dollars ($517,334.00) shall be paid by the school facilities department to Natrona county school district no. 1 for reimbursement of amounts expended for the acquisition and demolition of properties involved in a high school renovation project site.

Section 2. 2012 Wyoming Session Laws, Chapter 16, Section 1(c)(viii)(E) and (d) is amended to read:

(c) The following amounts are appropriated from the school capital construction account to the school facilities commission for the 2013-2014 biennium for the specified purposes:

(viii) For capital construction projects:

(E) In expending funds for capital construction projects appropriated under this paragraph 2012 Wyoming Session Laws, Chapter 16, Section 1(c)(viii), for capital construction projects funded under the 2013 supplemental appropriation and for capital construction projects funded under prior biennial appropriations which are expended on and after the effective date of this act, the director of the department, in
consultation with the governor, shall develop a construction schedule in consideration of parameters established by this subparagraph. These parameters are not intended to be quantifiable. The parameters are to be established for use in efficiently administering available resources and in scheduling capital construction projects in a manner maximizing taxpayer’s value in deploying resources. Any decision rendered by the director under this subparagraph is a discretionary determination not subject to judicial review; a school district’s only relief is to the Wyoming legislature. The construction schedule developed in accordance with this subparagraph shall consider parameters that:

(I) **Maximizes** cost savings at or below project budget amounts specified under this paragraph appropriated by law;

(II) **Optimizes** Wyoming workforce opportunities at a predictable and manageable level;

(III) **Provides** for construction throughout the state in a manner as uniform as is possible; and

(IV) **Prevents** unnecessary delays in initiating and implementing building and facility remedies.

(d) **Effective July 1, 2013,** up to one hundred nineteen million two hundred thirty-eight thousand three hundred eight dollars ($119,238,308.00) is appropriated from the school capital construction account to the school facilities commission for the high school construction and renovation project addressing needs index priority 19 in Natrona county school district no. 1.

**Section 3.** An amount is appropriated from the permanent land fund holding account created by 2012 Wyoming Session Laws, Chapter 16, Section 1(j)(iv), as necessary to ensure a positive balance is maintained within the school capital construction account as of June 30, 2014.

**Section 4.** 2012 Wyoming Session Laws, Chapter 16, Section 2(c) is repealed.

**Section 5.**

(a) Except as provided in subsection (b) of this section, 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.

(b) Notwithstanding subsection (a) of this section, section 1(b)(ii) of this act is effective July 1, 2013.

Approved March 13, 2013.
Chapter 130

FIRST RESPONDER RETIREMENT ACCOUNT PAYMENT RULES

Original Senate File No. 44

AN ACT relating to the military department; requiring rule making for first responder retirement account payments as specified; and providing for an effective date.

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

Section 1. W.S. 19-11-115(f) is amended to read:

19-11-115. State retirement systems; payment of contributions; interest.

(f) The provisions of subsection (e) of this section shall also apply to any Wyoming resident whose primary occupation is that of a first responder when that person is called or ordered into federal service with a national guard unit in any state in the United States. The adjutant general shall promulgate rules and regulations to for the administration of the payments authorized under subsection (e) of this section which rules shall provide a method for application for persons not serving in the Wyoming national guard and which shall establish a method for prorating payments where insufficient funds exist to make full payment on behalf of all qualifying persons.

Section 2. 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.

Approved March 13, 2013.

Chapter 131

ACTIVE DUTY MEDICAL COST REIMBURSEMENT PROGRAM AMENDMENTS

Original Senate File No. 78

AN ACT relating to the military department; amending the circumstances under which the adjutant general may pay medical expenses incurred as a result of state active duty; and providing for an effective date.

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

Section 1. W.S. 19-9-403(a) is amended to read:

19-9-403. Pay and allowances of officers and enlisted men in active state service and state active duty; worker's compensation coverage for national guard members; no pension denied by reason of service.

(a) Officers and enlisted men while in active state service shall receive the same pay and allowances as are paid for the same rank and grade for service in the armed forces of the United States. While serving in state active duty,
officers and enlisted men are entitled to receive reimbursement for The adjutant general may pay or reimburse reasonable medical expenses paid by the incurred by an officer or enlisted man as a direct consequence of state active duty. Medical expenses paid or reasonably eligible for payment by any third party on behalf of the officer or enlisted man; shall not be eligible for payment or reimbursement. The adjutant general shall determine, pursuant to rules and regulations adopted under this subsection, whether medical expenses incurred by an officer or enlisted man are the consequence of state active duty.

Section 2. 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.

Approved March 13, 2013.

Chapter 132

BIDDER QUALIFICATIONS-COMMUNITY COLLEGES-2

Original Senate File No. 144

AN ACT relating to community college district boards; granting community college district boards the authority to qualify bidders as specified; and providing for an effective date.

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

Section 1. W.S. 21-18-303(a) by creating a new paragraph (xvii) is amended to read:

21-18-303. District board generally; powers; board approved additional mill levy.

(a) The community college district board may:

(xvii) Subject to all applicable laws and rules, determine the qualifications and responsibilities of bidders or respondents on contracts for the construction of public projects, facilities or structures over which the board controls the bidding process, through the use of standard forms and procedures adopted by the board.

Section 2. 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.

Approved March 13, 2013.
Chapter 133

UNEMPLOYMENT INSURANCE-FEDERAL COMPLIANCE

Original Senate File No. 73

AN ACT relating to unemployment compensation; providing that an employer's account shall not be relieved of benefit charges for an erroneous payment caused by the employer's failure to provide requested information as specified; providing definitions; amending the penalty assessment on fraudulently received benefits; making conforming amendments; and providing for an effective date.

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

Section 1. W.S. 27-3-102(a) by creating new paragraphs (xxii) and (xxiii) and by renumbering (xxii) as (xxiv), 27-3-409(a) and (d) and 27-3-506 by creating new subsections (e) and (f) are amended to read:

27-3-102. Definitions generally.

(a) As used in this act:

(xxii) “Erroneous payment” means a payment that, but for the failure by the employer or the employer’s agent to provide requested information with respect to the claim for unemployment compensation, would not have been made;

(xxiii) “Pattern of failing” means repeated documented failure on the part of the employer or the agent of the employer to respond to a written request from the department for information relating to a claim for benefits, taking into consideration the number of instances of failure in relation to the total volume of requests by the department to the employer or the employer’s agent;

(xxiv) “This act” means W.S. 27-3-101 through 27-3-706.

27-3-409. Payment of benefits upon determination; repayment of overpaid benefits; penalty.

(a) Benefits shall be paid in accordance with a determination, redetermination or decision until modified or reversed by a subsequent or pending redetermination or decision. A proceeding for judicial review under this article shall not operate as a supersedeas or stay nor shall the commission or the court issue an injunction, supersedeas, stay or other writ or process suspending the payment of benefits. Except as provided in W.S. 27-3-506(e), if a determination, redetermination or decision is reversed or modified, an employer’s account shall not be charged for benefits paid under an erroneous determination and benefits shall be paid or denied in accordance with the modifying or reversing redetermination or decision.

(d) Any overpayment of benefits fraudulently received shall be assessed a penalty equal to five percent (5%) or twenty percent (20%) of the amount of overpayment and an additional five percent (5%) penalty on the remaining unpaid balance at the end of every six (6) months. One-fourth (1/4) of the amounts
collected pursuant to this subsection the initial penalty and all of the additional penalties shall be paid into the employment security revenue account; and the department shall utilize the collected amounts for administrative costs of overpayment collection, fraud investigation, developing and providing educational programs for this act. Three-fourths (3/4) of the amounts collected pursuant to the initial penalty shall be paid into the unemployment trust fund account. Offset shall not be used to recover amounts due under this section.

27-3-506. Notice of rates and charges; relief, review or redetermination.

(e) An employer’s account shall not be relieved of charges relating to a payment that was made erroneously from the unemployment compensation fund after July 1, 2013 if the department determines that:

(i) The erroneous payment was made because the employer, or the agent of the employer, was at fault for failing to respond timely or adequately to a written request, sent by United States mail or by electronic mail, from the department for information relating to the claim for benefits which resulted in the erroneous payment; and

(ii) The employer or agent has established a pattern of failing to respond timely or adequately to requests similar to those identified in paragraph (i) of this subsection.

(f) For purposes of subsection (e) of this section, “timely” means within fifteen (15) days after a notice or request is sent by United States mail or by electronic mail to the address of record of the employer or employer’s agent. The department shall acknowledge receipt of the requested information within fifteen (15) days, if requested by the employer or the employer’s agent. Acknowledgment shall be by United States mail or electronic mail.

Section 2. This act is effective July 1, 2013.

Approved March 13, 2013.

Chapter 134

RESIDENT PREFERENCE PROVISIONS

Original Senate File No. 28

AN ACT relating to administration of government; modifying procurement requirements for expenditures for capital construction projects; amending the definition of resident contractor; modifying and specifying preference requirements and procedures; providing that the state treasurer shall collect insurance on destroyed state buildings as specified; removing a dollar limit on materials contracts eligible for a preference; providing that preference requirements apply equally to all business entities and delivery methods; amending reporting requirements; providing a definition; repealing a sunset date; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:
Section 1. W.S. 15-6-302 by creating a new subsection (d), 16-6-101(a)(i)(intro), (A), (B), (C)(intro), (I), (III), (D)(intro), (II), (J)(intro), by creating a new subparagraph (M), (iii)(D), by creating a new paragraph (v) and by renumbering (v) as (vi), 16-6-102(a), 16-6-102(a), 16-6-105(a), 16-6-106, 16-6-107, 16-6-109, 16-6-112(a)(intro), 16-6-119, 16-6-120(b)(intro), 16-6-201(a)(ii), 16-6-206(b), 16-6-301(b), 16-6-701(a)(i) and (v), 16-6-702, 16-6-1001(a)(intro), (i)(E), (ii)(C) and (iii) and 18-3-504 by creating a new subsection (d) are amended to read:

15-6-302. Call for bids; contents; procedure for awarding and executing contracts.

(d) All bids and contracts for capital construction projects shall be in accord with the Wyoming contractor preference laws of title 16, chapter 6.

16-6-101. Definitions.

(a) As used in this act:

(i) "Resident" means a natural person, association, partnership, limited partnership, registered limited partnership, registered limited liability company or corporation or business entity authorized to be formed under title 17 of the Wyoming statutes, or the laws of another state that are the functional equivalent, and that is certified as a resident by the department of workforce services following receipt of an affidavit executed and sworn to by a chief executive officer of the entity setting forth information required by the department to determine compliance with this act and prior to bidding upon the contract or responding to a request for proposal, subject to the following criteria:

(A) Any natural person who has been a resident of the state for one (1) year or more immediately prior to bidding upon the contract or responding to a request for proposal;

(B) A partnership, association, limited partnership, registered limited partnership, registered limited liability company or corporation, each member or shareholder of which has been a resident of the state for one (1) year or more immediately prior to bidding upon the contract or responding to a request for proposal;

(C) A corporation, each member or shareholder of which has been a resident of the state for one (1) year or more immediately prior to bidding upon the contract or responding to a request for proposal;

(I) With at least fifty percent (50%) of the issued and outstanding shares of stock in the corporation or business entity owned by persons who have been residents of the state for one (1) year or more prior to bidding upon the contract or responding to a request for proposal;

(III) The president of the corporation, chief executive officer of the business entity, or the business entity has been a resident of the state for one (1) year or more immediately prior to the business entity's bidding upon the contract or responding to a request for proposal.
(D) A corporation business entity organized under the laws of the state which has been in existence in the state for one (1) year or more and whose president/chief executive officer has been a resident of the state for one (1) year or more immediately prior to bidding upon the contract or responding to a request for proposal and maintains its principal office and place of business within the state. If at least fifty percent (50%) of the issued and outstanding shares of stock in the corporation are equity in the business entity is owned by nonresidents, shares of the corporation the nonresident equity owned by the nonresidents shall:

(II) If it consists of shares in a corporation, be publicly traded and registered under Section 13 or 15(d) of the Securities Exchange Act of 1934 for one (1) or more classes of its shares.

(J) A corporation business entity organized under the laws of any state which has been in existence for two (2) years or more:

(M) No preference under this article shall be awarded to any contractor who is not a certified resident contractor at the time bids are submitted for a public capital construction project, and no contractor shall receive a contingent or retroactive resident certification.

(iii) “Chief executive officer” means:

(D) For a limited liability company, a designated member or manager of the limited liability company;

(v) Major maintenance” means the repair or replacement of complete or major portions of building and facility systems at irregular intervals which is required to continue the use of the building or facility at its original capacity for its original intended use and is typically accomplished by contractors due to the personnel demand to accomplish the work in a timely manner, the level of sophistication of the work or the need for warranted work;

(vi) “This act” means W.S. 16-6-101 through 16-6-121.

16-6-102. Resident contractors; preference limitation with reference to lowest bid or qualified response; decertification; denial of application for residency.

(a) If a contract is let by the state, any department thereof, or any county, city, town, school district, community college district or other public corporation of the state for the erection, construction, alteration or repair major maintenance or renovation of any public building, or other public structure, or for making any addition thereto, or for any public work or improvements, the contract shall be let, if advertisement for bids or request for proposal is not required, to a resident of the state. If advertisement for bids is required, the contract shall be let to the responsible certified resident making the lowest bid if the certified resident’s bid is not more than five percent (5%) higher than that of the lowest responsible nonresident bidder.
16-6-105. Preference for Wyoming materials and Wyoming agricultural products required in public purchases; exception; cost differential; definition.

(a) Every board, commission or other governing body of any state institution, and every person acting as purchasing agent for the board, commission or other governing body of any state institution or department, and every county, municipality, school district and community college district, shall prefer in all purchases for supplies, material, agricultural products, equipment, machinery and provisions to be used in the construction, major maintenance and upkeep renovation of their respective institutions, supplies, materials, agricultural products, equipment, machinery and provisions produced, manufactured or grown in this state, and supplies, materials, agricultural products, equipment, machinery and provisions supplied by a resident of the state, competent and capable to provide service for the supplies, materials, agricultural products, equipment, machinery and provisions within the state of Wyoming. Preference shall not be granted for articles of inferior quality to those offered by competitors outside of the state, but a differential of not to exceed five percent (5%) may be allowed in cost of contracts less than five million dollars ($5,000,000.00) for the Wyoming materials, supplies, agricultural products, equipment, machinery and provisions of quality equal to those of any other state or country.

16-6-106. Statement of Wyoming materials preference in requests for bids and proposals.

All requests for bids and proposals for materials, supplies, agricultural products, equipment, machinery and provisions for the construction, major maintenance and upkeep renovation of every state, county, municipal, community college district or school district institution shall contain the words “preference is hereby given to materials, supplies, agricultural products, equipment, machinery and provisions produced, manufactured or grown in Wyoming, or supplied by a resident of the state, quality being equal to articles offered by the competitors outside of the state”.

16-6-107. Wyoming materials preference required in construction, major maintenance and renovation of public structures; exception.

All public buildings, courthouses, public school buildings, public monuments and other public structures constructed in this state shall be constructed and maintained by using materials produced or manufactured in Wyoming for construction, major maintenance and renovation projects if Wyoming materials are suitable and can be furnished in marketable quantities. Preference shall not be granted for materials of an inferior quality to those offered by competitors outside of the state, but a differential of not to exceed five percent (5%) may be allowed in cost of contracts less than five million dollars ($5,000,000.00) for the Wyoming materials of equal quality as against materials from states having or enforcing a preference rule against “out-of-state” products shall be allowed in cost of materials produced or manufactured in Wyoming.
16-6-109. Use of insurance for rebuilding state structures.

When buildings belonging to the state are destroyed by fire, the insurance on the buildings shall be collected by the state treasurer. The governing board of the state institution suffering the loss by fire may draw on the state treasurer for the amount of money collected and use the insurance money for the rebuilding of the structure destroyed by fire if, in the opinion of the governing board, the structure should be rebuilt.

16-6-112. Contractor’s bond or other guarantee; when required; conditions; amount; approval; filing; enforcement upon default.

(a) Except as provided under W.S. 9-2-1016(b)(xviii), any contract entered into with the state, any county, city, town, school district or other political subdivision of the state for the erection, construction, alteration, repair or addition to, major maintenance or renovation of, any public building or other public structure or for any public work or improvement and the contract price exceeds seven thousand five hundred dollars ($7,500.00), shall require any contractor before beginning work under the contract to furnish the state or any political subdivision, as appropriate, a bond or if the contract price is one hundred fifty thousand dollars ($150,000.00) or less, any other form of guarantee approved by the state or the political subdivision. The bond or other form of guarantee shall be:

16-6-119. State construction; right to reject bids or responses; qualifications of bidders and respondents.

Every state agency, board, commission, department or institution shall be authorized to determine the qualifications and responsibilities of bidders or respondents on contracts for the construction, major maintenance or renovation of a public project, facility or structure using standard forms and procedures adopted by the department of administration and information, and may recommend that the department of administration and information reject any or all bids or responses based on the qualifications and responsibilities of bidders and respondents and readvertise for bids or responses.

16-6-120. Rulemaking; penalties; enforcement.

(b) Unless punishable under subsection (c) of this section, an individual, partnership, association, limited partnership, registered limited partnership, registered limited liability company or corporation or a business entity and any officer or member thereof that intentionally falsifies information under this act shall be:

16-6-202. Definitions.

(a) As used in this act:

(ii) “Resident” includes any person who is a citizen of the United States, or a person who is authorized to work in the United States by an agency of the
federal government, and has resided in the state of Wyoming for at least one (1) year immediately preceding his application for employment;

16-6-206. Failure to employ state laborers; penalty.

(b) In the event a second offense occurs within a twelve (12) month period from the date of the first offense, the person shall be barred from bidding on any contract subject to the provisions of this act or submitting any request for proposal on any project subject to the provisions of this act for one (1) year from the date the second violation is corrected.

16-6-301. Preference for resident bidders; exception; “resident” defined; violation.

(b) As used in this section, “resident” means any person, partnership, corporation or association or business entity who has been a bona fide resident of this state as defined in W.S. 16-6-101(a)(i), for one (1) year or more immediately prior to bidding upon a contract, and who has an established printing plant in actual operation in the state of Wyoming immediately prior to bidding upon a contract.

16-6-701. Definitions.

(a) As used in this act:

(ii) “Contractor” means any person who is a party to a contract with a public entity to construct, erect, alter, install or repair, renovate or perform major maintenance of any highway, public building, public work or public improvement, structure or system;

(v) “Alternate design and construction delivery method” means the delivery method described by any qualifications based procurement of design and construction services, including all procedures, actions, events, contractual relationships, obligations and forms of agreement for the successful completion of the design and construction, alteration or repair major maintenance or renovation of any public building, work, improvement, facility, structure or system other than by design, bid and build. Alternate design and construction delivery methods available to a public entity include construction manager agent, construction manager at risk or design-builder;

16-6-702. Public entity; contracts; partial payments; alternate delivery methods authorized.

(a) Notwithstanding W.S. 15-1-113(e), a public entity awarding a contract for the construction, alteration or repair major maintenance or renovation of any highway, public building, public work or public improvement, structure or system shall authorize partial payments of the amount due under the contract as stipulated in the contract document or as soon thereafter as practicable, to the contractor if the contractor is satisfactorily performing the contract. No more than ten percent (10%) of the calculated value of any work completed shall be
withheld until fifty percent (50%) of the work required by the contract has been performed. Thereafter, the public entity may pay any of the remaining installments without retaining additional funds if, in the opinion of the public entity, satisfactory progress is being made in the work but under no condition shall more than ten percent (10%) be withheld on the remaining fifty percent (50%) of the work required. The withheld percentage of the contract price of the work, improvement—major maintenance, renovation or construction shall be retained in an account in the name of the contractor which has been assigned to the public entity until the contract is completed satisfactorily and finally accepted by the public entity. If the public entity finds that satisfactory progress is being made in all phases of the contract, it may, upon written request by the contractor, authorize payment from the withheld percentage. Before the payment is made, the public entity shall determine that satisfactory and substantial reasons exist for the payment and shall require written approval from any surety furnishing bonds for the contract work.

(b) Alternate design and construction delivery methods may be used by a public entity to design, construct, alter, repair or maintain, renovate or perform major maintenance of a public works projects.

ARTICLE 10
CAPITAL CONSTRUCTION PROJECTS

16-6-1001. Capital construction projects restrictions; preference requirements; waivers.

(a) Unless otherwise prohibited by federal law, any legislatively appropriated funds appropriated or authorized for expenditure during the fiscal biennium ending June 30, 2012 or ending June 30, 2014, which have not been encumbered, obligated by contract or designed as of January 17, 2011, for capital construction projects shall be subject to the restrictions of this section which shall be construed where possible as complimentary and consistent with other statutory requirements relating to competitive bidding and contractor preferences. To the extent the restrictions in this section are inconsistent with other state statutes, this section shall supersede all such inconsistent provisions and shall govern. This section shall be applied as follows:

(i) This paragraph shall apply to any alternate design and construction delivery method as defined in W.S. 16-6-701(a)(v):

(E) Any approved waiver shall be documented in writing and provided to the governor. Notice of all approved waivers shall also be published on a website maintained by the construction management division of the department of administration and information, including a statement of the grounds for the waiver.

(ii) Unless exempted pursuant to subparagraph (D) of this paragraph, this paragraph shall apply to all construction delivery methods:
(C) A five percent (5%) preference shall be granted to responsible Wyoming resident suppliers for procurements by public entities subject to this paragraph and that are used in and incorporated into a public capital construction project:

(iii) All bids shall be opened in public in an office of the agency at a location designated by the public entity soliciting the bid. This paragraph shall apply to all construction delivery methods;

18-3-504. Powers and duties generally.

(d) All bids and contracts for capital construction projects shall be in accord with the Wyoming contractor preference laws of title 16, chapter 6.

Section 2. W.S. 16-6-101(a)(i)(E) through (G) and 16-6-1001(e) are repealed.

Section 3. This act is effective July 1, 2014.

Approved March 13, 2013.

Chapter 135

INSURANCE-PUBLICATIONS REQUIREMENTS

Original Senate File No. 36

AN ACT relating to insurance; providing for publication of summary annual financial statements on the department of insurance website; repealing provisions for newspaper publication of the same; providing for publication of public service announcements; and providing for an effective date.

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

Section 1. W.S. 26-3-126(b)(iii) and by creating a new subsection (d) is amended to read:

26-3-126. Annual statement; correction and publication of statements.

(b) After any corrections noted are made, the commissioner shall:

(iii) Cause each summary and certificate to be published for six (6) successive days in a daily newspaper of general circulation within the state, or for six (6) successive weeks in a weekly newspaper of general circulation, and the insurer shall pay the cost of publication upon receipt of a statement from the newspaper directly accessible to the public via a link from the main page of the official department website.

(d) The commissioner shall cause to be published no less than six (6) times per year and no more than twelve (12) times per year, in newspapers of general circulation within the state that meet the requirements of legal newspapers pursuant to W.S. 18-3-519, a public service announcement pertaining to insurance which shall include a description of how citizens may access information about licensed insurance companies on the official department website. The cost of
the publications shall be shared equally among all insurers required to file an annual statement pursuant to W.S. 26-3-123 and each insurer shall pay its share of the cost of publication upon receipt of a statement from the department. The department shall report to the joint corporations, elections and political subdivisions interim committee on or before July 1, 2015 concerning any public response to the public service announcements required by this subsection.

Section 2. W.S. 26-3-126(c) is repealed.

Section 3. 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.

Approved March 13, 2013.

Chapter 136

THREATS OF BODILY INJURY OR DEATH

Original Senate File No. 159

AN ACT relating to crimes and offenses; modifying elements of the offense of threatening injury as specified; specifying the location where the crime is committed; providing a definition; and providing for an effective date.

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

Section 1. W.S. 6-6-103(b)(ii), (c) and by creating a new subsection (d) is amended to read:

6-6-103. Telephone calls; unlawful acts; penalties; communicating a threat of bodily injury or death; place of commission of crime.

(b) A person commits a misdemeanor punishable by imprisonment for not more than one (1) year, a fine of not more than one thousand dollars ($1,000.00), or both, if:

(ii) He telephones another or otherwise electronically or in writing communicates with a person and threatens to: inflict injury or physical harm to the person or property of any person.

(A) Inflict death to the person, to the person’s immediate family or to anyone at the school in which the person is a student or employee; or

(B) Inflict injury or physical harm to the person, to the person’s immediate family or to property of the person.

(c) A crime under this section is committed at the place where the calls or other electronic or written communications either originated or were received.

(d) For purposes of this section, “immediate family” means a spouse, parent, sibling, child or other person living in the person’s household.
Section 2. 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.

Approved March 13, 2013.

Chapter 137

PRIVATE TRANSFER FEES

Original Senate File No. 9

AN ACT relating to real property; clarifying provisions defining private transfer fee; making permanent the private transfer fee prohibition; specifying that the transfer of mineral rights, interests and obligations and surface rights appurtenant to severed mineral rights, interests and obligations are exempt from private transfer fee provisions; and providing for an effective date.

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

Section 1. W.S. 34-28-101(a)(ii)(A) and (B), 34-28-102 and 34-28-103 by creating a new subsection (d) are amended to read:


(a) As used in this chapter:

(ii) “Private transfer fee” means a fee or charge payable upon the transfer of an interest in real property, or payable for the right to make or accept the transfer, regardless of whether the fee or charge is a fixed amount or is determined as a percentage of the value of the property, the purchase price or other consideration given for the transfer. “Private transfer fee” shall not include the following:

(A) Any consideration payable by the grantee to the grantor for the interest, in real property being transferred, including any subsequent additional consideration for the property payable by the grantee based upon any subsequent appreciation, development, lease or sale of the separate mineral estate and its appurtenant surface access rights;

(B) Any consideration payable by the grantee to the grantor for the interest in real property, other than a mineral estate and its appurtenant surface access rights, being transferred, including any subsequent additional consideration for the property payable by the grantee based upon any subsequent appreciation, development or sale of the property, provided the additional consideration is payable on a one (1) time basis only and the obligation to make the payment does not bind successors in title to the property;


A private transfer fee obligation recorded or entered into in this state on or after April 1, 2012 and before July 1, 2014 does not run with the title to real
property and is not binding on or enforceable at law or in equity against any subsequent owner, purchaser or mortgagee of any interest in real property as an equitable servitude or otherwise.

34-28-103. Recording of existing private transfer fee obligations; jurisdictions; affidavit of payment; exemption of mineral rights.

(d) Nothing in this chapter shall apply to:

(i) A transfer of mineral rights, interests and obligations;

(ii) The transfer of any surface right appurtenant to a mineral right, interest or obligation which has been severed from the surface estate.

Section 2. This act is effective July 1, 2013.

Approved March 13, 2013.

Chapter 138

AERONAUTICS PROGRAMS

AN ACT relating to aeronautics programs; modifying provisions of the air services enhancement program; transferring administration and final approval for loans under the airport construction and improvement loan program from the aeronautics commission to the state loan and investment board; repealing obsolete provisions; making conforming amendments; providing an appropriation; and providing for an effective date.

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

Section 1. W.S. 10-3-101(h), 10-3-601(b) and 10-3-602(b) and (c) are amended to read:

10-3-101. Creation; composition; appointment; term; removal; qualifications; vacancies; compensation; office; acceptance of grants.

(h) The commission shall meet as necessary to properly exercise its functions, but shall meet not less than quarterly to consider the distribution of grants and loans under W.S. 10-3-401 and 10-3-403 provide information and recommendations based upon existing airport planning priorities to the state loan and investment board for actions on loan applications under W.S. 9-12-703.

10-3-601. Wyoming air services enhancement; legislative findings; Wyoming aeronautics commission authority to contract for services; requirements.

(b) The Wyoming aeronautics commission may enter into agreements to provide financial assistance to persons doing business or who will do business in the state, to economic development organizations within the state, to joint powers boards or to other entities formed to provide for enhanced air service to communities in Wyoming that have or are seeking commercial air service,
for the enhancement of air services in the state conditioned upon contractual assurances that specified benefits will accrue to the state through increased air traffic and enplanements. For purposes of this article, “enhanced air service” shall include, but not be limited to, assisting airports in the state with commercial air service to have the appropriate level of state or federal security configuration to accommodate proposed air service and aircraft capacity. When entering into an agreement the commission shall give consideration to each of the following potential benefits accruing to the state: shall include, but not be limited to, increasing the minimum number of enplanements at airports facing a possible loss of federal airport improvement program funding, increasing passenger enplanements at commercial airports in Wyoming, increasing the number of Wyoming passengers originating flights in Wyoming commercial airports rather than airports in other states, increasing frequency or sustaining flight operations from commercial airports in Wyoming to regional airport hubs, increasing the consistency of service, and lowering airfares for air passengers and increasing the number of routes flown within the state in Wyoming communities as a result of an air service enhancement grant. The commission shall consult with counties, cities, towns, joint powers boards, airport boards or other entities pursuing air service enhancement before entering into agreements to provide air service enhancement and shall require local funds for the provision of air service enhancement grants. The amount of local funds required for the provision of enhancing air services shall be determined by the commission, taking into account the types of service for which grants are approved, the diverse characteristics of the communities to which air service is contracted for and other considerations examined by the commission.

10-3-602. Wyoming air services enhancement account.

(b) Any funds appropriated by the legislature to the account established under subsection (a) of this section shall not lapse as provided by W.S. 9-4-207(a), but shall revert to the air services enhancement account within the highway fund on September 30, 2007.

(c) The commission shall report to the joint minerals, business and economic development interim committee, the joint appropriations interim committee and the air transportation liaison committee annually no later than September 30, 2005, with respect to the status of the program under W.S. 10-3-601, including The report shall include any actions taken and funds expended in consideration of, and pursuant to, any contract entered into under W.S. 10-3-601. If any funds are expended under a contract prior to June 30, 2006, the commission shall also report no later than that date and annually thereafter with respect to and the performance of any recipient of funds under the contract including measurements of contractual assurances of benefits accruing to the state.

Section 2. W.S. 10-3-403 is amended and renumbered as W.S. 9-12-703 to read:
10-3-403 9-12-703. Loans for airport construction and improvement and air service promotion; authority to make; security; rulemaking authority; limitation.

(a) The commission—state loan and investment board may make loans to counties, cities and towns and joint powers boards within the state for construction, development and improvement of airport facilities generating user fees. The loans shall be from the permanent mineral trust fund and shall not exceed the aggregate of ten million dollars ($10,000,000.00), including all loans made under this subsection prior to July 1, 2005 and still outstanding on that date. The board shall request review by and recommendation of the aeronautics commission on all applications for loans under this section and shall make a recommended loan unless, based upon the credit worthiness of the project, the board determines the loan would not be a prudent investment of permanent mineral trust funds.

(b) The term of repayment for a loan under this section shall not exceed twenty (20) years.

(c) The commission—board may take a lien against the facilities generating user fees as security for repayment of loans under this section.

(d) The interest rate for loans under this section shall be five percent (5%) per annum.

(e) The commission—board shall adopt rules and regulations to administer loans under this section, including eligibility criteria.

Section 3.

(a) All funds for the airport construction and improvement loan program shall be transferred from control of the aeronautics commission to the state loan and investment board to be administered as provided by this act. No positions or personnel shall be transferred to the state loan and investment board pursuant to this act. Contracts, agreements or other obligations of the aeronautics commission relating to the airport construction and improvement loan program shall be assumed by the state loan and investment board and the validity of the same shall not be affected by this act.

(b) The aggregate amount of ten million dollars ($10,000,000.00) in loans from the permanent mineral trust fund made pursuant to W.S. 9-12-703(a) shall include loans made by the state loan and investment board under W.S. 9-12-703 and loans made by the aeronautics commission under W.S. 10-3-403(a), prior to its amendment and renumbering by this act, which are still outstanding on the effective date of this act.

Section 4.

(a) There is appropriated ten thousand dollars ($10,000.00) from the general fund to the office of state lands and investments. This appropriation shall be
for the period beginning with the effective date of this act and ending June 30, 2014.

(b) This appropriation shall only be expended for the purpose of carrying out duties under W.S. 9-12-703. Notwithstanding any other provision of law, this appropriation shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation shall revert as provided by law on June 30, 2014.

(c) This appropriation shall be included in the office of state lands and investments 2015-2016 standard biennial budget request.

Section 5. This act is effective July 1, 2013.

Approved March 13, 2013.

Chapter 139

STATE AUDITOR-EMPLOYEE PAYMENT METHOD AMENDMENTS

Original Senate File No. 80

AN ACT relating to duties of the state auditor; providing additional methods for paying state employees; allowing flexibility in the disclosure of pay and wage information to all state employees by electronic means; modifying the date of final pay for state employees whose employment terminates; and providing for an effective date.

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

Section 1. W.S. 9-1-403(b)(vi), by creating a new paragraph (vii) and (c) by creating a new paragraph (ix) and 9-3-101 by creating a new subsection (f) are amended to read:

9-1-403. State auditor; duties; prohibited acts; powers; investigative subpoenas.

(b) The state auditor shall not draw warrants:

(vi) For payment of salaries or wages for state officials or employees before the completion of the period for which the compensation is being paid, except that employees leaving the service of the state may be paid at the termination of their period of employment. Effective April 1, 1992 - July 1, 2013, all salary and wage payments to persons employed by the state of Wyoming, other than the University of Wyoming, shall be made by direct deposit, unless the individual employee elects not to participate in this program.

(A) Direct deposit;

(B) Warrant;

(C) Debit card or other type of pay card; or

(D) Any combination of the methods identified in this paragraph.
(vii) If the auditor elects to make payment to state employees using a debit card or other type of pay card authorized under paragraph (vi) of this subsection, any contract the auditor enters into with a card issuer shall require the issuer to provide the benefits of deposit insurance offered by the Federal Deposit Insurance Corporation. The auditor’s contract with the card issuer also shall provide each employee using a debit or other pay card one (1) or more free withdrawals per pay period at a banking institution or in-network automatic teller machine and shall prohibit the extension of credit and the use of overdrafts.

c (c) The state auditor may:

(ix) Notwithstanding W.S. 27-4-101(b), provide to state employees who are paid through the uniform accounting and payroll system the information required by W.S. 27-4-101(b):

(A) In writing;

(B) By electronic means; or

(C) By any other means which supplies the required information in a form that the employee can retain in written form.

9-3-101. Salaries; amount; date of payment.

(f) Notwithstanding the time limits required by W.S. 27-4-104(a), upon termination of employment, a state employee or officer shall be paid all wages and salaries due for work performed prior to termination on or before the next regular day upon which he would have received the pay if still employed.

Section 2. This act is effective July 1, 2013.

Approved March 13, 2013.

Chapter 140

WATER AND SEWER DISTRICTS-ELECTORS

Original Senate File No. 99

AN ACT relating to water and sewer districts; providing that electors and voters include qualified electors and landowners; amending requirements for directors; and providing for an effective date.

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

Section 1. W.S. 41-10-101 by creating a new subsection (b), 41-10-107(d) and 41-10-112(b) are amended to read:


(b) For purposes of this act and application of the Special District Elections Act of 1994 to this act, the term “electors” or “voters” include qualified elec-
tors as defined in W.S. 22-29-104(a)(iv) and landowners as defined in W.S. 22-29-104(a)(ii).

41-10-107. Election in connection with establishment.

(d) At the formation election the voters shall vote for or against the formation of the district, and for five (5) taxing electors of the district, who shall constitute the board of directors of the district, if organized, to serve until the next regular subsequent director election.

41-10-112. Subsequent elections of members of board of directors of district.

(b) District board members shall serve for a term of four (4) years, except that at the first regular subsequent director election following the formation of the district there shall be elected by the voters of the district two (2) members of the board to serve for a term of two (2) years and three (3) members to serve for terms of four (4) years. Thereafter elections shall be held every two (2) years. Each director shall be a taxing voter of the district.

Section 2. This act is effective July 1, 2013.

Approved March 13, 2013.

Chapter 141

OMNIBUS WATER BILL-CONSTRUCTION

Original Senate File No. 69

AN ACT relating to water development projects; providing for construction of dams and reservoirs; authorizing construction of designated water projects; describing projects; specifying terms and conditions of funding for projects; providing appropriations; modifying project descriptions and terms of appropriations for various specified prior projects; and providing for an effective date.

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

Section 1. W.S. 99-3-1801 through 99-3-1804 are created to read:

ARTICLE 18
2013 CONSTRUCTION PROJECTS

99-3-1801. Definitions.

The definitions in W.S. 99-3-101 apply to this article.

99-3-1802. General authorization.

The provisions of W.S. 99-3-102 apply to this article.

99-3-1803. Level III construction projects – new development.

(a) Authorization is granted for the Level III new development construction projects identified in this section subject to the general conditions specified in W.S. 99-3-103.
(b) Project – Buffalo South Loop Pipeline:
   (i) Project sponsor: City of Buffalo;
   (ii) Project purpose: Municipal, rural domestic water supply;
   (iii) Project description: Design and construction of a transmission pipeline and appurtenances necessary to make the project function in the manner intended;
   (iv) Total project budget: Seven hundred seventy-five thousand dollars ($775,000.00);
   (v) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed five hundred nineteen thousand two hundred fifty dollars ($519,250.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;
   (vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed two hundred fifty-five thousand seven hundred fifty dollars ($255,750.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of twenty (20) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);
   (vii) Appropriation: There is appropriated from water development account I to the commission seven hundred seventy-five thousand dollars ($775,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, 2018.

(c) Project – Burns Well Connection:
   (i) Project sponsor: Town of Burns;
   (ii) Project purpose: Municipal, rural domestic water supply;
   (iii) Project description: Design and construction of a well connection, pumping facilities, pipeline and appurtenances necessary to make the project function in the manner intended;
   (iv) Total project budget: One million two hundred fourteen thousand dollars ($1,214,000.00);
   (v) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed eight hundred thirteen thousand dollars ($813,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;
sand three hundred eighty dollars ($813,380.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed four hundred thousand six hundred twenty dollars ($400,620.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission one million two hundred fourteen thousand dollars ($1,214,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, 2018;

(viii) Special conditions:

(A) The sponsor shall purchase the well drilled during the Level II study for a price not to exceed thirty-three percent (33%) of the well’s actual construction costs. The sponsor may purchase the well with a lump sum payment or with amortized payments for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor at an interest rate of four percent (4%).

(d) Project – Casper Raw Water Supply II:

(i) Project sponsor: City of Casper;

(ii) Project purpose: Municipal raw water supply;

(iii) Project description: Design and construction of a river intake structure modifications, pumping facilities, pipeline and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Seven hundred twenty-seven thousand seven hundred dollars ($727,700.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed four hundred eighty-seven thousand five hundred fifty-nine dollars ($487,559.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission four hundred eighty-seven thousand five hundred fifty-nine dollars ($487,559.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this
subsection shall revert to water development account I on July 1, 2018;

(vii) Special conditions: The sponsor is responsible for acquiring thirty-three percent (33%) of the total project budget from other sources.

(e) Project – Cottonwood Lake Enlargement:

(i) Project sponsor: Cottonwood Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design, permitting, mitigation, right-of-way acquisition and reconstruction of the existing dam and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Three million seven hundred thousand dollars ($3,700,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed two million four hundred seventy-nine thousand dollars ($2,479,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed one million two hundred twenty-one thousand dollars ($1,221,000.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of fifty (50) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission three million seven hundred thousand dollars ($3,700,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, 2020;

(f) Project – Evansville Emergency Connection:

(i) Project sponsor: Town of Evansville;

(ii) Project purpose: Municipal, rural domestic water supply;

(iii) Project description: Design and construction of a pipeline and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two hundred eleven thousand dollars ($211,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from
water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed one hundred forty-one thousand three hundred seventy dollars ($141,370.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission one hundred forty-one thousand three hundred seventy dollars ($141,370.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, 2018;

(vii) Special conditions: The sponsor is responsible for acquiring thirty-three percent (33%) of the total project budget from other sources.

(g) Project – Jeffrey City Water System Improvements:

(i) Project sponsor: Jeffrey City Water & Sewer District;

(ii) Project purpose: Rural domestic water supply;

(iii) Project description: Design and construction of well improvements, a new well, storage tanks, piping and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Six hundred twenty-five thousand dollars ($625,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed four hundred eighteen thousand seven hundred fifty dollars ($418,750.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission four hundred eighteen thousand seven hundred fifty dollars ($418,750.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, 2018;

(vii) Special conditions: The sponsor is responsible for acquiring thirty-three percent (33%) of the total project budget from other sources.

(h) Project – Lance Creek Well Connection:

(i) Project sponsor: Lance Creek Water & Sewer District;

(ii) Project purpose: Rural domestic water supply;

(iii) Project description: Design and construction of a well connection, pumping facilities, pipeline and appurtenances necessary to make the project function in the manner intended;
(iv) Total project budget: One hundred seventy thousand dollars ($170,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed one hundred thirteen thousand nine hundred dollars ($113,900.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed fifty-six thousand one hundred dollars ($56,100.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission one hundred seventy thousand dollars ($170,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, 2018;

(viii) Special conditions:

(A) The sponsor shall purchase the well drilled during the Level II study for a price not to exceed thirty-three percent (33%) of the well’s actual construction costs. The sponsor may purchase the well with a lump sum payment or with amortized payments for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor at an interest rate of four percent (4%).

(j) Project – Mountain View Acres Connection:

(i) Project sponsor: Mountain View Acres Water District;

(ii) Project purpose: Municipal, rural domestic water supply;

(iii) Project description: Design and construction of a pipeline and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Ninety-five thousand dollars ($95,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed sixty-three thousand six hundred fifty dollars ($63,650.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;
(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed thirty-one thousand three hundred fifty dollars ($31,350.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of ten (10) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission ninety-five thousand dollars ($95,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, 2018.

(k) Project – Pavillion Water System Improvements:

(i) Project sponsor: Town of Pavillion;

(ii) Project purpose: Municipal, rural domestic water supply;

(iii) Project description: Design and construction of well improvements, pipeline, tank removal and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two hundred fourteen thousand five hundred dollars ($214,500.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed one hundred forty-three thousand seven hundred fifteen dollars ($143,715.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed seventy thousand seven hundred eighty-five dollars ($70,785.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission two hundred fourteen thousand five hundred dollars ($214,500.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, 2018.
(m) **Project – Sheridan North Loop Transmission Line:**

(i) Project sponsor: City of Sheridan;

(ii) Project purpose: Municipal, rural domestic water supply;

(iii) Project description: Design and construction of a pipeline and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two million three hundred thirty-eight thousand dollars ($2,338,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed one million five hundred sixty-six thousand four hundred sixty dollars ($1,566,460.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission one million five hundred sixty-six thousand four hundred sixty dollars ($1,566,460.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, 2018;

(vii) Special conditions: The sponsor is responsible for acquiring thirty-three percent (33%) of the total project budget from other sources.

[REHABILITATION CONSTRUCTION PROJECTS]

9-3-1804. **Level III construction projects – rehabilitation.**

(a) Authorization is granted for the Level III rehabilitation construction projects identified in this section, subject to the general conditions specified in W.S. 99-3-104.

(b) **Project – Austin-Wall Canal Rehabilitation-Phase I:**

(i) Project sponsor: Austin-Wall Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of water canal system improvements and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two million nine hundred fifty thousand dollars ($2,950,000.00). Total project budget for phase I: Three hundred thousand dollars ($300,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the design, permit procurement and project land procurement of the project one hundred fifty thousand dollars ($150,000.00) or fifty percent (50%) of the actual develop-
ment costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission one hundred fifty thousand dollars ($150,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account II on July 1, 2018;

(vii) Special conditions: The sponsor is responsible for acquiring fifty percent (50%) of the project phase I budget from other sources.

(c) Project – Cody Canal Rehabilitation 2013:

(i) Project sponsor: Cody Canal Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of irrigation water pipeline system improvements and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One hundred forty-four thousand dollars ($144,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project ninety-six thousand four hundred eighty dollars ($96,480.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account II through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed forty-seven thousand five hundred twenty dollars ($47,520.00) or thirty-three percent (33%) of actual development costs, whichever is less, for a term of ten (10) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account II to the commission one hundred forty-four thousand dollars ($144,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account II on July 1, 2018.

(d) Project – Eden Valley Farson Lateral Rehabilitation-Phase I:

(i) Project sponsor: Eden Valley Irrigation & Drainage District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of water canal system
improvements and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Five million one hundred eighty-nine thousand three hundred dollars ($5,189,300.00). Total project budget for phase I: Four hundred sixty-seven thousand dollars ($467,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the design, permit procurement and project land procurement of the project two hundred thirty-three thousand five hundred dollars ($233,500.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropiation: There is appropriated from water development account II to the commission two hundred thirty-three thousand five hundred dollars ($233,500.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account II on July 1, 2018;

(vii) Special conditions: The sponsor is responsible for acquiring fifty percent (50%) of the project phase I budget from other sources.

(e) Project – Goshen Irrigation District Rehabilitation 2013:

(i) Project sponsor: Goshen Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of water lateral improvements and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: Two million eight hundred fifty-eight thousand dollars ($2,858,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the purchase of project materials as supported by vendor invoices and approved by the commission an amount not to exceed one million four hundred thousand dollars ($1,400,000.00) or one hundred percent (100%) of the approved materials costs, whichever is less;

(vi) Appropiation: There is appropriated from water development account II to the commission one million four hundred thousand dollars ($1,400,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account II on July 1, 2018;

(vii) Special conditions:

(A) The sponsor is responsible for all project costs with the exception of the purchase of project materials as supported by vendor invoices and approved by the commission;
(B) The sponsor is responsible for retaining professional engineering services to design the project, compile materials bidding documents and monitor construction activities including the installation of project components and the tracking of project expenditures.

(f) Project – Midvale Rehabilitation 2013:
   (i) Project sponsor: Midvale Irrigation District;
   (ii) Project purpose: Agriculture water supply;
   (iii) Project description: Design and construction of water lateral improvements and appurtenances necessary to make the project function in the manner intended;
   (iv) Total project budget: Five hundred fifty-eight thousand four hundred dollars ($558,400.00);
   (v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the purchase of project materials as supported by vendor invoices and approved by the commission an amount not to exceed three hundred seventeen thousand four hundred dollars ($317,400.00) or one hundred percent (100%) of the approved materials costs, whichever is less;
   (vi) Appropriation: There is appropriated from water development account II to the commission three hundred seventeen thousand four hundred dollars ($317,400.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account II on July 1, 2018;
   (vii) Special conditions:
      (A) The sponsor is responsible for all project costs with the exception of the purchase of project materials as supported by vendor invoices and approved by the commission;
      (B) The sponsor is responsible for retaining professional engineering services to design the project, compile materials bidding documents and monitor construction activities including the installation of project components and the tracking of project expenditures.

(g) Project – Riverton Valley Rehabilitation 2013:
   (i) Project sponsor: Riverton Valley Irrigation District;
   (ii) Project purpose: Agriculture water supply;
   (iii) Project description: Design and construction of water lateral improvements and appurtenances necessary to make the project function in the manner intended;
   (iv) Total project budget: Two hundred fifty-two thousand thirty dollars ($252,030.00);
(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the purchase of project materials as supported by vendor invoices and approved by the commission an amount not to exceed one hundred thirty-seven thousand dollars ($137,000.00) or one hundred percent (100%) of the approved materials costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission one hundred thirty-seven thousand dollars ($137,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account II on July 1, 2018;

(vii) Special conditions:

(A) The sponsor is responsible for all project costs with the exception of the purchase of project materials as supported by vendor invoices and approved by the commission;

(B) The sponsor is responsible for retaining professional engineering services to design the project, compile materials bidding documents and monitor construction activities including the installation of project components and the tracking of project expenditures.

(h) Project – Savery Creek Diversions Phase II:

(i) Project sponsor: Savery-Little Snake River Water Conservancy District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Construction of water diversion structures and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million nine hundred thousand dollars ($1,900,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the permit procurement, project land procurement and construction of the project an amount not to exceed one million two hundred seventy-three thousand dollars ($1,273,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from water development account II through the commission for the permit procurement, project land procurement and construction of the project an amount not to exceed six hundred twenty-seven thousand dollars ($627,000.00) or thirty-three percent (33%) of actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);
(vii) Appropriation: There is appropriated from water development account II to the commission one million nine hundred thousand dollars ($1,900,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account II on July 1, 2018;

(viii) Special conditions:

(A) The sponsor is responsible for retaining professional engineering services to design the project, compile materials bidding documents and monitor construction activities including the installation of project components and the tracking of project expenditures.

(j) Project – Shoshone Irrigation District Rehabilitation 2013:

(i) Project sponsor: Shoshone Irrigation District;

(ii) Project purpose: Agriculture water supply;

(iii) Project description: Design and construction of water lateral improvements and appurtenances necessary to make the project function in the manner intended;

(iv) Total project budget: One million two hundred twenty-five thousand five hundred forty-five dollars ($1,225,545.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the purchase of project materials as supported by vendor invoices and approved by the commission an amount not to exceed seven hundred ninety-five thousand dollars ($795,000.00) or one hundred percent (100%) of the approved materials costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission seven hundred ninety-five thousand dollars ($795,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account II on July 1, 2018;

(vii) Special conditions:

(A) The sponsor is responsible for all project costs with the exception of the purchase of project materials as supported by vendor invoices and approved by the commission;

(B) The sponsor is responsible for retaining professional engineering services to design the project, compile materials bidding documents and monitor construction activities including the installation of project components and the tracking of project expenditures.

[AMENDMENTS TO PRIOR PROJECTS]

Section 2. W.S. 99-3-1303(b)(iv) through (vi), 99-3-1404(e)(iv) through (vii),
99-3-1603(d)(iv) through (vii), 99-3-1703(c)(iv) through (vii), (f)(iv) through (vii), by creating a new paragraph (viii), (g)(iv) through (vi), (j)(iv) through (vi) and (k)(iv) through (vi) and 99-3-1704(e)(iv) through (vi) are amended to read:

99-3-1303. Level III construction projects – new development.

(b) Project – Cowley Transmission Pipeline:

(iv) Total project budget: Two million forty thousand dollars ($2,040,000.00) Two million eight hundred sixty-six thousand nine hundred dollars ($2,866,900.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed one million three hundred sixty-six thousand eight hundred dollars ($1,366,800.00) one million nine hundred twenty thousand eight hundred twenty-three dollars ($1,920,823.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission one million three hundred sixty-six thousand eight hundred dollars ($1,366,800.00) one million nine hundred twenty thousand eight hundred twenty-three dollars ($1,920,823.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, 2013–2018;

99-3-1404. Level III construction projects – rehabilitation.

(e) Project – Eden Valley Rehabilitation 2009:

(iv) Total project budget: Thirteen million one hundred sixty thousand dollars ($13,160,000.00) Fourteen million three hundred sixty thousand dollars ($14,360,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed six million five hundred eighty thousand dollars ($6,580,000.00) seven million nine hundred seven thousand dollars ($7,907,000.00) or fifty percent (50%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission six million five hundred eighty thousand dollars ($6,580,000.00) seven million nine hundred seven thousand dollars ($7,907,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account II on July 1, 2014–2018;
(vii) Special condition: The sponsor is responsible for acquiring fifty percent (50%) forty-four and ninety-three hundredths percent (44.93%) of the total project budget from other sources.

99-3-1603. Level III construction projects – new development.

(d) Project – Cheyenne Southern Pipeline:

(iv) Total project budget: Twenty million nine hundred forty thousand dollars ($20,940,000.00). Thirty-one million fifty thousand dollars ($31,050,000.00). The sponsor shall fund one hundred percent (100%) of all project costs over twenty-seven million three hundred thousand dollars ($27,300,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed fourteen million twenty-nine thousand eight hundred dollars ($14,029,800.00) eighteen million two hundred ninety-one thousand dollars ($18,291,000.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission fourteen million twenty-nine thousand eight hundred dollars ($14,029,800.00) eighteen million two hundred ninety-one thousand dollars ($18,291,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, 2016 2018;

(vii) Special conditions: The sponsor is responsible for acquiring thirty-three percent (33%) of the total project budget up to a project cost of twenty-seven million three hundred thousand dollars ($27,300,000.00) and one hundred percent (100%) of any project costs exceeding twenty-seven million three hundred thousand dollars ($27,300,000.00) from other sources.

99-3-1703. Level III construction projects – new development.

(c) Project – Buffalo Northwest Pipeline:

(iv) Total project budget: Two million six hundred forty thousand dollars ($2,640,000.00). Total project phase I budget: Three hundred sixty-five thousand dollars ($365,000.00) Four million nine thousand dollars ($4,009,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, project land procurement, construction engineering and construction of the project an amount not to exceed two hundred forty-four thousand five hundred dollars ($244,550.00) two million six hundred eighty-six thousand thirty dollars ($2,686,030.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Project loan: The state of Wyoming shall loan to the sponsor from wa-
ter development account I through the commission for the design, permit procurement, and project land procurement, construction engineering and construction of the project an amount not to exceed one hundred twenty thousand four hundred fifty dollars ($120,450.00) one million three hundred twenty-two thousand nine hundred seventy dollars ($1,322,970.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project benefits accrue to the sponsor, at an annual rate of four percent (4%);

(vii) Appropriation: There is appropriated from water development account I to the commission three hundred sixty-five thousand dollars ($365,000.00) four million nine thousand dollars ($4,009,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, 2017.

(f) Project – Fort Laramie Storage Tank:

(iv) Total project budget: One million two hundred thirty thousand dollars ($1,230,000.00). Total project phase I budget: Eighty thousand dollars ($80,000.00) One million one hundred sixty-five thousand five hundred dollars ($1,165,500.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, and project land procurement, construction engineering and construction of the project an amount not to exceed fifty-three thousand six hundred dollars ($53,600.00) seven hundred eighty thousand eight hundred eighty-five dollars ($780,885.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission fifty-three thousand six hundred dollars ($53,600.00) one million one hundred thirty-nine thousand one hundred dollars ($1,139,100.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, 2017.

(vii) Special conditions: The sponsor is responsible for acquiring thirty-three percent (33%) of the total design and permitting phase I project budget from other sources;

(viii) Project loan: The state of Wyoming shall loan to the sponsor from water development account I through the commission for the construction engineering and construction of the project an amount not to exceed three hundred fifty-eight thousand two hundred fifteen dollars ($358,215.00) or thirty-three percent (33%) of the actual development costs, whichever is less, for a term of thirty (30) years from the date the commission determines project
benefits accrue to the sponsor, at an annual rate of four percent (4%).

(g) Project – Gillette Regional Extensions:

(iv) Total project budget: Eleven million one hundred thousand dollars ($11,100,000.00). Total project phase I budget: One million fifty thousand dollars ($1,050,000.00). Nine million two hundred fifty thousand dollars ($9,250,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, and project land procurement, construction engineering and construction of the project an amount not to exceed seven hundred three thousand five hundred dollars ($703,500.00) six million one hundred ninety-seven thousand five hundred dollars ($6,197,500.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission seven hundred three thousand five hundred dollars ($703,500.00) six million one hundred ninety-seven thousand five hundred dollars ($6,197,500.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, 2018;

(j) Project – Lovell Transmission Pipeline:

(iv) Total project budget: One million two hundred fifty thousand dollars ($1,250,000.00). Total project phase I budget: One hundred thousand dollars ($100,000.00) One million one hundred fifty thousand dollars ($1,150,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, and project land procurement, construction engineering and construction of the project an amount not to exceed sixty-seven thousand dollars ($67,000.00) seven hundred seventy thousand five hundred dollars ($770,500.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission sixty-seven thousand dollars ($67,000.00) seven hundred seventy thousand five hundred dollars ($770,500.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, 2018;

(k) Project – Northwest Rural Northern Expansion:

(iv) Total project budget: Four million four hundred forty thousand dollars ($4,440,000.00). Total project phase I budget: Four hundred twenty thousand dollars ($420,000.00) Five million five hundred seven thousand five hundred dollars ($5,507,500.00);
(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account I through the commission for the design, permit procurement, and project land procurement, construction engineering and construction of the project an amount not to exceed two hundred eighty-one thousand four hundred dollars ($281,400.00) three million six hundred ninety thousand twenty-five dollars ($3,690,025.00) or sixty-seven percent (67%) of the actual development costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account I to the commission two hundred eighty-one thousand four hundred dollars ($281,400.00) three million six hundred ninety thousand twenty-five dollars ($3,690,025.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account I on July 1, 2017; 2018;

99-3-1704. Level III construction projects – rehabilitation.

(e) Project – Lovell Canal Rehabilitation 2012:

(iv) Total project budget: Eight hundred eighty thousand dollars ($880,000.00) Four hundred forty-seven thousand dollars ($447,000.00);

(v) Project grant: The state of Wyoming shall grant to the sponsor from water development account II through the commission for the purchase of project materials as supported by vendor invoices and approved by the commission an amount not to exceed five hundred sixty-five thousand dollars ($565,000.00) two hundred ninety-nine thousand dollars ($299,000.00) or one hundred percent (100%) of the approved materials costs, whichever is less;

(vi) Appropriation: There is appropriated from water development account II to the commission five hundred sixty-five thousand dollars ($565,000.00) two hundred ninety-nine thousand dollars ($299,000.00) or as much thereof as is necessary to carry out the purpose of this subsection. Unexpended funds appropriated under this subsection shall revert to water development account II on July 1, 2017;

Section 3. 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.

Approved March 13, 2013.

Chapter 142

PROTECTIVE SERVICES INVESTIGATION AMENDMENTS

Original Senate File No. 115

AN ACT relating to child and adult protective services; amending requirements for investigations; amending definitions; establishing a standard of proof; and providing for an effective date.
Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 14-3-204(a)(iii)(intro), 14-3-206(a)(i) and 35-20-102(a)(xix) are amended to read:

14-3-204. Duties of local child protective agency.

(a) The local child protective agency shall:

   (iii) Within twenty-four (24) hours after notification of a suspected case of child abuse or neglect, initiate an investigation or assessment and verification of every report. The representative of the child protective agency shall, at the initial time of contact with the individual subject to a child abuse and neglect investigation or assessment, advise the individual of the specific complaints or allegations made against the individual. A thorough investigation or assessment and report of child abuse or neglect shall be made in the manner and time prescribed by the state agency pursuant to rules and regulations adopted in accordance with the Wyoming Administrative Procedure Act. If the child protective agency is denied reasonable access to a child by a parent or other persons and the agency deems that the best interest of the child so requires, it shall seek an appropriate court order by ex parte proceedings or other appropriate proceedings to see the child. The child protective agency shall assign a report:

14-3-206. Child abuse or neglect; written report; statewide reporting center; documentation; costs and admissibility thereof.

(a) Reports of child abuse or neglect or of suspected child abuse or neglect made to the local child protective agency or local law enforcement agency shall be:

   (i) Conveyed immediately by the agency receiving the report to the appropriate local child protective agency or local law enforcement agency. The agencies shall continue cooperating and coordinating with each other during the assessment or investigation; and


(a) As used in this act:

   (xix) “Substantiated report” means any report of abandonment, abuse, exploitation, intimidation or neglect pursuant to this act that is determined upon investigation to establish that credible evidence of the alleged abandonment, abuse, exploitation, intimidation or neglect exists;

Section 2. This act is effective July 1, 2013.

Approved March 13, 2013.
Chapter 143

COMMUNITY COLLEGE CONSTRUCTION

Original Senate File No. 77

AN ACT relating to construction of community college facilities; transferring payment authority for construction of and major maintenance for community college facilities to the construction management division of the department of administration and information; specifying required reporting; transferring positions and support funding as specified; and providing for an effective date.

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

Section 1. W.S. 21-18-225(a), (f), (g), (j) and (k) is amended to read:


(a) As part of its administrative functions, the community college commission shall identify community college building needs, and develop a prioritized list of community college capital construction projects. The prioritized community college capital construction projects shall be reported by the commission to the construction management division of the department of administration and information in accordance with subsection (g) of this section. Following review, analysis and study, the construction management division shall forward recommendations for community college capital construction projects to the state building commission. The community college commission construction management division shall also submit major maintenance budget requests for college buildings to the legislature in accordance with this section. Major maintenance budget requests shall be based upon the square footage submitted by the commission under subsection (f) of this section and upon a formula, forms; and a format specified by the budget division of the department of administration and information. College building maintenance budget requests submitted by the community college commission construction management division to the legislature and capital construction budget requests forwarded by the state building commission to the legislature shall include only necessary building square footage required for provision of those education programs comprising the statewide college system strategic plan developed and maintained under W.S. 21-18-202(a)(v).

(f) In addition to subsection (d) of this section and on or before November-August 1 of each odd-numbered year, the commission shall report college building square footage to the general services construction management division of the department of administration and information as necessary for computation of major maintenance funds for community college buildings. The reported square footage shall be restricted to that square footage necessary for the delivery of education programs comprising the statewide college system strategic plan.

(g) Upon prioritizing community college construction needs under subsection (d) of this section, the commission shall not later than November-15 Au-
gust 1 of each year, report the prioritized list to the general services construction management division of the department of administration and information. In accordance with W.S. 9-5-108(a)(ii), the general services construction management division shall review, analyze and study construction needs prioritized under subsection (d) of this section and conduct necessary value engineering analysis, schematic design review, safety and security assessments and other analysis and review prior to submission of recommendations to the state building commission. The state building commission shall consider and incorporate prioritized construction needs recommendations into legislation requesting necessary funding, developed under W.S. 9-5-108(a)(ii)(J), for submission to the legislature for review, authorization and approval. The legislation shall also include a separate appropriation for contingency costs associated with recommended construction projects and a separate appropriation for administrative costs of the general services construction management division for management of the recommended construction projects as required by subsection (j) of this section. The community college commission construction management division shall submit a separate budget request for project design and planning funds to be available to assist community colleges with costs incurred in developing and providing necessary plans, designs and other information to the general services division for purposes of this subsection. This request shall also include funds for major maintenance for the square footage reported by the commission under subsection (f) of this section. The general services construction management division shall consult with the community college commission in developing recommendations under this subsection.

(j) Subject to amounts made available by legislative appropriation and to any conditions which may be attached to appropriation expenditures, the commission construction management division of the department of administration and information shall distribute state funds for building construction approved and authorized by the legislature. Distributions of state funds for any approved and authorized construction project shall be in accordance with payment schedules established by rule and regulation of the commission division. Payments by the commission division shall be contingent upon the receipt of any local district funding as may be required by legislative authorization, or commission approved upon receipt of other documentation which may be required by the division certifying the timely receipt of such required local district funds for the capital construction project, as may be required by legislative authorization, and Payments to districts shall also include the written approval of the general services division, department of administration and information, of be attached to prescribed phases of the construction project and the completion of certain project phases. Construction phases for which approval of the division is required shall be specified by commission division rule and regulation, clearly prescribing a process for division review and approval of project plans and specifications, project development and project changes and
change orders. In carrying out duties under this subsection, the division may execute powers prescribed under W.S. 9-5-108(a)(iii) in coordination with the state building commission and the appropriate community college district. No scheduled payment shall be made by the commission construction management division without the approval of the division as required by compliance with the prescribed process.

(k) Appropriations for major maintenance shall be distributed by the commission construction management division of the department of administration and information to community colleges in amounts determined by the funding formula developed by the general services division, of the department of administration and information, subject to restrictions imposed on qualifying square footage pursuant to this section.

Section 2.

(a) For purposes of carrying out this act:

(i) For the period commencing July 1, 2013, and ending June 30, 2014, one (1) full-time position is transferred from the Wyoming community college commission to the construction management division of the department of administration and information. In addition, the construction management division is authorized one (1) additional full-time position. These positions shall be included in the division's standard budget;

(ii) Effective for the period commencing July 1, 2013, and ending June 30, 2014, thirty-six thousand twenty-three dollars ($36,023.00) shall be transferred from the Wyoming community college commission to the construction management division of the department of administration and information to partially fund and support the position transferred under paragraph (i) of this subsection. This position transfer and the associated funding amount shall be included in both the commission's and the division's standard budget;

(iii) In addition to paragraph (ii) of this subsection and for the period commencing July 1, 2013, and ending June 30, 2014, one hundred eight thousand dollars ($108,000.00) from the community college construction management appropriation within the department of administration and information's 2013-2014 biennial budget shall be available to the construction management division for salary and benefits of the positions authorized under this section. This funding amount shall be included in the division's standard budget.

(b) Nothing in this section shall be construed to limit the authority of the governor to effect voluntary transfers of positions between agencies as otherwise authorized by law.

Section 3. This act is effective July 1, 2013.

Approved March 13, 2013.
Chapter 144

ELECTRONIC CIGARETTES

Original Senate File No. 103

AN ACT relating to child protection; amending the definition of “tobacco products” for sales of tobacco to minors; providing a definition of “electronic cigarettes”; and providing for an effective date.

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

Section 1. W.S. 14-3-301(a)(i) and by creating a new paragraph (v) is amended to read:

14-3-301. Definitions.

(a) As used in this article:

(i) “Tobacco products” means any substance containing tobacco leaf, or any product made or derived from tobacco that contains nicotine, including, but not limited to, cigarettes, electronic cigarettes, cigars, pipe tobacco, snuff, chewing tobacco or dipping tobacco;

(v) “Electronic cigarette” means a product that employs any mechanical heating element, battery or electronic circuit, regardless of shape or size, that can be used to deliver doses of nicotine vapor by means of heating a liquid nicotine solution contained in a cartridge or other delivery system.

Section 2. 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.

Approved March 13, 2013.

Chapter 145

TERMINATION OF PARENTAL RIGHTS

Original Senate File No. 146

AN ACT relating to children; modifying provisions relating to family reunification as specified; and providing for an effective date.

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

Section 1. W.S. 14-2-309(c)(intro), (ii), by creating new paragraphs (iii) and (iv) and by renumbering (iii) as (v) is amended to read:


(c) Notwithstanding any other provision of this section, evidence that reasonable efforts have been made to preserve and reunify the family is not required in any case in which the court determines any one (1) or more of the
following by clear and convincing evidence, that:

(ii) The parent abandoned, chronically abused, tortured or sexually abused the child; or

(iii) The parent has been convicted of committing one (1) or more of the following crimes against the child or another child of that parent:

(A) Sexual assault under W.S. 6-2-302 through 6-2-304;
(B) Sexual battery under W.S. 6-2-313;
(C) Sexual abuse of a minor under W.S. 6-2-314 through 6-2-317.

(iv) The parent is required to register as a sex offender pursuant to W.S. 7-19-302 if the offense involved the child or another child of that parent. This shall not apply if the parent is only required to register for conviction under W.S. 6-2-201;

(v) Other aggravating circumstances exist indicating that there is little likelihood that services to the family will result in successful reunification.

Section 2. This act is effective July 1, 2013.

Approved March 13, 2013.

Chapter 146

ENERGY AND NATURAL RESOURCE EDUCATION INITIATIVE

Original Senate File No. 55

AN ACT relating to a statewide energy and natural resource education initiative; requiring the governor’s policy office to oversee initiative development; specifying initiative parameters; requiring a report; providing an appropriation; and providing for an effective date.

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

Section 1.

(a) The governor’s policy office shall oversee the development of a statewide initiative on energy and natural resource development, use and stewardship by providing materials and opportunities for use in public education programs. The initiative shall be a joint effort of representatives from energy and natural resource industries and related member organizations, state education agencies, public education stakeholder representatives and the governor’s policy office and shall focus on the development of a program for use in public school education which:

(i) May be embedded within the existing public school curriculum and structure;

(ii) Aligns with the revised Wyoming state science standards and the next generation science standards;
(iii) Ensures a balanced approach to energy and natural resource development, use and stewardship and ensures subject matter expertise is integrated with the requirements of the statewide educational program prescribed by law;

(iv) Advances student critical thinking skills;

(v) Develops co-curricular activities;

(vi) Extends beyond normal classroom programs into extracurricular activities;

(vii) Is easily accessed and used by public school teachers; and

(viii) Is optional in part or in whole for use by teachers, schools and school districts.

(b) Seventy-five thousand dollars ($75,000.00) is appropriated from the school foundation program account to the governor's policy office for purposes of acquiring professional expertise necessary to initiate subsection (a) of this section and to report recommendations to the joint education interim committee on or before December 1, 2013. Recommendations shall at minimum:

(i) Assess existing education programs related to energy and natural resources including, but not limited to Wild, Wonderful Wyoming: Choices for the Future, and Agriculture in the Classroom;

(ii) Determine necessary funding required for development and distribution of educational materials directed at students and teachers;

(iii) Determine future placement of program governance and oversight;

(iv) Specify program structure as grade specific or full kindergarten through grade twelve (12) integration.

Section 2. 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.

Approved March 13, 2013

Chapter 147

ACCESS TO RECORDS-VULNERABLE ADULT ABUSE

Original Senate File No. 56

AN ACT relating to adult protective services; allowing access to records as specified; and providing for an effective date.

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

Section 1. W.S. 35-20-112(a) is amended to read:

35-20-112. Confidentiality of records; penalties; access to information.
(a) All records concerning reports and investigations of vulnerable adult abuse, neglect, exploitation, intimidation, abandonment or self neglect are confidential except as provided by W.S. 35-20-116 and except that the record shall be available to the vulnerable adult who is the subject of the record, his legal guardian, an agent under an advance healthcare directive as provided in W.S. 35-22-403, a healthcare surrogate as provided in W.S. 35-22-406, the personal representative of a deceased vulnerable adult or a decedent’s wrongful death representative appointed to bring an action for the benefit of the vulnerable adult’s beneficiaries. Names of other vulnerable adults shall be redacted from the records prior to disclosure pursuant to this subsection. Records shall not be disclosed, however, to any person named as a perpetrator of abuse, neglect, exploitation, intimidation or abandonment of a vulnerable adult. Any person who intentionally violates this subsection is guilty of a misdemeanor punishable by imprisonment for not more than six (6) months, a fine of not more than seven hundred fifty dollars ($750.00), or both.

Section 2. This act is effective July 1, 2013.

Approved March 13, 2013.

Chapter 148

STATE FUNDED CONSERVATION EASEMENTS-RESTRICTIONS

Original Senate File No. 66

AN ACT relating to state funded conservation easements; imposing requirements on recipients of state funds; specifying terms of the agreement between the state and fund recipients; prohibiting specified conditions for the receipt of funds; specifying applicability of the act; and providing for an effective date.

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

Section 1. W.S. 9-15-103 by creating new subsections (n) through (q) is amended to read:

9-15-103. Wyoming wildlife and natural resource trust account created; income account created; expenditures; purposes.

(n) Every conservation easement funded in whole or in part with monies made available by this act shall bind the parties thereto to an agreement which provides that the state of Wyoming is a third party beneficiary to the easement solely with the contingent right to enforce the terms of the easement if the grantee fails to enforce any of the terms of the easement. The agreement shall provide that if the easement is transferred for value, sold or extinguished without the consent of the board, the state of Wyoming shall have the right to either take legal action to enforce the terms of the easement or to recover from the proceeds of the transfer for value, sale or extinguishment, the state's pro rata share of the proceeds based on the funds the state provided for the creation of the easement.
(o) No funds shall be disbursed under this act for the purchase of easements which mandate specific livestock or crop management practices.

(p) No funds shall be disbursed under this act for the purchase of easements which prohibit the use of land for ranching or farming if the ranching or farming could be conducted, using current or future technologies and techniques, without infringing on the underlying purpose of the easement.

(q) No funds shall be disbursed under this act for the purchase of easements which prohibit hunting, fishing or trapping.

Section 2. This act shall not expand or diminish the rights and obligations imposed on any party who received funds under W.S. 9-15-101 through 9-15-107 prior to December 31, 2013.

Section 3. 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.

Approved March 13, 2013.

Chapter 149

COMPLIMENTARY HUNTING LICENSES

Original Senate File No. 149

AN ACT relating to game and fish; increasing the number of complimentary hunting and fishing licenses as specified; providing for complimentary wild bison licenses; making conforming changes; providing an appropriation; and providing for an effective date.

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

Section 1. W.S. 23-1-705(a) is amended to read:

23-1-705. Complimentary licenses; one-shot antelope hunt licenses; gunpowder and buckskin hunt licenses; gratuitous licenses; donated licenses.

(a) At the request of the governor, the commission shall annually issue up to twenty (20) complimentary hunting and twenty (20) complimentary fishing licenses. Not more than five (5) big horn sheep and five (5) moose and five (5) wild bison licenses shall be issued under this subsection. The five (5) year restriction imposed on the receipt of a moose or big horn sheep license by W.S. 23-1-703(b) and any restriction imposed on taking of wild bison under commission rule and regulation shall not be applicable in any manner to a license issued pursuant to this subsection. Except as provided under subsection (g) of this section, no complimentary licenses may be issued at the request of the appointed commissioners. Immediately upon issuance of any of these licenses, the commission shall submit to the secretary of state for maintenance as a public record, the name and address of each licensee and the type of license issued.
Section 2. There is appropriated twelve thousand five hundred dollars ($12,500.00) from the general fund to the state auditor to reimburse the game and fish commission for the cost of issuing complimentary hunting licenses issued under this act as reported to the state auditor pursuant to W.S. 23-1-504. Notwithstanding any other provision of law, this appropriation shall not be transferred or expended for any other purpose.

Section 3. 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.

Approved March 13, 2013.

Chapter 150

REVISOR’S BILL

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

Section 1. W.S. 3-1-106, 9-2-1010(a)(iii), 11-16-102(a)(xii), 11-19-305, 21-2-202(a)(xxxii) and (xxxiii), 21-2-204(d)(v), 29-10-102(a), 39-15-303(b)(iv), 39-16-303(b)(iv), 40-14-210 and 40-23-102(a)(xiii) and (xiv) are amended to read:

3-1-106. Provisions applicable to all fiduciaries shall govern.

The provisions of W.S. 2-3-101 through 2-3-614 and 2-3-504 and 2-3-801 through 2-3-834 govern the appointment, qualification, substitution, removal, oath and bond of a guardian, limited guardian and conservator. A guardian or limited guardian shall not be required to give bond unless the court, for good cause, finds that the best interest of the ward requires a bond. The court shall then fix the terms and conditions of the guardian's bond.

9-2-1010. Duties of budget division; biennial budgets and appropriations.

(a) The department through the budget division shall:

(iii) Consult with each entity which will require a legislative appropriation either directly or indirectly, excluding the Wyoming highway department of transportation and the game and fish department except as provided in W.S. 23-1-502(d), in submitting budget estimates or requests for funds, or for instituting, recording and reporting all financial and budget transactions of the state.

11-16-102. Definitions.

(a) As used in this act:
(xii) “This act” means W.S. 11-16-101 through 11-16-135.


The state veterinarian may make and enforce rules and regulations necessary for the enforcement of W.S. 11-19-301 through 11-19-303 through 11-19-306.


(a) In addition to any other duties assigned by law, the state superintendent shall:

(xxxii) By rule and regulation adopted not later than July 1, 2011 establish requirements for school district policies and training regarding the use of seclusion and restraint in schools as required under W.S. 21-3-110(a)(xxx) 21-3-110(a)(xxxii). The state superintendent shall review the policy of each district for compliance with the requirements of W.S. 21-3-110(a)(xxx) and rules and regulations promulgated pursuant to this paragraph. If the state superintendent determines that the policy is not in compliance under this paragraph the superintendent shall direct the board of trustees to revise the policy and shall, upon request, assist the board in the adoption of the policy;

(xxxiii) To assist local school districts in developing protocols under W.S. 21-3-110(a)(xxx), 21-3-110(a)(xxxii) and in sufficient time to enable school districts to adopt and implement protocols commencing school year 2011-2012, develop model protocols for addressing risks associated with concussions and other head injuries resulting from athletic injuries. No district shall be required to adopt any part of the model protocols;

21-2-204. Wyoming Accountability in Education Act; statewide education accountability system created.

(d) Beginning in school year 2012-2013, and each school year thereafter, the department of education shall compute and report an overall school performance rating measured by student performance on those performance indicators specified under subsection (c) of this section. Any school through its school district may seek informal review of any overall school performance rating or other performance determination in accordance with the following:

(v) Not later than thirty (30) days after a determination decision has been issued by the panel under paragraph (i)-(iv) of this subsection, the school district may seek an informal review with the state board. The state board shall make a final determination as to the performance rating or other performance determination within sixty (60) days after receipt of the request for review;

29-10-102. Form for notice of intention to file lien.

(a) Notice of intention to file a lien shall be sent to the record owner of the property against which the lien may be filed, sent to the lien claimant or his agent and shall be completed in substantially the following form:
Note to lien claimant: This form, if filled out correctly and sent within the time periods specified in W.S. 29-2-107 constitutes prima facie evidence that you have provided the contents of the notice required by W.S. 29-2-107(a). If you have any questions regarding how to fill out this form or whether it has been filled out properly, you should consult an attorney.

CERTIFIED MAIL, RETURN RECEIPT REQUESTED
To: __________________________________________

Record owner or agent of owner (note: If there is more than one (1) owner, use a form for each owner)

Date: ________________________, 20___

Re: Notice of Intention to File Lien

You are hereby notified pursuant to W.S. 29-2-107 that ____________________________ (hereinafter the “lien claimant”) intends to file a lien against your property. The amount of the lien claim is $_______________. This amount is due from ____________________________ (person/entity whose actions have caused a lien to be filed) pursuant to a contract with the lien claimant under which the lien claimant performed work or supplied materials for the work.

If we are unable to resolve this matter within twenty (20) days from the date of this notice, the lien claimant intends to file the lien statement asserting a lien against your property.

cc: ________________________


(b) Taxpayer. The following shall apply:

(iv) Any nonresident prime contractor and any resident prime contractor who hires a nonresident subcontractor shall register any project with the department of revenue not less than fifteen (15) days following the start of a project pursuant to a contract. The nonresident prime contractor shall provide a properly executed bond as required by paragraph (iii) of this subsection, or a cash deposit of not less than four percent (4%) of the total payments due under the contract. The cash deposit shall be refunded to the contractor upon the department’s receipt of a properly executed surety bond or upon satisfactory completion of the project. Failure to register with the department within the time period required by this paragraph shall result in a penalty assessment of one percent (1%) of the total payments due under the contract.


(b) Taxpayer. The following shall apply:
(iv) Any nonresident prime contractor and any resident prime contractor who hires a nonresident subcontractor shall register any project with the department of revenue not less than fifteen (15) days following the start of a project pursuant to a contract. The nonresident prime contractor shall provide a properly executed bond as required by paragraph (iii) of this subsection, or a cash deposit of not less than four percent (4%) of the total payments due under the contract. The cash deposit shall be refunded to the contractor upon the department's receipt of a properly executed surety bond or upon satisfactory completion of the project. Failure to register with the department within the time period required by this paragraph shall result in a penalty assessment of one percent (1%) of the total payments due under the contract.

40-14-210. Definition of “cash price”.

“Cash price” means the price at which the creditor offers, in the ordinary course of business, to sell for cash the property or services which are the subject of a consumer credit transaction. It may include the cash price of accessories or services related to the sale such as delivery, installation, alterations, modifications, and improvements, and may include taxes to the extent imposed on the cash sale, but shall not include any other charges of the types described in section 226.4 of regulation Z of the federal Consumer Credit Protection Act.


(a) As used in this act:

(xiii) “Regulation X” means regulation X as promulgated by the United States department of housing and urban development consumer financial protection bureau and codified in 24 CFR part 3500 et seq., as amended;

(xiv) “Regulation Z” means regulation Z as promulgated by the board of governors of the federal reserve system consumer financial protection bureau and codified in 12 CFR part 226 et seq., as amended;

Section 2. W.S. 9-17-101(b) as created by 2013 Senate Enrolled Act 52 as enacted into law is amended to read:


(b) This section shall not apply if the responsible department or agency determines that compliance with the requirements of subsection (a) of this section is unfeasible or economically impractical or appropriate compressed natural gas vehicles or compressed natural gas is unavailable. If the department of administration and information makes a determination pursuant to this subsection paragraph (a)(ii) of this section, it shall provide notice of its determination to those agencies
identified in subsection (a) of this section, and A department or agency who determines it cannot comply with subsection (a) of this section shall promptly provide a written report to the joint minerals, business and economic development interim committee containing the reasons for the determination.

Section 3. 2013 Wyoming Session Laws, Chapter 69, Section 1(a)(intro) and (ii)(intro) is amended to read:

Section 1.

(a) Subject to the provisions of subsection (b) of this section, the legislature authorizes the acceptance of the following lands to be managed by the department of state parks and historic sites-cultural resources upon final negotiation with the appropriate parties:

(ii) Those lands in Township 26N Range 66W owned by the state of Wyoming and managed under the authority of the board of land commissioners described as follows:

Section 4. W.S. 9-5-109(a) through (h) is repealed.

Section 5. This act is effective July 1, 2013.

Approved March 13, 2013.

Chapter 151

SEISMIC EXPLORATION-3

Original Senate File No. 136

AN ACT relating to oil and gas; modifying surety provisions for seismic activities; modifying rule requirements; conforming provisions; and providing for an effective date.

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

Section 1. W.S. 30-5-104(d)(v)(A) and 30-5-404(b) and (c) are amended to read:

30-5-104. Oil and gas conservation commission; powers and duties; investigations; rules and regulations.

(d) The commission has authority:

(v) To adopt rules and regulations to:

(A) Regulate the plugging, sealing or capping of seismic shot holes, and to require, and fix the amount of, a surety bond or other guaranty to ensure compliance with regulations governing all geophysical operations and to ensure compliance with W.S. 30-5-401 through 30-5-410. When oil and gas operations as defined in W.S. 30-5-401(a)(iv) involve seismic activities, the rules
shall require a surety or other guaranty which is sufficient to protect and for
the purpose of addressing the interests of the surface owners affected by the
activities and which, in all events, shall be in an amount of not less than five
thousand dollars ($5,000.00) for the first one thousand (1,000) acres or portion
thereof per surface owner for which access is sought for seismic activities and
not less than one thousand dollars ($1,000.00) for each additional one thou-
sand (1,000) acres or portion thereof per surface owner for which access is
sought for seismic activities. For the purpose of assuring compliance with this
minimum bonding requirement, the commission may pool parcels of land of
different surface owners where no single parcel exceeds forty (40) acres;

30-5-404. Surety bond or guaranty; approval; objections; release of surety
bond or guaranty.

(b) The surety bond or other guaranty shall be in an amount of not less than
two thousand dollars ($2,000.00) per well site on the land unless the operations
involve seismic activities. If the operations involve seismic activities, the surety
bond shall be as provided in W.S. 30-5-104(d)(v)(A). As used in this subsec-
tion, seismic activities do not include waves or vibrations originating outside
the property in question. At the request of the oil and gas operator, after at-
ttempted consultation with the surface owner the commission may establish a
blanket bond or other guaranty in an amount covering oil and gas operations
on the surface owner’s land as identified by an oil and gas operator in the writ-
ten notice required under W.S. 30-5-402(e). Neither the minimum amount of
the per well site bond or other guaranty specified or referenced in this subsec-
tion nor a blanket bond or other guaranty established by the commission is
intended to establish any amount for reasonable and foreseeable damages. A
permit to conduct geophysical/seismic operations issued under the authority
of W.S. 30-5-104 shall include a statement that it shall not constitute authori-
ization or permission to trespass on the surface estate. The commission shall
not accept a surety bond for seismic activities for land which the oil and gas
operator or seismic activity operator has no right to enter. The operator shall
provide evidence of the right to enter derived from one (1) or more mineral
interest owners.

(c) Within seven (7) days following receipt of a per well site surety bond
or other guaranty or the establishment of a blanket bond or other guaranty
specified or referenced in this section, the commission shall notify the surface
owner of receipt of the per well site surety bond or other guaranty or the estab-
ishment of a blanket bond or other guaranty based on the oil and gas opera-
tor’s request and the written notice required under W.S. 30-5-402(e). The com-
mission’s notice shall also include a description of the amount and the type of
the bond or guaranty received or established and provide to the surface owner
a copy of the statement required under W.S. 30-5-403(a). If, at the expiration of
thirty (30) days after receipt of the commission’s notice by the surface owner,
he makes no objection to the amount or the type of the surety bond or guar-
anty, the commission shall approve the surety bond or guaranty. If the surface owner objects in writing to the amount or the type of the surety bond or guaranty, the commission shall give immediate consideration to the surety bond or guaranty objected to and the accompanying papers filed by the oil and gas operator in support of the surety bond or guaranty amount and the type of surety bond or guaranty submitted or established, and the surface owner's objections, and the commission shall render a final decision as to the acceptability of the amount and type of the surety bond or guaranty and shall notify the parties of the decision. Proof of any additional surety bond or guaranty required by the commission shall be filed with the commission within thirty (30) days of the commission's final decision. Any aggrieved party may appeal the final decision of the commission to the district court in accordance with the Wyoming Administrative Procedure Act.

Section 2. This act is effective July 1, 2013.

Approved March 13, 2013.

Chapter 152

UNEMPLOYMENT COMPENSATION-DIRECT SALES

Original Senate File No. 153

AN ACT relating to unemployment insurance; amending an exclusion from coverage for newspaper carriers to include direct sellers or independent contractors as specified; providing exclusion criteria; and providing for an effective date.

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

Section 1. W.S. 27-3-108(a)(iv) is amended to read:

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

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

(iv) By an individual under the age of eighteen (18) or as a direct seller or independent contractor in the business of distributing or delivering newspapers or shopping news excluding the delivery or distribution at any point for further delivery or distribution; but including directly related services such as soliciting customers and collecting receipts, provided:

(A) All or substantially all of the individual's pay for the service, whether or not paid in cash, directly relates to sales or other output rather than to the number of hours worked; and

(B) The individual performs the service under a written contract with the newspaper or shopping news publisher which specifies that the individual will not be treated as an employee with respect to the services for federal tax purposes.

Section 2. This act is effective immediately upon completion of all acts nec-
essary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

Approved March 13, 2013.

Chapter 153

PESTICIDES

Original Senate File No. 160

AN ACT relating to pesticides; providing for direct supervision by licensed applicators; providing definitions; providing rulemaking authority for reciprocal agreements; providing penalties; limiting local regulation of pesticides; and providing for an effective date.

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

Section 1. W.S. 35-7-376 is created to read:

35-7-376. Direct supervision.

(a) As used in this section, unless otherwise prescribed by its labeling, a pesticide shall be considered to be applied under the direct supervision of a certified applicator if it is applied by a competent person acting under the instructions and control of a certified applicator who is available within a reasonable time and distance, even though the certified applicator is not physically present at the time and place the pesticide is applied.

(b) All pesticide applications made for hire shall be under the direct supervision of a certified commercial applicator. All applications of restricted use pesticide shall be made under the direct supervision of a certified applicator. Availability of the certified applicator shall be directly related to the potential hazard of the situation. The certified applicator shall be:

(i) Available by immediate contact through telephone or radio; or

(ii) Physically present on-site when use of the pesticide poses a potentially serious hazard to people or the environment.

(c) As used in this section:

(i) Reasonable time by the supervising applicator to on-site is deemed to be not more than one (1) hour response time;

(ii) Reasonable distance by the supervising applicator to on-site is deemed to be not more than fifty (50) air miles.

Section 2. W.S. 35-7-354(d)(ii), (iii), by creating a new paragraph (iv) and by creating new subsections (f) through (j), 35-7-359 by creating new subsections (b) through (d), 35-7-362, 35-7-366 by creating a new subsection (d) and 35-7-374(a)/(iv)(intro) and by creating a new subsection (c) are amended to read:

35-7-354. Definitions.
(d) “Pesticide” means:

(ii) Any substance or mixture of substances intended for use as a plant regulator, defoliant, or desiccant;

(iii) Any substance or mixture of substances intended to be used as a spray adjuvant;

(iv) Any other pesticide product or substance whether general use, restricted use, registered, suspended or cancelled, which by the label or portions thereof clearly show it is used or has been used as a pesticide.

(f) “Dealer” or “distributor” means any person who imports, consigns, distributes, offers to sell or sells, barters or otherwise supplies pesticides in this state. A dealer or distributor may also be a registrant.

(g) “Director” means the director of the department of agriculture or his authorized agent.

(h) “Label” means a display of written, printed or graphic matter upon or affixed to the immediate container of any pesticide, or a reference within such display to other information.

(j) “Official sample” means any sample of a pesticide, degradate or residue taken by and designated as official by the director.

35-7-359. Classification of licenses.

(b) A commercial applicator shall notify the department of any change of address or change of employment within thirty (30) days of that change.

(c) The director may refuse an application for a reciprocal license for just cause including, but not limited to:

(i) An incomplete or falsified application;

(ii) A prior violation related to pesticides in this state or another state.

(d) The director may immediately suspend a reciprocal license upon discovery of any violation under subsection (c) of this section. The director may reinstate a license suspended under this subsection following a hearing pursuant to the Wyoming Administrative Procedure Act.

35-7-362. Reciprocal agreement.

The director may issue a license or certification on a reciprocal basis with other states without examination to a nonresident who is licensed, or certified, in another state substantially in accordance with the provisions of this act but financial security as provided for in W.S. 35-7-360 or proof of liability insurance shall be submitted by nonresident commercial applicators. The department shall, by rule and regulation, establish criteria for reciprocity including, but not limited to, formal agreements with other states, residency, categories and examination. The director is authorized to adopt additional rules and regula-
35-7-366. Penalties.

(d) If the department incurs fees or other expenses to remediate a violation by an applicator, the department may seek restitution from the applicator or the applicator's employer through a court of competent jurisdiction.

35-7-374. Prohibited acts.

(a) It is unlawful for any person to:

(iv) Use any registered pesticide in a manner inconsistent with its labeling which means to use any registered pesticide in a manner not permitted by the labeling, or not authorized by the director under a special local need registration, an experimental use permit or an emergency exemption, provided that this paragraph does not include:

(c) Except as otherwise provided by the Wyoming Environmental Pesticide Control Act of 1973, no political subdivision of this state shall adopt or enforce any ordinance, resolution, rule or regulation regarding pesticides storage, sale, distribution, notification of use, or use that is more stringent than the Wyoming Environmental Pesticide Control Act of 1973 or rules promulgated thereunder.

Section 3. This act is effective July 1, 2013.

Approved March 13, 2013.

Chapter 154

HONOR FARM HORSE PROGRAM

Original Senate File No. 75

AN ACT relating to state institutions; specifying that state correctional facilities may only use wild horses from within the state or areas contiguous to the state as specified; requiring a report; and providing for an effective date.

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

Section 1. W.S. 25-13-104 is amended to read:

25-13-104. Agreements with private employers; leases.

(a) The department, in consultation with the correctional industries advisory board, may establish programs for the employment of inmates by private employers and enter into agreements with private employers under which the employer owns, constructs, leases to or from the department or otherwise establishes facilities to manufacture or process goods or conduct any other business, commercial or agricultural enterprise and employ inmates from a correctional facility. Facilities established under this section may be located within or outside the exterior boundaries of a state correctional facility property. Construc-
tion of facilities by private employers under this section shall not be subject to competitive bid requirements applicable to construction by the state. Inmate labor may be used pursuant to W.S. 7-16-202 for construction of facilities that occurs within the exterior boundaries of a state correctional facility property under this section.

(b) If any state correctional facility operates a program involving the use, purchase, training or sale of wild horses, the program shall not use any wild horse which was not initially captured or found within the boundaries of the state or within the boundaries of a bureau of land management herd management area contiguous to the state. There shall be a brand and ownership inspection under W.S. 11-20-203 at the time of transfer of a wild horse to or from any state correctional facility. Not later than November 1 of each year, the department shall report to the joint agriculture, state and public lands and water resources interim committee on any use of or other transactions involving wild horses at correctional facilities in this state. As used in this section, “wild horse” means as defined in W.S. 11-30-115(a).

Section 2. 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.

Approved March 13, 2013.

Chapter 155

ADMINISTRATIVE CONTROL OF ACQUIRED INSTITUTIONAL LANDS

Original Senate File No. 90

AN ACT relating to state lands; providing for the management and control of certain institutional lands by the board of land commissioners as specified; creating the institutional land revenue fund; providing for the disposition of revenues from the sale of institutional lands as specified; providing definitions; providing that the director of the office of state lands shall determine the best use for acquired institutional lands managed by the board of land commissioners as specified; requiring a report; and providing for an effective date.

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

Section 1. W.S. 9-2-2005 by creating new subsections (g) through (k), 9-2-2006 by creating new subsections (e) through (h), 9-2-2012 by creating new subsections (e) through (h) and 36-3-102(c) by creating a new paragraph (vi) are amended to read:

9-2-2005. Department of health created; director appointed; structure.

(g) The board of land commissioners shall direct, subject to the limitations contained in the constitution of the state of Wyoming, applicable state and federal law and the conveyance instrument, the control, leasing, exchange, care
and disposal of all acquired institutional lands not directly utilized for depart-
mental purposes that are managed or associated with the institutions set forth
in W.S. 9-2-2005(c) whether held in the name of the state or in the name of
the department. Any amount received from transactions involving these lands
shall be credited as directed by state or federal law or the conveyance instru-
ment.

(h) All acquired institutional lands managed by the board of land commis-
sioners subject to subsection (g) of this section shall be managed consistent
with:

(i) Consideration of the needs of the institution;

(ii) Consideration of alternative uses of the property which are compat-
ible with the mission of the institution; and

(iii) Limitations contained in the constitution of the state of Wyoming,
state and federal law and the conveyance instrument.

(j) The board of land commissioners shall consult with the local officials
or governing body having regulatory authority over the acquired institutional
lands prior to authorizing the use or transfer of acquired institutional lands
managed under subsection (g) of this section to another agency or department
of the state of Wyoming.

(k) As used in this section, “acquired institutional lands” means state lands
acquired by the state for the benefit of state institutions, but shall not include
school trust lands or other lands held in trust by the state of Wyoming.

9-2-2006. Department of family services created; director appointed;
structure.

(e) The board of land commissioners shall direct, subject to the limitations
contained in the constitution of the state of Wyoming, applicable state and fed-
eral law and the conveyance instrument, the control, leasing, exchange, care
and disposal of all acquired institutional lands not directly utilized for depart-
mental purposes that are managed or associated with the institutions set forth
in W.S. 9-2-2006(c) whether held in the name of the state or in the name of
the department. Any amount received from transactions involving these lands
shall be credited as directed by state or federal law or the conveyance instru-
ment.

(f) All acquired institutional lands managed by the board of land commis-
sioners subject to subsection (e) of this section shall be managed consistent
with:

(i) Consideration of the needs of the institution;

(ii) Consideration of alternative uses of the property which are compat-
ible with the mission of the institution; and
(iii) Limitations contained in the constitution of the state of Wyoming, state and federal law and the conveyance instrument.

(g) The board of land commissioners shall consult with the local officials or governing body having regulatory authority over the acquired institutional lands prior to authorizing the use or transfer of acquired institutional lands managed under subsection (e) of this section to another agency or department of the state of Wyoming.

(h) As used in this section, “acquired institutional lands” means state lands acquired by the state for the benefit of state institutions, but shall not include school trust lands or other lands held in trust by the state of Wyoming.

9-2-2012. Department of corrections created; director appointed; structure.

(e) The board of land commissioners shall direct, subject to the limitations contained in the constitution of the state of Wyoming, applicable state and federal law and the conveyance instrument, the control, leasing, exchange, care and disposal of all acquired institutional lands not directly utilized for departmental purposes that are managed or associated with the institutions set forth in W.S. 9-2-2012(c) whether held in the name of the state or in the name of the department. Any amount received from transactions involving these lands shall be credited as directed by state or federal law or the conveyance instrument.

(f) All lands managed by the board of land commissioners subject to subsection (e) of this section shall be managed consistent with:

   (i) Consideration of the needs of the institution;

   (ii) Consideration of alternative uses of the property which are compatible with the mission of the institution; and

   (iii) Limitations contained in the constitution of the state of Wyoming, state and federal law and the conveyance instrument.

(g) The board of land commissioners shall consult with the local officials or governing body having regulatory authority over the acquired institutional lands prior to authorizing the use or transfer of acquired institutional lands managed under subsection (e) of this section to another agency or department of the state of Wyoming.

(h) As used in this section, “acquired institutional lands” means state lands acquired by the state for the benefit of state institutions, but shall not include school trust lands or other lands held in trust by the state of Wyoming.

36-3-102. Duties generally.

(c) The board shall have authority to override any decision made by the director. Upon such terms and conditions as shall be established by the board,
in addition to other powers enumerated in this section, the director shall have authority to:

(vi) Determine, subject to approval of the board, the best use for acquired institutional lands managed by the board pursuant to W.S. 9-2-2005, 9-2-2006 and 9-2-2012 consistent with:

(A) Consideration of the needs of the institution;

(B) Consideration of alternative uses of the property which are compatible with the mission of the institution; and

(C) Limitations contained in the constitution of the state of Wyoming, state and federal law and the conveyance instrument.

Section 2.

(a) The institutional land revenue fund is created to consist of funds from transactions involving institutional lands under W.S. 9-2-2005(g), 9-2-2006(e) and 9-2-2012(e) for which disposition is not otherwise provided for by state or federal law or the conveyance document. The state auditor shall account for funds deposited in the account attributable to each individual department. Funds in the account attributable to each individual department shall not be commingled. Funds in the account shall only be appropriated:

(i) Upon further action of the legislature; and

(ii) To support the major maintenance and capital construction for institutions of the department to which the funds are attributable.

Section 3. The director of the office of state lands, in consultation with the directors of the departments of corrections, family services and health shall submit a report to the board of land commissioners and the joint agriculture, state and public lands and water resources interim committee identifying lands that will be managed by the board of land commissioners pursuant to this act by October 1, 2013. The report shall also identify the potential best use for each managed property consistent with the management considerations required by this act.

Section 4. This act is effective July 1, 2013.

Approved March 13, 2013.
Be It Enacted by the Legislature of the State of Wyoming:

Section 1. [University Arena Auditorium]

(a) 2012 Wyoming Session Laws, Chapter 27, section 1(c)(ii)(intro) and (B) is amended to read:

Section 1. [Future AML funding]

(c) The legislature authorizes the department of environmental quality to submit grant applications to the federal office of surface mining for distribution of a portion of funds specified in subsection (a) of this section to the University of Wyoming, the Wyoming wildlife and natural resources trust, the Wyoming water development commission and the Wyoming department of transportation for the period ending June 30, 2013 for distribution to the specified account or entity for the following projects:

(ii) Ten million dollars ($10,000,000.00) to the University of Wyoming for athletics facilities matching funds for the renovation of the arena auditorium. After substitution of these funds with general funds as provided in 2012 Wyoming Session Laws, Chapter 27, section 4, and each qualifying contribution meeting the requirements of this paragraph have been received, and issued, the state treasurer shall distribute these an equal amount of matching funds to the university and the project may commence. Funds subject to this paragraph shall not lapse until June 30, 2017–2018. No funds from this source shall be distributed to the university until:

(B) Ten million dollars ($10,000,000.00) has been matched by a matching qualifying contributions of funds other than state of Wyoming funds, which contributions shall meet the provisions of W.S. 21-16-1001 through 21-16-1003, including valuation of matching funds, has been received by the university.

(b) 2012 Wyoming Session Laws, Chapter 27, Section 1(c)(ii)(A) is repealed.

Section 2.

(a) 2012 Wyoming Session Laws, Chapter 27, Section 2(b)(iii)(intro) and by creating new subparagraphs (F) and (G) and (vi)(C) and (c) by creating a new paragraph (iii) and renumbering paragraphs (iii) through (vi) as (iv) through (vii) is amended to read:

Section 2. [AML FUNDING – REDIRECTION OF PRIOR AUTHORIZATIONS]
(b) The grant applications submitted by the department to the federal office of surface mining shall seek authority to re-direct the funds for the following projects:

(iii) One million dollars ($1,000,000.00) to the department of transportation for a compressed natural gas fueling station and conversion of existing vehicles or purchase of new vehicles for the department or the University of Wyoming powered by compressed natural gas, subject to the following conditions:

(F) Prior to the expenditure of any funds, the University of Wyoming shall present a budget for the purchase or conversion of vehicles which operate on compressed natural gas to the joint appropriations interim committee;

(G) None of these funds shall be expended except upon further legislative authorization.

(vi)(C) Nine million dollars ($9,000,000.00) to the governor's office for the purpose of supporting the design or construction and operation of a commercial scale facility which converts minerals to value added products. Applications for grants under this subparagraph shall be received by the clean coal task force. Grants authorized under this subparagraph shall be awarded by the governor after receiving the recommendation of the joint minerals, business and economic development interim committee in accordance with this section. Any grant supporting the construction shall only be expended for the development of final design documents for or actual cost to construct a commercial minerals to value added products conversion facility. The governor may take all actions necessary to ensure the legality of an expenditure of any portion of this appropriation. No funds shall be expended from this appropriation to provide salaries. No funds shall be expended from this appropriation without the expenditure of this appropriation shall be subject to the following:

(I) A dollar for dollar match of funds not from the state of Wyoming;

(II) A signed written agreement between the University of Wyoming school of energy resources and the grantee, providing that all data, information, studies and analysis produced with funds from this appropriation or matching funds involving the siting of a commercial scale minerals to value added products conversion facility shall be transferred
(III) The governor may request a determination by the clean coal advanced conversion technologies task force and the joint minerals, business and economic development interim committee that the grant has a reasonable likelihood of leveraging a substantial future capital investment in a large plant siting in this state; in the event of multiple grant requests, the task force shall consider and give weight to whether the applicant has demonstrated a past record of producing jobs in Wyoming and whether the applicant has and is likely to maintain a nexus to the state of Wyoming.

(IV) The grantee shall have entered into a contract or option for the purchase or lease of real property on which the minerals to value added products conversion facility is to be constructed and which is zoned to allow use of the property as a commercial facility;

(V) The facility shall have an anticipated construction cost of more than fifty million dollars ($50,000,000.00);

(VI) The proposed use of grant funds shall be reviewed by the attorney general and the attorney general shall first determine that the use is lawful. The governor shall additionally determine that the facility will be of substantial benefit to the public;

(VII) The governor may require as a condition to any grant that the grantee enter into a cooperative agreement with an agency of the state of Wyoming or a Wyoming county, as designated by the governor, to oversee the expenditure of the grant funds;

(VIII) If the governor has received multiple applications for the grant funds before approval of any grant, the grant funds shall be allocated in the governor’s sole determination between the grantees, giving weight to whether the applicant has demonstrated a past record of producing jobs in Wyoming and whether the applicant has and is likely to maintain a nexus to the state of Wyoming. No determination by the governor under this section is appealable.

(c) Except for funds specified in this subsection, funds appropriated under this section shall be for the period beginning with the effective date of this section and ending June 30, 2014. Notwithstanding W.S. 9-2-1008, 9-2-1012(e) and
9-4-207(a), any unexpended, unobligated funds subject to:

(iii) Paragraph (b)(iii) of this section shall not revert until June 30, 2016;

(iv) Paragraph (b)(v) of this section shall not revert until June 30, 2016;

(v) Subparagraph (b)(vi)(C) of this section shall not revert until June 30, 2016;

(vi) Paragraph (b)(vii) of this section shall not revert until June 30, 2016; and

(vii) Paragraph (b)(viii) of this section shall not revert until June 30, 2016.

Section 3. [Engineering Building]

(a) The legislature authorizes the department of environmental quality to submit new grant applications or modify existing grant applications to the federal office of surface mining to redirect eleven million nine hundred fifty thousand dollars ($11,950,000.00) previously authorized by 2008 Wyoming Session Laws, Chapter 48, Section 320(a)(vi) for a high plains gasification facility and technology center and one million fifty thousand dollars ($1,050,000.00) previously authorized by 2011 Wyoming Session Laws, Chapter 88, Section 346(d)(i) for the high plains gasification – advanced technology center. These funds shall be redirected to an account for the purposes of construction of an engineering building at the University of Wyoming as provided in this section.

(b) From funds within the abandoned mine land funds balancing account under W.S. 35-11-1210(e), there is appropriated, as available, fifteen million eight hundred thousand dollars ($15,800,000.00) to an account for the purposes of construction of an engineering building at the University of Wyoming as provided in this section. Eight hundred thousand dollars ($800,000.00) of these funds shall be available to be matched by qualifying contributions meeting the provisions of W.S. 21-16-1401 through 21-16-1403, including valuation of matching funds.

(c) All funds redirected or appropriated under this section, and any funds substituted for those funds pursuant to subsection (d) or (e) of this section, shall be held by the state treasurer in an account for distribution to the University of Wyoming upon further act of the legislature.

(d) The department of environmental quality, in consultation with the University of Wyoming and with the approval of the governor, may substitute other University of Wyoming purposes in its grant applications under this section as necessary or convenient to replace university block grant funds expended to satisfy requirements prohibiting the use of abandoned mine land funds to match federal funds, where matching fund requirements would unduly delay
a project, or where the use of federal abandoned mine land funds would be impractical or untimely.

(e) 2012 Wyoming Session Laws, Chapter 27, Section 5(a)(ii) is repealed.

(f) Notwithstanding W.S. 9-2-1008, 9-2-1012(e) and 9-4-207(a), any unexpended, unobligated funds subject to this section, including funds appropriated by 2012 Wyoming Session Laws, Chapter 26, Section 3, Section 067, footnote 1, shall not revert until June 30, 2018.

(g) Up to three million dollars ($3,000,000.00) from the account for the purposes of construction of an engineering building at the University of Wyoming in this section shall only be expended for endowments at the University of Wyoming to support programs of national significance within the college of engineering and applied sciences as follows:

(i) One million five hundred thousand dollars ($1,500,000.00) to be matched by qualifying contributions meeting the provisions of W.S. 21-16-901 through 21-16-904, including valuation of matching funds, toward the development of a niche area of excellence in a coal research program; and

(ii) One million five hundred thousand dollars ($1,500,000.00) to be matched by qualifying contributions meeting the provisions of W.S. 21-16-901 through 21-16-904, including valuation of matching funds toward the development of a niche area of excellence in a natural gas program;

(iii) The University of Wyoming shall develop a detailed plan which shall include requirements that would bring the areas of excellence in this subsection to national prominence, including faculty, graduate support, lab and equipment. The plan shall include a plan for income utilization which provides for long term utilization of funds through a strategy of retaining or reducing expenditure of these funds in any fiscal year when adequate funds for the program are available from other sources. No expenditures from the account shall be made until the matching funds are raised and the governor, after seeking input from an assembled panel of public and private interests for the advancement of the college of engineering and applied sciences, and the University of Wyoming board of trustees have approved the plan for the development of the programs. The University of Wyoming shall submit a report to the joint minerals, business and economic development interim committee on October 1, 2013 and October 1, 2014 on the progress in creating the endowment programs.

Section 4. [Gillette Madison Pipeline]

The legislature authorizes the department of environmental quality to submit new grant applications or modify existing grant applications to the federal office of surface mining to redirect thirty million dollars ($30,000,000.00) previously authorized by 2009 Wyoming Session Laws, Chapter 159, Section 339(c)(i), for the joint UW/GE clean coal partnership project. These funds shall be redirected
to the Wyoming water development office for deposit to the Gillette Madison pipeline account established pursuant to W.S. 99-3-1405(a)(iv).

Section 5. [AML Funding Reversion Date Changes]

2008 Wyoming Session Laws, Chapter 48, Section 320(e)(ii), as amended by 2009 Wyoming Session Laws, Chapter 159, Section 346 and by 2010 Wyoming Session Laws, Chapter 39, Section 322 is amended to read:

Section 320.

(e) Except for funds subject to paragraphs (a)(v), (vi) and (vii) and subsection (c) of this section, funds appropriated under this section shall be for the period beginning with the effective date of this section and ending June 30, 2009. Notwithstanding W.S. 9-2-1008, 9-2-1012(e) and 9-4-207(a), any unexpended unobligated funds subject to:

(ii) Paragraph (a)(vi) for the high plains gasification facility and technology center shall not revert until June 30, 2013; 2014;

Section 6. The legislature acknowledges the action of the governor in substituting general funds for the University Arena Auditorium renovation project authorized under 2012 Wyoming Session Laws, Chapter 27, section 1(c)(ii). The legislature further finds that the action resulted in no abandoned mine lands funds being expended for that project. The action is ratified as taken in accordance with 2012 Wyoming Session Laws, Chapter 27, section 4, and legislative intent in enacting that provision.

Section 7. 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.

Approved March 13, 2013.

Chapter 157

STATE BUILDING COMMISSION STAFFING

AN ACT relating to administration of government; providing that the manager of the construction management program of the department of administration and information shall serve as the secretary of the state building commission; providing for designation of division staff to staff the state building commission; and providing for an effective date.

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

Section 1. W.S. 9-2-1016(b)(xxi), by creating a new paragraph (xxii) and by renumbering (xxii) as (xxiii) is amended to read:
9-2-1016. General services division.

(b) For the purpose of this subsection the term “agencies” does not include the University of Wyoming, community college districts, or school districts. It does not include the department of transportation except as to paragraphs (xi), (xii) and (xiii) of this subsection. The department through the general services division shall:

(xxi) Designate the administrator of the construction management program within the division to function as secretary to the state building commission who will administratively implement the commission’s rules;

(xxii) Provide the appropriate program staff of the division to serve as staff of the state building commission in carrying out the duties of the division under this section and W.S. 9-5-101 through 9-5-109;

(xxiii) Plan for all agency office and other space needs and construction projects required for those space needs in accordance with the provisions of W.S. 9-5-107, 9-5-108 and rules, procedures and criteria adopted pursuant to that section.

Section 2. 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.

Approved March 13, 2013.

Chapter 158

MUNICIPAL SOLID WASTE LANDFILL REMEDIATION

AN ACT relating to public health and safety; creating the municipal solid waste landfill remediation program; creating criteria for the program; creating the municipal solid waste landfill remediation account; providing qualifications for expenditures from the account; providing for reimbursement for the cost of remediation and monitoring activities as specified; providing a definition; providing rulemaking authority; depositing funds into the account; and providing for an effective date.

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

Section 1. W.S. 35-11-528 through 35-11-532 are created to read:

35-11-528. Municipal solid waste landfill remediation program created; purpose.

(a) There is created the municipal solid waste landfill remediation program. The program shall be administered by the solid and hazardous waste division of the department of environmental quality with the input of the waste and water advisory board as provided in W.S. 35-11-528 through 35-11-532.

(b) The legislature recognizes the threat to the public health, safety, welfare
and the environment caused by pollution to soil and water from leaking municipal solid waste landfills. The purpose of this program is to take state primacy of the municipal solid waste landfill remediation program and to provide funding to take remediation actions at eligible leaking municipal solid waste landfills.

35-11-529. Program criteria; requirements for local operator.

(a) The department shall contract with entities, including contractors and local operators, to provide monitoring and remediation activities, including but not limited to groundwater remediation and monitoring, methane mitigation and monitoring and landfill capping, at eligible leaking municipal solid waste landfills. The department shall oversee and fund up to seventy-five percent (75%) of the cost of the investigation of contamination, the design and installation of monitoring and remediation systems and the operation and maintenance of monitoring and remediation systems for up to ten (10) years. The department may operate and maintain a system for a longer period of time in consideration of site specific circumstances. The period of time during which the department shall have responsibility for the monitoring and remediation activities at a leaking municipal solid waste landfill shall be communicated to the local operator prior to installation of the monitoring and remediation systems.

(b) The department shall contract for monitoring and remediation activities under the program at leaking municipal solid waste landfills based upon the priority list of landfills developed pursuant to W.S. 35-11-524 and other factors as provided in W.S. 35-11-531(a)(iv). The department shall update the priority list of leaking landfills requiring monitoring and remediation activities periodically as conditions warrant and may consider all relevant factors when developing and updating the priority list.

(c) To be eligible for enrollment under the program, the local operators of a leaking municipal solid waste landfill shall:

(i) Enter into a written agreement with the department to meet all regulatory obligations under the program;

(ii) Implement and revise the community’s solid waste management plan as necessary to comply with all regulatory obligations;

(iii) Cease disposal of all waste streams at a leaking closed facility or the leaking portion of an operating facility which is undergoing remediation activities pursuant to department rules and regulations and the written agreement between the department and the local operator;

(iv) Cease disposal into units and facilities regulated under this article which do not have engineered containment systems or do not conform to performance based design standards;

(v) Agree to provide funding from any available funding source for at
least twenty-five percent (25%) of the total costs of monitoring and remedia-
tion under the program;

(vi) Control the source of releases of pollution so as to reduce or eliminate
further releases from the leaking municipal solid waste landfill;

(vii) Ensure continued revenue or funding streams sufficient to provide
for all foreseeable costs of solid waste facilities under the control of the local
operator or political subdivision, including but not limited to the full costs of:

(A) Operations;
(B) Monitoring;
(C) Recycling, composting and other diversion activities;
(D) Closure; and
(E) Post-closure activities.

(viii) Employ generally accepted accounting principles in managing all
solid waste facilities under the control of the local operator or political subdivi-
sion, including the recognition of liabilities associated with:

(A) Closure and post-closure costs; and
(B) The long-term cost of waste disposal compared to recycling, com-
posting or other diversion activities.

(d) In carrying out monitoring and remediation activities under the program
the department has the right to construct and maintain any structure, monitor
well, recovery system or any other reasonable and necessary item associated
with taking remediation and monitoring actions.

(e) The department shall notify the affected public of all confirmed releases
requiring a plan for remediation, and upon request, provide or make available
to the interested public information concerning the nature of the release and
the remediation actions planned or taken.

(f) The department shall delegate and authorize a local operator to conduct
or oversee monitoring and remediation under the program pursuant to a writ-
ten agreement between the department and the local operator acknowledging
that the local operator shall adhere to all regulatory requirements of the pro-
gram in conducting monitoring and remediation activities. The department
shall approve the local operator’s monitoring and remediation plan prior to
authorizing the local operator to conduct or oversee the monitoring and re-
mediation program. The department shall take all actions necessary to ensure
that a local operator granted authority to conduct or oversee monitoring and
remediation activities under this subsection complies with all regulatory re-
quirements of the program.

35-11-530. Municipal solid waste landfill remediation account; autho-
rized expenditures from the account.
(a) There is created the municipal solid waste landfill remediation account. The department shall use monies from the municipal solid waste landfill remediation account as appropriated by the legislature for the administration of the program. Interest earned by this account shall be deposited in the general fund. Notwithstanding W.S. 9-2-1008, 9-2-1012(e) and 9-4-207(a), funds deposited in this account shall not revert without further action of the legislature.

(b) For a leaking municipal solid waste landfill to be eligible for use of monies in the account, the owner or operator of the site shall comply with all requirements of the program and regulations of the council adopted pursuant to W.S. 35-11-531.

(c) Pursuant to subsection (d) of this section, in addition to expenditures from the account authorized by W.S. 35-11-529(a), the department shall reimburse costs incurred by a local operator who performed remediation and monitoring activities from the account if:

(i) A work plan for the remediation and monitoring activities was submitted to and approved by the department;

(ii) The remediation and monitoring activities were initiated between July 1, 2006 and December 31, 2012;

(iii) The local operator of a municipal solid waste landfill provides the department with an accurate accounting of the costs of remediation and monitoring activities conducted at the municipal solid waste landfill between July 1, 2006 and December 31, 2012; and

(iv) The local operator conducts additional remediation and monitoring activities at the leaking municipal solid waste landfill which are eligible for funding under W.S. 35-11-529(a) on or after July 1, 2013.

(d) Reimbursement authorized under subsection (c) of this section shall not exceed:

(i) For all reimbursements, a total of four million dollars ($4,000,000.00);

(ii) For any one (1) municipal solid waste landfill, an amount equal to the local operator’s twenty-five percent (25%) share of the total cost of remediation and monitoring activities required by W.S. 35-11-529(c)(v) for remediation and monitoring activities eligible for funding under W.S. 35-11-529(a) conducted at the municipal solid waste landfill after July 1, 2013.

35-11-531. Rules and regulations.

(a) The council shall promulgate rules and regulations necessary to administer the program after recommendation from the director of the department, the administrator of the solid and hazardous waste division and the water and waste advisory board. The rules shall include but shall not be limited to rules and regulations which:
(i) Provide for landfill monitoring and remediation system design, construction, installation and monitoring standards which shall be no less stringent than federal requirements;

(ii) Specify the requirements for delegating installation or modification inspection authority including but not limited to requirements for contractors and local operators;

(iii) Establish a procedure or procedures for reporting any release from a municipal solid waste landfill;

(iv) Include provisions under which priorities for remediation actions shall be established in addition to the priority list created pursuant to W.S. 35-11-524. Those priorities shall be established considering, but not limited to, the following factors:
   
   (A) Funding availability;
   (B) Cost efficiencies achieved by allocation of resources;
   (C) Opportunities for increased cost sharing between monitoring and remediation actions at multiple leaking municipal solid waste landfills;
   (D) Timeliness of remediation in reducing risk to public health, safety and welfare or the environment;
   (E) The likelihood that the remedy will reduce or eliminate the threat posed to public health, safety and welfare or the environment by continuing releases; and
   (F) Whether the facility has completed closure and transfer actions at the leaking municipal solid waste facility. Priority shall be given to solid waste facilities which have completed closure and transfer actions.

(v) Require records for compliance with repairs and upgrades to be maintained for the operational life of the landfill remediation and monitoring system;

(vi) Create requirements for participation in the program and for the return of the facility to local control pursuant to W.S. 35-11-529(a); and

(vii) Specify standards for restoration of the environment.


Any owner or operator, the department or other person taking a corrective action shall restore the environment to a condition and quality consistent with standards established in rules and regulations.

Section 2. W.S. 35-11-103(d) by creating a new paragraph (xi) is amended to read:

35-11-103. Definitions.

(d) Specific definitions applying to solid waste management:
(xi) “Eligible leaking municipal solid waste landfill” means the landfills identified by the department under the priority list for municipal solid waste landfills that need remediation created pursuant to W.S. 35-11-524(b).

Section 3. Monies appropriated to the municipal solid waste landfill account by 2011 Wyoming Session Laws, Chapter 88, Section 354, and all other monies deposited or designated for that account shall be deposited in the municipal solid waste landfill remediation account created by this section.

Section 4. 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.

Approved March 13, 2013.

Chapter 159

ELECTIONS-VACANCY APPOINTMENT PROCESS

Original House Bill No. 32

AN ACT relating to elections; modifying provisions for filling of vacancies in elected office by elected precinct committeemen and committeewomen as specified; and providing for an effective date.

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

Section 1. W.S. 22-18-111(a)(iii)(A) is amended to read:

22-18-111. Vacancies in other offices; temporary appointments.

(a) Any vacancy in any other elective office in the state except representative in congress or the board of trustees of a school or community college district, shall be filled by the governing body, or as otherwise provided in this section, by appointment of a temporary successor. The person appointed shall serve until a successor for the remainder of the unexpired term is elected at the next general election and takes office on the first Monday of the following January. Provided, if a vacancy in a four (4) year term of office occurs in the term’s second or subsequent years after the first day for filing an application for nomination pursuant to W.S. 22-5-209, no election to fill the vacancy shall be held and the temporary successor appointed shall serve the remainder of the unexpired term. The following apply:

(iii) If a vacancy occurs in the office of a member of the state legislature:

(A) For vacancies other than resignations, the board of county commissioners of the county or counties in which the vacancy occurs shall immediately notify in writing the chairman of the state central committee of the political party which the former incumbent represented at the time of his election under W.S. 22-6-120(a)(vii), or at the time of his appointment if not elected to office. For resignations, the governor shall notify the appropriate state central commit-
tee or the appropriate board of county commissioners in accordance with W.S. 28-1-106. For all vacancies in which the incumbent represented a political party at the time of his election or appointment to the office, the state central committee of the political party of the former incumbent shall notify the precinct committeemen and committeewomen for that party for each precinct within the legislative district which is vacant and arrange a meeting of those precinct committeemen and committeewomen at which they will select a list of three (3) persons qualified to fill the vacancy. Only those persons serving as committeemen and committeewomen at least thirty (30) days prior to the vacancy, or if the vacancy occurs within thirty (30) days after a primary election, including precinct committeemen and committeewomen elected at that primary, shall be authorized to vote under this subparagraph. The meeting shall be held not later than fifteen (15) days after the state central committee is notified of the vacancy. The state central committee of each political party shall establish procedures for conducting the vote required under this subparagraph and may delegate the authority to call the meeting required under this subparagraph;

Section 2. This act is effective July 1, 2013.

Approved March 13, 2013.

Chapter 160
DEADLY WEAPONS IN A COURTROOM

Original House Bill No. 216

AN ACT relating to crimes and offenses; creating a misdemeanor for a first offense and a felony for a second or subsequent offense for possessing a deadly weapon in a courtroom; providing specific authority to a presiding judge to determine who may carry a weapon in a courtroom as specified; providing a definition; and providing for an effective date.

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

Section 1. W.S. 6-1-104(a) by creating a new paragraph (xvi) and by renumbering (xvi) as (xvii) and 6-5-209 are amended to read:

6-1-104. Definitions.
(a) As used in this act, unless otherwise defined:
   (xvi) “Courtroom” means a room in which a judge is presiding over a court of law;
   (xvii) “This act” means title 6 of the Wyoming statutes.

6-5-209. Taking deadly weapons into jails, penal institutions, mental hospitals or courtrooms; penalties.
(a) Except as authorized by a person in charge, a person commits a felony punishable by imprisonment for not more than ten (10) years, a fine of not
more than ten thousand dollars ($10,000.00), or both, if that person takes or passes a deadly weapon into a jail, a state penal institution, the Wyoming boys’ school, Wyoming girls’ school, a correctional facility operated by a private entity pursuant to W.S. 7-22-102 or the state hospital.

(b) Except as authorized by a presiding judge, a person commits a misdemeanor punishable by imprisonment for not more than one (1) year, a fine of not more than five thousand dollars ($5,000.00), or both, if that person takes into a courtroom a deadly weapon. Any person convicted of a second or subsequent offense under this subsection within five (5) years of the first conviction shall be guilty of a felony punishable by a fine of not more than five thousand dollars ($5,000.00), imprisonment for not more than two (2) years, or both.

(c) Nothing in this section shall preclude a presiding judge from carrying a weapon or determining who may carry a weapon in the courtroom.

Section 2. This act is effective July 1, 2013.

Approved March 13, 2013.

Chapter 161

ADMINISTRATIVE RULES-TAKINGS ASSESSMENT

Original House Bill No. 117

AN ACT relating to administrative procedure; requiring an agency to complete an assessment evaluating whether a proposed administrative rule is a regulatory taking; and providing for an effective date.

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

Section 1. W.S. 16-3-103(a)(i) by creating a new subparagraph (H) and by creating a new paragraph (iii) is amended to read:

16-3-103. Adoption, amendment and repeal of rules; notice; hearing; emergency rules; proceedings to contest; review and approval by governor.

(a) Prior to an agency’s adoption, amendment or repeal of all rules other than interpretative rules or statements of general policy, the agency shall:

(i) Give at least forty-five (45) days notice of its intended action. Notice shall be mailed to all persons making timely requests of the agency for advanced notice of its rulemaking proceedings and to the attorney general, the secretary of state’s office as registrar of rules, and the legislative service office if a state agency. The agency shall submit a copy of the proposed rules, in a format conforming to any requirements prescribed pursuant to subsection (f) of this section, with the notice given to the legislative service office. The notice shall include:

(H) A statement that the agency has complied with the requirements of W.S. 9-5-304 and the location where an interested person may obtain a copy of the assessment used to evaluate the proposed rule pursuant to W.S. 9-5-304.
(iii) Comply with the requirements of W.S. 9-5-304.

Section 2. This act is effective July 1, 2013.

Approved March 13, 2013.

Chapter 162

ATHLETIC TRAINERS-LICENSURE

Original House Bill No. 146

AN ACT relating to athletic trainers; limiting use of title of athletic trainer; providing exemption from licensure for student athletic trainers; modifying term of licenses; and providing for an effective date.

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

Section 1. W.S. 33-45-107(a) and (c)(iii) and 33-45-108(c) are amended to read:

33-45-107. Licenses required; persons and practices not affected.

(a) After July 1, 2010, no person shall use any card, title, letters, insignia or abbreviation indicating that the person is a licensed athletic trainer, except under a license issued in accordance with this chapter and rules adopted pursuant to this chapter.

(c) Nothing in this chapter shall prevent or restrict the practices, services or activities of:

(iii) Any person serving as an a student athletic trainer for a school district or as an undergraduate student intern or trainee, provided the student intern or trainee is given the title of “athletic training student,” and the activities of any person acting pursuant to this paragraph are performed under the supervision of a licensed athletic trainer or a person meeting the qualifications of paragraph (ii) of this subsection;

33-45-108. Applications; qualifications; issuance of license.

(c) The board shall issue a license to any applicant who has satisfactorily met all the requirements for licensure imposed under this chapter and board rule and regulation as an athletic trainer. The term of the license shall be three (3) years from the date of issuance not less than one (1) year and may be renewed subject to the requirements of this chapter.

Section 2. 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.

Approved March 13, 2013.
Chapter 163

BONDS FOR CERTIFICATES OF TITLE

Original House Bill No. 150

AN ACT relating to motor vehicle titles; amending bond requirements for obtaining certificates of title; and providing for an effective date.

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

Section 1. W.S. 31-2-105(c) is amended to read:

31-2-105. Duplicate titles; affidavit of vehicle ownership; bond for certificate of title.

(c) If the vehicle for which the applicant is applying for a certificate of title has a value less than six hundred dollars ($600.00) two thousand five hundred dollars ($2,500.00), a title may be issued without a bond if the applicant presents an affidavit of vehicle ownership, a notarized bill of sale, a certified, written statement of the value from a properly licensed Wyoming vehicle dealer and a vehicle identification number (VIN) inspection, or any other information the county clerk may require for proof of ownership, at the time of application.

Section 2. This act is effective July 1, 2013.

Approved March 13, 2013.

Chapter 164

CHILD PLACEMENT ORDERS

Original House Bill No. 86

AN ACT relating to the Child Protection Act, Children in Need of Supervision Act and Juvenile Justice Act; limiting the scope of orders which require out of home psychiatric residential treatment; and providing for an effective date.

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

Section 1. W.S. 14-3-429(c) by creating a new paragraph (iv), 14-6-229(e) by creating a new paragraph (v) and 14-6-429(c) by creating a new paragraph (iv) are amended to read:

14-3-429. Decree where child adjudged neglected; dispositions; terms and conditions; legal custody.

(c) In cases where a child is ordered removed from the child’s home:

(iv) Any order regarding potential placement at a psychiatric residential treatment facility shall not specify a particular psychiatric residential treatment facility or level of care for the placement of the child.
14-6-229. Decree where child adjudged delinquent; dispositions; terms and conditions; legal custody.

(e) In cases where a child is ordered removed from the child’s home:

     (v) Any order regarding potential placement at a psychiatric residential treatment facility shall not specify a particular psychiatric residential treatment facility or level of care for the placement of the child.

14-6-429. Decree where child adjudged in need of supervision; dispositions; terms and conditions; legal custody.

(c) In cases where a child is ordered removed from the child’s home:

     (iv) Any order regarding potential placement at a psychiatric residential treatment facility shall not specify a particular psychiatric residential treatment facility or level of care for the placement of the child.

Section 2. This act is effective July 1, 2013.

Approved March 13, 2013.

Chapter 165

FUEL TAX-GASOLINE DEFINITION

AN ACT relating to taxation; including liquefied gases and other gases within the definition of gasoline for purposes of fuel taxation; and providing for an effective date.

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

Section 1. W.S. 39-17-101(a)(xii) is amended to read:


(a) As used in this article:

     (xii) “Gasoline” means the volatile substance produced from petroleum, natural gas, oil, shale or coal, sold under the name of gasoline and such other volatile and inflammable liquids, produced, manufactured, blended or compounded which can be used for operating or propelling motor vehicles, including all products having an initial boiling point of one hundred seventy (170) degrees Fahrenheit or less and including all products having an initial boiling point of more than one hundred seventy (170) degrees Fahrenheit of which ninety-five percent (95%) or more can be evaporated at or below four hundred sixty-four (464) degrees Fahrenheit except stove oil, furnace fuel, tractor fuel, diesel fuel, distillate, naphtha, kerosene and other products that do not come within the specification for gasoline, but shall include such other volatile and inflammable liquids produced, manufactured, blended or compounded which can be used for operating or propelling aircraft. Gasoline does not mean methane, ethane, butane or liquefied gas;
Section 2. This act is effective July 1, 2013.

Approved March 13, 2013.

Chapter 166

PROBATE AMENDMENTS

Original House Bill No. 24

AN ACT relating to probate; amending maximum values for certain proceedings relating to probate of estates; and providing for an effective date.

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

Section 1. W.S. 2-1-204(a)(i), 2-11-201 and 2-11-202(a)(intro) are amended to read:

2-1-204. Collection of claims of certain creditors of decedent by affidavit.

(a) Not earlier than ninety (90) days after the death of a decedent, the United States, or any agency or instrumentality thereof, or the state of Wyoming, or any agency, instrumentality or political subdivision thereof, to whom the decedent was indebted or to whom the decedent’s estate would be indebted if the estate were being administered upon, may collect all of the assets of the decedent referred to in W.S. 2-1-201, upon presentation of an affidavit to the parties referred to in W.S. 2-1-201, stating:

(i) The value of the entire estate, wherever located, less liens and encumbrances, does not exceed one hundred fifty thousand dollars ($150,000.00) two hundred thousand dollars ($200,000.00);

2-11-201. Probate of estates of nonresidents.

In case of a nonresident’s estate having property in this state not exceeding in value the sum of one hundred fifty thousand dollars ($150,000.00) two hundred thousand dollars ($200,000.00), which estate has been duly probated and settled in another state, the probate of the estate in this state may be dispensed with upon filing with the district judge in the proper county a petition under oath showing the facts in the case together with certified copies of the petition, order of appointment of executor or administrator, inventory and final decree of distribution of estate therein, and a full showing that debts of the estate have been paid and the district judge giving notice by publication for the period of three (3) weeks of the intention of the petitioner to have the probate proceedings admitted in this state as a probate of the estate. If on the day set for hearing the petition no objection is made, the judge shall make an order admitting the certified copies of the proceedings in the estate to record in his court and they shall be considered and treated from that time as original proceedings in his court and shall be conclusive evidence of the facts therein shown. If at such
hearing any creditor objects to the proceedings and shows that the decedent is indebted to him, his claim not having been presented in the original state, the matter shall be postponed and the creditor or other person shall be allowed to petition for letters of administration as in other cases. This section shall not be construed to prevent the courts of this state from appointing a temporary administrator in this state to collect and preserve the property of the estate of the deceased person which may be located in this state.


(a) In case of a nonresident's estate having property in this state not exceeding in value the sum of one hundred fifty thousand dollars ($150,000.00) two hundred thousand dollars ($200,000.00), which estate is being duly probated and settled in another state, the Wyoming district judge may enter an order for the sale of the property located in this state provided:

Section 2. 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.

Approved March 13, 2013.

Chapter 167

STATEWIDE EDUCATION ACCOUNTABILITY-PHASE II

Original House Bill No. 72

AN ACT relating to the teacher accountability act of 2011; prescribing phased-in development of phase II of the statewide education accountability system addressing teacher and leader evaluation; eliminating teachers of record as a system component; specifying study parameters and timelines; imposing reporting requirements; and providing for an effective date.

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

Section 1. W.S. 21-2-304(b)(xv) and (xvi), 21-3-110(a)(xvii), (xviii), (xix), (xxx) and (b), 21-7-102(a)(ii)(A) and (B) and 21-7-110(a)(vii) are amended to read:

21-2-304. Duties of the state board of education.

(b) In addition to subsection (a) of this section and any other duties assigned to it by law, the state board shall:

(xv) Not later than July 1, 2013-2016, promulgate rules and regulations for the implementation and administration of an annual comprehensive school district teacher performance evaluation system based in part upon defined student academic performance measures as prescribed by law, and upon longitudinal data systems linking student achievement with teachers of record and upon measures of professional practice according to standards for professional
practice prescribed by board rule and regulation. The evaluation system shall clearly prescribe standards for highly effective performance, effective performance, performance in need of improvement and ineffective performance, and define teacher of record for purposes of the teacher and school district leader evaluation and accountability system.

Rules and regulations adopted under this paragraph shall to the extent the statewide accountability system is not compromised, allow districts the opportunity to refine the system to meet the individual needs of the district. The performance evaluation system shall also include reasonable opportunity for state and district provision of mentoring and other professional development activities made available to teachers performing unsatisfactorily, which are designed to improve instruction and student achievement;

(xvi) Not later than July 1, 2013-2015, promulgate rules and regulations for implementation and administration of an annual comprehensive performance evaluation system for school and district leadership, including superintendents, principals and other district or school leaders serving in a similar capacity. The performance evaluation system shall be based in part upon defined student academic performance measures as prescribed by law, upon longitudinal data systems and upon measures of professional practice according to standards prescribed by board rule and regulation. The system shall also allow districts opportunity to refine the system to meet the individual needs of the district and shall include reasonable opportunity for state and district provision of mentoring and other professional development activities made available to district administrative personnel performing unsatisfactorily, designed to improve leadership, management and student achievement;

21-3-110. Duties of boards of trustees.

(a) The board of trustees in each school district shall:

(xvii) Not later than school year 2013-2014-2016-2017 and each school year thereafter, require the performance of each initial contract teacher to be evaluated in writing at least twice annually summatively based in part upon student achievement measures as prescribed by rule and regulation of the state board under W.S. 21-2-304(b)(xv). The teacher shall receive a copy of each evaluation of his performance;

(xviii) Not later than school year 2013-2014-2016-2017 and each school year thereafter, establish a teacher performance evaluation system and require the performance of each continuing contract teacher to be evaluated in writing at least once each year summatively based in part upon student achievement measures as prescribed by rule and regulation of the state board under W.S. 21-2-304(b)(xv). The teacher shall receive a copy of each evaluation of his performance;

(xix) Not later than school year 2013-2014-2016-2017 and each school
year thereafter, based in part upon student achievement measures established by the state board of education under W.S. 21-2-304(b)(xv), performance evaluations shall serve as a basis for improvement of instruction, enhancement of curriculum program implementation, measurement of both individual teacher performance and professional growth and development and the performance level of all teachers within the school district, and as documentation for unsatisfactory performance for that may lead to dismissal, suspension and termination proceedings under W.S. 21-7-110;

(xxx) Not later than school year 2013-2014-2015-2016 and each school year thereafter, in addition to paragraphs (xvii), (xviii) and (xix), require the performance of each school district leader, including superintendents and principals and other district or school leaders serving in a similar capacity to be evaluated in accordance with the statewide education accountability system established under W.S. 21-2-204. Not later than August 15, 2014-2016 and August 15 of each school year thereafter, in accordance with rules and regulations of the state board, the district board shall also provide the state board written reports verifying school district leader performance and providing performance scores necessary for continued employment;

(b) On or before April 15, 2014 June 1, 2017 and June 1 of each school year thereafter, each school district superintendent shall provide a report to the board of trustees identifying all teachers and on or before June 1, 2016, and June 1 of each school year thereafter, identifying all school and district leaders within the district whose performance, through evaluations conducted under paragraphs (a)(xvii) through (xix) and (xxx) of this section, has been determined inadequate in need of improvement or unsatisfactory ineffective for that school year. The report shall include a summary of mentoring and other professional development activities made available to the identified school and district leaders and teachers to improve instruction and student achievement. Not later than June 1, 2014 July 1, 2016 for school and district leaders, and July 1, 2017 for district teachers, and July 1 of each school year thereafter, the board shall file a report with the department of education certifying compliance with this subsection.

21-7-102. Definitions.

(a) As used in this article the following definitions shall apply:

(ii) “Continuing Contract Teacher”:

(A) Any initial contract teacher who has been employed by the same school district in the state of Wyoming for a period of three (3) consecutive school years, has had his contract renewed for a fourth consecutive school year and, beginning school year 2013-2014-2016-2017 and each school year thereafter, has performed satisfactorily on performance evaluations implemented by the district under W.S. 21-3-110(a)(xvii) during this period of time; or
(B) A teacher who has achieved continuing contract status in one (1) district, and who without lapse of time has taught two (2) consecutive school years and has had his contract renewed for a third consecutive school year by the employing school district, and, beginning school year 2013-2014 and each school year thereafter, has performed satisfactorily on performance evaluations conducted by both districts under W.S. 21-3-110(a)(xvii) during this period of time.

21-7-110. Suspension or dismissal of teachers; notice; hearing; independent hearing officer; board review and decision; appeal.

(a) The board may suspend or dismiss any teacher, or terminate any continuing contract teacher, for any of the following reasons:

(vii) Beginning school year 2013-2014 and each school year thereafter, inadequate performance as determined through annual performance evaluation tied to student academic growth for at least two (2) consecutive years completed in accordance with W.S. 21-3-110(a)(xvii) through (xix);

Section 2. W.S. 21-2-203(c)(ii)(C) and 21-2-304(a)(v)(D), as amended by 2013 Wyoming Session Laws, Chapter 1, Section 2 are amended to read:

21-2-203. School district data collection and funding model administration; duties and responsibilities specified; data advisory committee; school district compliance.

(c) The duties of the department are, in accordance with rules promulgated by the director, to:

(ii) Collect data from school districts necessary for the department to administer the school finance system and the statewide education accountability system established under W.S. 21-2-204. In accomplishing this, the department shall:

(C) Use existing data to establish longitudinal data systems linking student achievement with teachers of record and relevant school principals and school district leaders, as necessary for the statewide education accountability system.

21-2-304. Duties of the state board of education.

(a) The state board of education shall:

(v) Through the director and in consultation and coordination with local school districts, implement a statewide assessment system comprised of a coherent system of measures that when combined, provide a reliable and valid measure of individual student achievement for each public school and school district within the state, and the performance of the state as a whole. Statewide assessment system components shall be in accordance with requirements of the statewide education accountability system pursuant to W.S. 21-2-204. Improvement of teaching and learning in schools, attaining student achievement targets
for performance indicators established under W.S. 21-2-204 and fostering school program improvement shall be the primary purposes of statewide assessment of student performance in Wyoming. The statewide assessment system shall:

(D) Measure year-to-year changes in student performance and progress in the subjects specified under subparagraph (a)(v)(B) of this section, and not later than school year 2013-2014, link student performance and progress to teachers of record and by school year 2015-2016, link student performance and progress to school and district leaders, including superintendents, principals and other district or school leaders serving in a similar capacity. The assessment system shall ensure the integrity of student performance measurements used at each grade level to enable and later, including valid year-to-year comparisons of student and school level results, and shall be sufficient to capture necessary data to enable application of measures of performance indicators as required under W.S. 21-2-204;

Section 3.

(a) Notwithstanding 2012 Wyoming Session Laws, Chapter 101, Section 6(c), the select committee on statewide education accountability, as created under 2011 Wyoming Session Laws, Chapter 184, Section 4, and continued under 2012 Wyoming Session Laws, Chapter 101, Section 4, shall continue a study of a teacher and school district leader evaluation and accountability system. This system shall comprise phase II of the statewide education accountability system as initiated by 2011 Wyoming Session Laws, Chapter 184, Section 4(g). The design framework for the teacher and school district leader evaluation and accountability system shall:

(i) Support and promote improvement in student learning in Wyoming schools;

(ii) Be designed coherently to support a system of continuous school improvement, working seamlessly with phase I of the school accountability system established under W.S. 21-2-204 and fostering collaboration among teachers, administrators and other public education stakeholders;

(iii) Be designed and implemented with integrity and incorporate transparency necessary for all relevant participants to clearly understand expectations, including identification of an appropriate methodology to link student performance to the performance of teachers and school and district leaders as necessary for creation and implementation of an accountability system under W.S. 21-2-204 and 21-2-304;

(iv) Be designed to promote opportunities for meaningful professional growth of teachers and school district leaders;

(v) Allow for flexibility to fit local district and community contexts and needs.
(b) Using minimum requirements specified under 2012 Wyoming Session Laws, Chapter 101, Section 6(c), the select committee, through the advisory committee established under 2011 Wyoming Session Laws, Chapter 184, Section 4(d), and continued under 2012 Wyoming Session Laws, Chapter 101, Section 4(b), shall develop recommendations for the phase II teacher and school district leader evaluation and accountability system based upon evidence of student learning as well as measures of professional educator practice organized according to five (5) domains, each weighted relatively equally, and specified as follows:

(i) Learner development and learning differences and environments;

(ii) Content knowledge and application of content;

(iii) Instructional practice including assessment, planning for instruction and instructional strategies;

(iv) Professional responsibility including professional learning and ethical practice and leadership and collaboration;

(v) Evidence of student learning.

(c) Recommendations on the design framework for the teacher and leader evaluation and accountability system developed by the advisory committee pursuant to this section shall focus on creating coherence among school, leader and teacher evaluation systems. In addition, recommendations by the advisory committee shall establish design documents to effectively communicate requirements to school districts, to create guidance and provide training to districts in implementing evaluation systems with fidelity and to design systems and structures for professional learning opportunities. The design framework shall expand the three (3) levels of performance descriptors prescribed under 2012 Wyoming Session Laws, Chapter 101, Section 6(c)(v), to four (4) levels of performance descriptors, specified as follows:

(i) Highly effective performance;

(ii) Effective performance;

(iii) Performance in need of improvement; and

(iv) Ineffective performance.

(d) On or before October 15, 2013, the advisory committee shall report to the select committee on statewide education accountability recommendations on the design of a teacher and leader evaluation and accountability system. System recommendations shall be designed such that the leader evaluation and accountability system is completed prior to finalization of the teacher evaluation and accountability system to enable effective participation by school leaders in the final design of the teacher evaluation and accountability system. Recommendations under this subsection shall not be bound by and may recommend rescission of existing rules and regulations pertaining to certified personnel
evaluation systems, specifically including chapter 29, department of education rules and regulations. Recommendations reported under this subsection shall be subject to the following timelines for system implementation and piloting:

(i) During school year 2013-2014, the design shall enable provision of required training and professional learning opportunities to leaders, school board members and teachers, enable communication of system requirements to key stakeholders and shall pilot data collection methods and pilot selected accountability and evaluation system components based upon a sample of volunteer school districts;

(ii) During school year 2014-2015, the design shall continue provision of professional learning opportunities for key stakeholders, allow for system design revision based upon results of the voluntary pilot implemented during school year 2013-2014 and shall pilot all components of the leader evaluation and accountability system in all school districts, and components of the teacher evaluation and accountability system in all school districts which may be structured in a manner that requires each school district to implement only a partial system comprised of selected components, but allows all teacher system components to be piloted through a collection of partial assessments in all school districts during this school year;

(iii) During school year 2015-2016, the design shall be reviewed and may be revised as necessary based upon the school year 2014-2015 pilot, continue provision of professional learning opportunities based on needs identified through the school year 2014-2015 pilot, conduct initial peer review of school district evaluation models according to guidelines for the peer review process as specified in the report required under subsection (e) of this section, disseminate to school districts best practices based upon peer review results and require all school districts to implement leader evaluation and accountability systems and to pilot all teacher system components;

(iv) During school year 2016-2017, the system design shall be reviewed and may be revised based upon the school year 2015-2016 pilot, continue provision of professional learning opportunities based upon needs identified in the school year 2015-2016 pilot, conduct a second peer review of school district evaluation models as specified in the report required under subsection (e) of this section, disseminate to school district best practices based upon peer review results and require all school districts to implement teacher evaluation and accountability systems and continue implementation of leader evaluation and accountability systems subject to system revisions based upon review of the 2015-2016 initial implementation year.

(e) Based upon the report and recommendations submitted by the advisory committee, the select committee shall report its findings and recommendations, including necessary enabling legislation, to the legislature for consideration during the 2014 budget session.
Section 4. 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.

Approved March 13, 2013.

Chapter 168

CONFIDENTIAL STUDENT DISCIPLINARY HEARING

Original House Bill No. 47

AN ACT relating to children; providing that relevant proceedings of a court action involving misconduct of a minor may be disclosed to the minor’s school district for purposes of suspension or expulsion of the minor from school as specified; and providing for an effective date.

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

Section 1. W.S. 14-6-203(g)(v), (vi) and by creating a new paragraph (vii) and 14-6-240(e) are amended to read:

14-6-203. Jurisdiction; confidentiality of records.

(g) Except as provided by subsection (j) of this section, all information, reports or records made, received or kept by any municipal, county or state officer or employee evidencing any legal or administrative process or disposition resulting from a minor’s misconduct are confidential and subject to the provisions of this act. The existence of the information, reports or records or contents thereof shall not be disclosed by any person unless:

(v) The disclosure is made to a victim of a delinquent act constituting a felony, in accordance with W.S. 14-6-501 through 14-6-509;

(vi) The disclosure is authorized by W.S. 7-19-504;

(vii) The disclosure is made to an administrative employee or member of the board of trustees of the minor’s school district, authorized by the court to receive the information, for purposes of the suspension or expulsion of the minor pursuant to W.S. 21-4-305(d), provided:

(A) The court finds that the court action involves matters which are relevant to the suspension or expulsion of the minor pursuant to W.S. 21-4-305(e). Only materials and evidence relevant to the minor’s potential suspension or expulsion shall be disclosed to an administrative employee or member of the board of trustees of the minor’s school district; and

(B) The school district administrative employees or board of trustee members authorized to receive the minor’s confidential information shall only disclose the information:

(I) To other members of the board of trustees or the superintendent for purposes of W.S. 21-4-305(d); and
(II) To the minor and his parents, legal guardians, attorneys or guardian ad litem.

14-6-240. Fingerprinting or photographing of child; disclosure of child’s records.

(e) The court or the prosecuting attorney may release the name of the minor, the legal records or disposition in any delinquency proceeding filed in juvenile court to the minor's victim or victims and the members of the immediate family of any victim. The victim of a delinquent act constituting a felony shall be provided additional information regarding the delinquency proceeding in accordance with W.S. 14-6-501 through 14-6-509. Except as otherwise allowed under W.S. 14-6-203(g)(i) through (iv), legal records released by the court under this subsection shall not include predisposition studies and reports, social summaries, medical or psychological reports, educational records or transcripts of dispositional hearings.

Section 2. This act is effective July 1, 2013.

Chapter 169

PROBATE-OBJECTIONS TO APPOINTMENT

AN ACT relating to probate; specifying a time for filing objections to the appointment of specified persons; providing exceptions; and providing for an effective date.

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

Section 1. W.S. 2-1-103 is created to read:

ARTICLE 1
CITATIONS, CONSTRUCTION AND GENERAL PROCEDURE

2-1-103. Objections to appointments.

For appointments made pursuant to the Wyoming Probate Code, unless a shorter period of time is specified in the code or by the court, or where an appointment will be made with no hearing or no notice, all persons having an objection to the appointment of any person as a personal representative, administrator, executor, trustee, conservator, fiduciary or receiver shall file the objection in the court considering the appointment no less than five (5) days prior to any hearing scheduled to consider the appointment. A court may waive this requirement upon a showing of good cause.

Section 2. This act is effective July 1, 2013.
Chapter 170

REPRESENTATION OF CHILDREN IN COMPACT PROCEEDINGS

Original House Bill No. 153

AN ACT relating to the Interstate Compact on Juveniles; providing for appointment of the state public defender or a guardian ad litem to represent juveniles in accordance with the compact; and providing for an effective date.

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

Section 1. W.S. 7-6-104(c)(v) and 14-12-101(a) by creating a new paragraph (v) and by renumbering (v) as (vi) are amended to read:

7-6-104. Representation of needy persons.
(c) A needy person who is entitled to be represented by an attorney under subsection (a) of this section is entitled:
(v) To be represented by the public defender when requested by a fugitive in a proceeding for extradition for the limited purpose provided in W.S. 7-3-210 or for fugitive juveniles under the Interstate Compact on Juveniles, W.S. 14-6-102, when requested by the juvenile or the court;

14-12-101. Guardian ad litem program; administration by the public defender's office; standards; rulemaking.
(a) The office of the state public defender shall administer a guardian ad litem program. The program shall employ or contract with, supervise and manage attorneys providing legal representation as guardians ad litem in the following cases and actions:
(v) Interstate Compact on Juveniles proceedings under W.S. 14-6-102, when requested by the juvenile or the court;

(vi) Appeals to the Wyoming supreme court in the cases or actions specified in this subsection.

Section 2. 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.

Approved March 13, 2013.

Chapter 171

REPRESENTATION OF CHILDREN IN CHINS PROCEEDINGS

Original House Bill No. 154

AN ACT relating to public defenders; providing for public defenders to represent children in child in need of supervision proceedings; and providing for an effective date.
Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 7-6-112(a)(i) is amended to read:

7-6-112. Applicability of provisions.
(a) This act does not apply to:
   (i) Matters arising out of an action pending in the juvenile courts of this state unless it is in a juvenile delinquency proceeding or a child in need of supervision proceeding;

Section 2. 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.

Approved March 13, 2013.

Chapter 172

ALCOHOLIC BEVERAGES PURCHASES-ACCEPTABLE IDENTIFICATION

Original House Bill No. 122

AN ACT relating to alcohol; providing that valid picture identification cards issued by other jurisdictions are prima facie evidence of age and identity for purchase of alcohol; providing for recording of the identification card number from other jurisdictions for sales of keg beer; and providing for an effective date.

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

Section 1. W.S. 12-2-503(a)(i)(E) and 12-6-101(h) are amended to read:

12-2-503. Licensee to keep records.
(a) A licensee at the time of selling any beer keg shall record:
   (i) The number on the purchaser's:
      (E) An Valid picture identification card issued by the department of transportation any state, territory or possession of the United States, the District of Columbia or the Commonwealth of Puerto Rico.

12-6-101. Sale or possession prohibited; when possession unlawful; public drunkenness; falsification of identification; penalty; prima facie identification as defense.
   (h) A motor vehicle driver's license or valid picture identification card issued by any state, territory or possession of the United States, the District of Columbia; or the Commonwealth of Puerto Rico, or by an official governmental agency of Canada or Mexico, a permanent resident card issued by the United States citizenship and immigration services, an valid picture identification card issued to a member of the armed forces; or an internationally accepted passport
document with a discernible date of birth and photograph or an identification card issued by the department of transportation is prima facie evidence of the age and identity of a person. Proof that a licensee or his employee or agent demanded, was shown and acted in reasonable reliance upon the information contained in any one (1) of the above documents as identification is a defense to any criminal prosecution or action for the suspension or revocation of a license.

Section 2. This act is effective July 1, 2013.

Approved March 13, 2013.

Chapter 173

OUTDOOR ADVERTISING-FEES

Original House Bill No. 161

AN ACT relating to highways; increasing the fee for permits for outdoor advertising along highways; providing authority to establish fees; and providing for an effective date.

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

Section 1. W.S. 24-10-107(a) and (b) is amended to read:

24-10-107. Permits and identification tags.

(a) Within ninety (90) days after the effective date of this act, no outdoor advertising authorized by W.S. 24-10-104(a)(i), (iv) and (v) shall be maintained without a permit. Applications for permits shall be made to the commission on forms furnished by it. The commission shall require reasonable information to be furnished, including a statement that the owner or occupant of the land has consented to the erection or maintenance of the sign or signs thereon. A permit must be obtained for each advertising structure and the application for such permit must be accompanied by an initial fee of ten dollars ($10.00) one hundred dollars ($100.00).

(b) Permits shall be for three (3) years, shall be assigned a permit number, and shall be renewed annually thereafter upon payment of five dollars ($5.00) not to exceed fifteen dollars ($15.00) without the filing of a new application. All fees shall be paid into the state highway fund. All such fees collected shall be used by the commission for relocation or damages, but not for administrative purposes.

Section 2. This act is effective July 1, 2013.

Approved March 13, 2013.
Chapter 174

RESTAURANT LIQUOR LICENSEES-DISPENSING ROOMS

Original House Bill No. 123

AN ACT relating to restaurant liquor licensees; specifying that licensees may maintain an additional dispensing room; and providing for an effective date.

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

Section 1. W.S. 12-4-410(b) is amended to read:

12-4-410. Sale of alcoholic beverages for off-premises consumption prohibited; location, regulation and restrictions on dispensing of liquor; prohibiting certain activities.

(b) Alcoholic and malt beverages shall be dispensed and prepared for consumption in one (1) room, and one (1) additional room if authorized and approved as provided in W.S. 12-5-201(a), upon the licensed premises separated from the dining area in which alcoholic and malt beverages may be served and in the case of a golf course upon which a restaurant liquor license is operational or in the case of a guest ranch upon which a retail or restaurant liquor license is operational, at dispensing areas on the premises of the golf course or guest ranch as permitted by the licensing authority. No consumption of alcoholic or malt beverages shall be permitted within the dispensing room, nor shall any person other than employees over eighteen (18) years of age be permitted to enter the dispensing room. If a restaurant has a dispensing room separate from the dining area which is licensed prior to February 1, 1979 for purposes of alcoholic or malt beverage sales and consumption, the restaurant may dispense alcoholic or malt beverages in the separate dispensing room under a restaurant liquor license, and any person over eighteen (18) years of age is permitted to enter the separate dispensing room.

Section 2. This act is effective July 1, 2013.

Approved March 13, 2013.

Chapter 175

SUMMARY PROCEDURE FOR DISTRIBUTION OF DECEDENT’S PROPERTY

Original House Bill No. 197

AN ACT relating to decedent’s estates; clarifying the summary procedure for distribution of personal or real property; and providing for an effective date.

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

Section 1. W.S. 2-1-205(e) is amended to read:
2-1-205. Summary procedure for distribution of personal or real property; application for decree; notice by publication; presumptive evidence of title; effect of false statements.

(e) The procedure provided by this section may be used in addition to the affidavit procedure provided by W.S. 2-1-201, or in the alternative, if the person or persons claim both real property and personal property.

Section 2. This act is effective July 1, 2013.

Approved March 13, 2013.

Chapter 176

BUDGET REDUCTION IMPLEMENTATION

Original House Bill No. 249

AN ACT relating to administration of government; providing processes for potential reductions in programs based upon legislative appropriations; specifying those processes for the tax refund to the elderly and disabled, and for payments to counties for county and prosecuting attorneys and assistants; providing for priority of this act over other acts enacted during the same legislative session; and providing for an effective date.

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

Section 1. W.S. 18-3-107(f) and 39-11-109(c)(ii) and (viii) are amended to read:

18-3-107. Annual salaries of certain officers; additional compensation prohibited; exception as to traveling and other expenses; compensation of county commissioner; appointment and salaries of deputies, clerks, stenographers and other assistants.

(f) Subject to legislative appropriation, the state will pay a portion of each county and prosecuting attorney and assistant county and prosecuting attorney’s salary as provided in this subsection. The state will pay fifty percent (50%) of the salary of the county and prosecuting attorney per year to each qualifying county. The state will pay thirty thousand dollars ($30,000.00) or fifty percent (50%) of the salary of each assistant to the county and prosecuting attorney, whichever is less, per year. Payments under this section shall be made annually on or before June 30. In any fiscal year in which the legislative appropriation is insufficient to make all payments authorized by this subsection, the state treasurer shall provide a reduced payment by multiplying the payment authorized under this subsection by a fraction, the numerator of which is equal to the remaining legislative appropriation for the program for the biennial budget period and the denominator of which is equal to the total payments to be made under this subsection for the current fiscal year.

(c) Refunds. The following shall apply:

(ii) Wyoming residents meeting asset eligibility requirements under paragraph (vii) of this subsection who are sixty-five (65) years of age and older or who are eighteen (18) years of age and older and are totally disabled during the one (1) year period immediately preceding the date of application for a refund under this subsection and are not residents of any state funded institution, are qualified for an exemption and refund of state taxes as provided in this subsection. The application shall indicate whether the applicant has applied for or received any refund under this section, a property tax exemption under W.S. 39-13-105, a property tax refund under W.S. 39-13-109(c)(iv) or a property tax credit under W.S. 39-13-109(d) for the same calendar year. Subject to legislative appropriation for the program, a qualified single person whose actual income is less than seventeen thousand five hundred dollars ($17,500.00) shall receive eight hundred dollars ($800.00) reduced by the percentage that his actual income exceeds ten thousand dollars ($10,000.00) per year and qualified married persons, at least one (1) of whom is at least sixty-five (65) years of age or totally disabled, whose actual income is less than twenty-eight thousand five hundred dollars ($28,500.00) shall receive nine hundred dollars ($900.00) reduced by the percentage that their actual income exceeds sixteen thousand dollars ($16,000.00) per year. Until remarriage a person sixty (60) years or older once qualified through marriage remains eligible individually for single person benefits, subject to income limitations, after the death of his spouse;

(viii) Any refund provided by this subsection shall be reduced by the dollar amount received by the applicant for the preceding calendar year from any exemption under W.S. 39-13-105, any homeowner’s tax credit under W.S. 39-13-109(d)(i) or any tax refund under W.S. 39-13-109(c)(iv). Refunds provided by this subsection shall be calculated and may be reduced based upon legislative appropriation for the program in accordance with the following:

(A) The department shall multiply the amount authorized under paragraph (ii) of this subsection by a fraction, the numerator of which for odd numbered fiscal years is equal to one-half (1/2) of the legislative appropriation for the biennial budget period and for even numbered fiscal years is equal to the remaining legislative appropriation for the program for the biennial budget period, and the denominator of which is equal to the total refunds to qualifying recipients under this subsection for the current fiscal year. In no event shall the refund be greater than the amounts specified in paragraph (ii) of this subsection.

Section 2. This act shall be given precedence and shall prevail over any other act enacted into law during the same session in which this act is enacted to the extent that any other act is in conflict with amendments made by this act.

Section 3. This act is effective July 1, 2013.

Approved March 13, 2013.
Chapter 177

WRONGFUL DEATH-TOLLING OF STATUTES OF LIMITATION

Original House Bill No. 115

AN ACT relating to wrongful death claims; providing for tolling of statutes of limitations upon filing of appointment of wrongful death representative; and providing for an effective date.

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

Section 1. W.S. 1-38-103(b)(ii) is amended to read:

1-38-103. Appointment of wrongful death representative.

(b) The district court may appoint the wrongful death representative at any time after the decedent’s death. The appointment shall be made in a separate action brought solely for appointing the wrongful death representative. In any action in which appointment of the wrongful death representative is sought, any person claiming to qualify under W.S. 1-38-104(a) may intervene as a matter of right. After an action to appoint the wrongful death representative is filed:

(ii) If an action to appoint the wrongful death representative is properly filed, the limitation period under W.S. 1-38-102(d) and any other applicable limitation periods shall be tolled from the time the action is filed until thirty (30) days after an order appointing the wrongful death representative is entered.

Section 2. 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.

Approved March 13, 2013.

Chapter 178

UNIFORM TRUST CODE

Original House Bill No. 139

AN ACT relating to the Uniform Trust Code; providing for insurable interests of trustees; providing a definition; permitting spouses to transfer property held in tenancy by entirety to a trust without losing creditor claim protections; clarifying that no common law rule limiting the duration of noncharitable purpose trusts is in force in this state; limiting creditor access to trust property if the transfer to an irrevocable trust does not violate fraudulent transfers laws; providing that retaining power to pay certain taxes does not disqualify a qualified spendthrift trust; providing for a standard of clear and convincing evidence of fraudulent transfers to a qualified spendthrift trust; limiting effect of child support orders on assets in a qualified spendthrift trust; clarifying protection of financial institution creditors with respect to trust assets listed in an application for credit; providing for premortem validation of a trust; providing for distribution of trust assets as specified; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:
Section 1. W.S. 4-10-112 is created to read:

4-10-112.  Insurable interest of trustee.

(a) A trustee of a trust has an insurable interest in the life of an individual insured under a life insurance policy that is owned by the trustee of the trust acting in a fiduciary capacity or that designates the trust itself as the owner if, on the date the policy is issued:

(i) The insured is:

   (A) A settlor of the trust; or

   (B) An individual in whom a settlor of the trust has, or would have had, if living at the time the policy was issued, an insurable interest; and

(ii) The life insurance proceeds are primarily for the benefit of one (1) or more trust beneficiaries that have:

   (A) An insurable interest in the life of the insured; or

   (B) A substantial interest engendered by love and affection in the continuation of the life of the insured and, if not already included under subparagraph (A) of this paragraph, who are:

     (I) Kindred of the insured having a possibility of being distributees of the insured's estate if the insured dies intestate pursuant to W.S. 2-4-101; or

     (II) Stepchildren of the insured.

(b) This section applies to any trust existing before, on or after July 1, 2013, regardless of the effective date of the governing instrument under which the trust was created, but only as to a life insurance policy that is in force and for which an insured is alive on or after July 1, 2013.

(c) As used in this section, “settlor” means a person who executes a trust instrument. The term includes a person for which a fiduciary or agent is acting.

Section 2. W.S. 4-10-103(a)(xv), 4-10-402 by creating new subsections (c) through (e), 4-10-410(a) by creating a new paragraph (iv), 4-10-506(a)(ii), by creating a new subsection (c) and by renumbering (c) through (e) as (d) through (f), 4-10-510(a)(iv) by creating new subparagraphs (O) and (P), 4-10-517, 4-10-520(a)(i) and (ii), 4-10-521(b), 4-10-604(a)(intro), by creating new subsections (b) through (d), by amending and renumbering (b) as (e) and by renumbering (c) as (f) and 4-10-816(a)(xxvi), (xxvii) and by creating a new paragraph (xxviii) are amended to read:

4-10-103.  Definitions.

(a) As used in this act:

   (xv) “Qualified beneficiary” means:

   (A) A beneficiary who is currently entitled to mandatory distributions of income or principal from the trust or has a vested remainder interest in the
residuary of the trust which is not subject to divestment; provided, however,

(B) If a trust has no qualified beneficiary, under subparagraph (A) of this paragraph, “qualified beneficiary” shall mean a beneficiary having a vested remainder interest in the residuary of the trust whose interest is subject to divestment only as a result of the beneficiary's death;

(C) If a trust has no qualified beneficiary under subparagraph (A) or (B) of this paragraph, “qualified beneficiary” shall mean a beneficiary currently eligible to receive discretionary distributions of income or principal from the trust, who has received one (1) or more distributions during the beneficiary's lifetime;

(D) If a trust has no qualified beneficiary under subparagraph (A), (B) or (C) of this paragraph, “qualified beneficiary” shall mean a beneficiary currently eligible to receive discretionary distributions of income or principal from the trust;

(E) The department of health is a qualified beneficiary as the vested remainder beneficiary of trusts established pursuant to W.S. 42-2-403(f)(i), (ii) and (iii) and 42 U.S.C. 1396p(d)(4)(A), (B) and (C);

4-10-402. Title of trust property.

(c) Any property of a husband and wife that is held by them as tenants by the entireties pursuant to W.S. 34-1-140 and conveyed to their joint revocable or irrevocable trusts, or to their separate revocable or irrevocable trusts, shall have the same immunity from the claims of their separate creditors as it would if it had remained held by the entireties, so long as:

(i) They are both living and remain as husband and wife;

(ii) The property continues to be held in the trust or trusts for their benefit; and

(iii) The trust instrument, deed or other instrument of conveyance transferring the property to the trust or trusts provides that this subsection shall apply to the property and any proceeds resulting from the sale or disposition thereof.

(d) After the death of the first of the husband and wife to die, all property held in trust that was immune from the claims of the decedent's separate creditors under subsection (c) of this section immediately prior to the decedent's death shall continue to have the same immunity from the claims of the decedent's separate creditors as would have existed if the husband and wife had continued to hold the property conveyed in trust, or its proceeds, as tenants by the entirety.

(e) Nothing in this section shall be construed to limit or otherwise alter the authority granted to the department of health to assert a claim against an estate under W.S. 42-4-206 or to file a lien under W.S. 42-4-207 as could be asserted against a tenancy by the entirety established in accordance with W.S. 34-1-140.
4-10-410. Noncharitable trust without ascertainable beneficiary.

(a) Except as otherwise provided in W.S. 4-10-409 or by another statute, the following rules apply:

(iv) No common law rule limiting the duration of noncharitable purpose trusts is in force in this state.

4-10-506. Creditor’s claim against settlor.

(a) Whether or not the terms of a trust contain a spendthrift provision, the following rules apply:

(ii) Except for discretionary trusts created in accordance with W.S. 4-10-504(f), with respect to or irrevocable trusts providing that the trustee may only make discretionary distributions to the settlor, a creditor or assignee of the settlor of an irrevocable trust without a spendthrift provision, a creditor or assignee of the settlor may attach the maximum amount that can be distributed to or for the settlor’s benefit. If a trust has more than one (1) settlor, the amount the creditor or assignee of a particular settlor may attach shall not exceed the settlor’s interest in the portion of the trust attributable to that settlor’s contribution.

(c) With respect to irrevocable trusts providing that the trustee may only make discretionary distributions to the settlor, a creditor or assignee of the right of a settlor are limited by W.S. 4-10-504(b) if the transfer of property to the trust by the settlor was not in violation of the Uniform Fraudulent Transfers Act and the trustee is a regulated financial institution qualified trustee.

(d) After the death of a settlor, and subject to the settlor’s right to direct the source from which liabilities will be paid, the portion of a trust that was revocable at the settlor’s death, and the property subject thereto, is subject to claims of the settlor’s creditors, costs of administration of the settlor’s estate, the expenses of the settlor’s funeral and disposal of remains to the extent the settlor’s probate estate is inadequate to satisfy those claims, costs of administration and expenses.

(e) For purposes of this section, the holder of an unexercised power of withdrawal or power of appointment over trust property shall not be treated as a settlor of the trust regardless of whether the power remains exercisable or has lapsed.

(f) For purposes of this section, a person who created a trust for his or her spouse under section 2523(e) of the Internal Revenue Code, or for which the election in section 2523(f) of the Internal Revenue Code was made, shall not be treated as a settlor of the trust, as of and after the death of his or her spouse.

4-10-510. Creation of qualified spendthrift trust.

(a) A settlor may create a qualified spendthrift trust with a trust instrument appointing a qualified trustee for qualified trust property, which instrument:
(iv) Is irrevocable, but a trust instrument may not be deemed revocable on account of its inclusion of one (1) or more of the following:

(O) The transferor’s potential or actual receipt of income or principal to pay, in whole or in part, income taxes due on income of the trust if the potential or actual receipt of income or principal is pursuant to a provision in the trust instrument that expressly provides for the payment of the taxes and if the potential or actual receipt of income or principal would be the result of a qualified trustee’s acting:

(I) In the qualified trustee’s discretion or pursuant to a mandatory direction in the trust instrument; or

(II) At the direction of an advisor described in subparagraph (F) of this paragraph and who is acting in the advisor’s discretion.

(P) The ability, whether pursuant to discretion, direction or the settlor’s exercise of a testamentary power of appointment, of a qualified trustee to pay, after the death of the transferor, all or any part of the debts of the transferor outstanding at the time of the transferor’s death, the expenses of administering the transferor’s estate, or any estate or inheritance tax imposed on or with respect to the transferor’s estate.

4-10-517. Rights of creditors or others with respect to qualified spendthrift trust.

Notwithstanding any law to the contrary, a creditor or assignee of a settlor of a qualified spendthrift trust, or an agent of a creditor or settlor, has only such rights with respect to the qualified trust property as are provided in W.S. 4-10-514 through 4-10-523 and no creditor, assignee or agent may have any claim or cause of action against the trustee, trust protector, trust advisor or other fiduciary of the trust, or against any person involved in the counseling, drafting, administration, preparation, execution or funding of the trust unless the creditor, assignee or agent can prove by clear and convincing evidence that the transfer of property to the trust was a fraudulent transfer pursuant to the provisions of the Uniform Fraudulent Transfers Act. In the absence of clear and convincing proof, the property transferred is not subject to the claims of the creditor, assignee or agent. Proof by one (1) creditor, assignee or agent that a transfer of property to a qualified spendthrift trust was fraudulent or wrongful does not constitute proof as to any other creditor, assignee or agent and proof of a fraudulent or wrongful transfer of property as to one (1) creditor, assignee or agent shall not invalidate any other qualified transfer of property.

4-10-520. Limitations on qualified trust property.

(a) The provisions of W.S. 4-10-510 through 4-10-523, do not apply in any respect to:

(i) Any person to whom a settlor is indebted on account of an agreement
or order of court for the payment of support in favor of the settlor’s children if the settlor is in default by thirty (30) or more days of making a payment pursuant to the agreement or order:

(ii) Qualified trust property that is listed upon an A financial institution with which the settlor has listed qualified trust property on the financial institution’s application or financial statement used to obtain or maintain credit from the financial institution other than for the benefit of the qualified spendthrift trust; or

4-10-521. Avoidance of qualified transfer.

(b) A creditor shall have the burden of proving by clear and convincing evidence that a trustee or beneficiary of a qualified spendthrift trust acted in bad faith under paragraph (a)(i) or (ii) of this section, except that, in the case of a beneficiary who is also a settlor, the burden on the creditor shall be to prove by a preponderance of the evidence that the settlor or beneficiary acted in bad faith.

4-10-604. Limitation on action contesting validity of revocable trust; distribution of trust property.

(a) Subject to the rights of persons dealing with a fiduciary as provided in W.S. 4-10-1013, a person may commence a judicial proceeding to contest the validity of a trust that was revocable at the settlor’s death is revocable during the settlor’s life or an amendment thereto within the earlier of:

(b) No trustee shall have any liability under the governing instrument or to any third party or otherwise for failure to provide written notice pursuant to paragraph (a)(ii) of this section.

(c) For purposes of paragraph (a)(ii) of this section, notice shall have been given when received by the person to whom the notice was given. Absent evidence to the contrary, it shall be presumed that delivery to the last known address of that person constitutes receipt by that person.

(d) A person failing to commence a judicial proceeding to contest the validity of a trust within the times provided in this section is forever prohibited from commencing any judicial proceeding contesting the validity of the trust.

(b)(e) Upon the death of the settlor of a trust that was revocable at the settlor’s death during the settlor’s life, the trustee may proceed to distribute the trust property in accordance with the terms of the trust. The trustee is not subject to liability for doing so unless:

(i) The trustee knows of a pending judicial proceeding contesting the validity of the trust; or

(ii) A potential contestant has notified the trustee in writing of a possible judicial proceeding to contest the trust and a judicial proceeding is commenced within sixty (60) days after the contestant sent the notification.
A beneficiary of a trust that is determined to have been invalid is liable to return any distribution received.

**4-10-816. Specific powers of trustee.**

(a) Without limiting the authority conferred by W.S. 4-10-815, a trustee may:

(xxvi) Purchase and pay from trust principal the premiums on life insurance; and

(xxvii) On termination of the trust, exercise the powers appropriate to wind up the administration of the trust and distribute the trust property to the persons entitled to it; and

(xxviii) On distribution of trust income or principal pursuant to authority in the trust instrument to make discretionary distributions to a trust beneficiary, whether or not the discretionary distributions are pursuant to an ascertainable standard, make distributions of all or any portion of trust income or principal in further trust.

**Section 3.** This act is effective July 1, 2013.

Approved March 13, 2013.

---

**Chapter 179**

**STREAMLINED SALES TAX-DIRECT MAIL**

Original House Bill No. 170

AN ACT relating to sales tax; providing for the purchase of advertising and direct mail as specified in accordance with the streamlined sales tax agreement; providing definitions; repealing obsolete provisions; and providing for an effective date.

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

**Section 1.** W.S. 39-15-104(f) by creating new paragraphs (xii) through (xvi) is amended to read:

**39-15-104. Taxation rate.**

(f) The tax rate imposed upon a transaction subject to this chapter shall be sourced as follows:

(xii) A purchaser of advertising and promotional direct mail may provide the seller with either:

(A) A direct pay permit;

(B) An agreement certificate of exemption claiming direct mail or other written statement approved, authorized or accepted by the state; or

(C) Information showing the jurisdictions to which the advertising and promotional direct mail is to be delivered to recipients.
(xiii) If a purchaser provides a permit, certificate or statement under subparagraph (xii)(A) or (B) of this subsection, the seller, in the absence of bad faith, is relieved of any obligation to collect, pay or remit any tax on any transaction involving advertising and promotional direct mail to which the permit, certificate or statement applies. The purchaser shall source the sale to the jurisdictions to which the advertising and promotional direct mail is to be delivered to recipients and shall pay any applicable tax due;

(xiv) If the purchaser provides the seller information showing the jurisdictions where the advertising and promotional direct mail is to be delivered to recipients, the seller shall source the sale to the jurisdictions to which the advertising and promotional direct mail is to be delivered and shall collect and remit the applicable tax. In the absence of bad faith, the seller is relieved of any further obligation to collect any additional tax on the sale of advertising and promotional direct mail where the seller has sourced the sale according to the delivery information provided by the seller;

(xv) If the purchaser does not provide the seller with any of the items under paragraph (f)(vi) of this section, the sale shall be sourced according to subparagraph (f)(i)(E) of this section;

(xvi) As used in this subsection:

(A) “Advertising and promotional direct mail” means printed material that meets the definition of direct mail the primary purpose of which is to attract public attention to a product, person, business or organization or to attempt to sell, popularize or secure financial support for a product, person, business or organization;

(B) “Direct mail” means printed material delivered or distributed by United States mail or other delivery service to a mass audience or to addressees on a mailing list provided by the purchaser or at the direction of the purchaser when the cost of the items are not billed directly to the recipients. “Direct mail” includes tangible personal property supplied directly or indirectly by the purchaser to the direct mail seller for inclusion in the package containing the printed material. “Direct mail” does not include multiple items of printed material delivered to a single address;

(C) “Product” means tangible personal property, a product transferred electronically or a service;

(D) “Other direct mail” means any direct mail that is not advertising and promotional direct mail regardless of whether advertising and promotional direct mail is included in the same mailing. “Other direct mail” includes, but is not limited to:

(I) Transactional mail that contains personal information specific to the addressee including, but not limited to, invoices, bills, statements of account and payroll advices;
(II) Any legally required mailing including, but not limited to, privacy notices, tax reports and stockholder reports;

(III) Other nonpromotional direct mail delivered to existing or former shareholders, customers, employees or agents including, but not limited to, newsletters and informational documents.

(E) “Other direct mail” does not include the development of billing information or the provision of any data processing service that is more than incidental.

Section 2. W.S. 39-15-104(f)(vi) through (viii) is repealed.

Section 3. 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.

Approved March 13, 2013.

Chapter 180

APPRAISAL MANAGEMENT COMPANY REGULATION

Original House Bill No. 26

AN ACT relating to professions; providing for registration and regulation of appraisal management companies; providing for rules and regulations; providing definitions; providing penalties; providing for criminal history background checks; amending membership of board of real estate appraisers; providing an appropriation; and providing for an effective date.

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

Section 1. W.S. 33-39-201 through 33-39-225 are created to read:

ARTICLE 2

APPRAISAL MANAGEMENT COMPANY REGISTRATION AND REGULATION ACT


This article shall be known as the “Wyoming Appraisal Management Company Registration and Regulation Act.”


(a) As used in this article:

(i) “Appraisal” or “real estate appraisal” means as defined in W.S. 33-39-102(a)(i);

(ii) “Appraisal firm” means a corporation, limited liability company, sole proprietorship or other entity that performs appraisal services and is one hundred percent (100%) owned and controlled by a person or persons certified as an appraiser in this state;
(iii) “Appraisal management company” means, in connection with valuing properties collateralizing mortgage loans or mortgages incorporated in a securitization, an external third party authorized either by a creditor of a consumer credit transaction secured by real estate or by an underwriter of or other principal in the secondary mortgage markets that directly or indirectly performs appraisal management services;

(iv) “Appraisal management service” means to directly or indirectly perform any of the following acts:

(A) Administering an appraisal panel;

(B) Recruiting, retaining or selecting an appraiser to perform an appraisal for a third party client;

(C) Contracting with an appraiser to perform an appraisal assignment for a third party client;

(D) Providing a completed appraisal performed by an appraiser to one (1) or more third party clients; or

(E) Managing the process of having an appraisal performed, including:

(I) Receiving and assigning appraisal orders and reports;

(II) Tracking and determining the status of orders for appraisals;

(III) Conducting quality control of a completed appraisal before delivery of the appraisal to the person who ordered the appraisal;

(IV) Collecting fees from creditors and underwriters for services provided; or

(V) Compensating appraisers for services performed.

(v) “Appraisal review” means the act or process of developing and communicating an opinion about the quality of another appraiser’s work that was performed as part of an appraisal assignment related to the appraiser’s data collection, analysis, opinions, conclusions, estimate of value or compliance with the Uniform Standards of Professional Appraisal Practice. “Appraisal review” does not include:

(A) A general examination for grammatical, typographical or other similar errors; or

(B) A general examination for completeness including regulatory or client requirements as specified in the agreement process that do not communicate an opinion.

(vi) “Appraiser” means a person who holds a certification as an appraiser in this state in compliance with W.S. 33-39-101 through 33-39-130;

(vii) “Appraiser panel” means a group of independent appraisers selected by an appraisal management company to perform real estate appraisal services
for the appraisal management company;

(viii) “Board” means the Wyoming certified real estate appraiser board;

(ix) “Client” means any person or entity that contracts with, or otherwise enters into an agreement with, an appraisal management company for the performance of appraisal management services and real estate appraisal services;

(x) “Contact person” means:

(A) The owner of more than a ten percent (10%) interest of, or an officer or director of a corporation, partnership or other business entity seeking to offer appraisal management services in this state;

(B) An individual employed, appointed or authorized by an appraisal management company that has the authority to enter into a contractual relationship with clients for the performance of appraisal management services and has the authority to enter into agreements with independent appraisers for the performance of real estate appraisal services; or

(C) An individual who possesses, directly or indirectly, the power to direct or cause the direction of the management or policies of an appraisal management company.

(xi) “In good standing” means maintaining an active certification in this state pursuant to the Certified Real Estate Appraiser Act, which certification is not subject to any disciplinary or probationary restrictions;

(xii) “Real estate appraisal services” means the practice of developing a supportable opinion or conclusion relating to the nature, quality, value or utility of specified interests in, or aspects of, identified real estate;


33-39-203. Registration required.

(a) No person or entity shall engage in the business or act in the capacity of an appraisal management company regarding property located in this state without an active Wyoming registration therefore. Unless exempted from this article, any single act described within the definition of “appraisal management services” is sufficient to constitute “engaging in the business” within the meaning of this article. Any person who engages in the business or acts in the capacity of an appraisal management company regarding property located in this state, with or without a Wyoming appraisal management company registration, has thereby submitted to the jurisdiction of the state of Wyoming and to the administrative jurisdiction of the board, and shall be subject to all penalties and remedies available under Wyoming law for any violation of this article.

(b) It is unlawful for a person to directly or indirectly engage or attempt to engage in business as an appraisal management company, to directly or in-
directly engage or attempt to perform appraisal management services, or to advertise or hold itself out as engaging in or conducting business as an appraisal management company regarding property located in this state without first obtaining a registration issued by the board under the provisions of this article, regardless of the entity's use of the term “appraisal management company”, “mortgage technology company” or any other name.

(c) The registration application required by subsection (a) of this section shall, at a minimum, include the following information:

(i) The name, business address and phone contact information of the person seeking registration;

(ii) If the person is not domiciled in this state, the name and contact information for the person's agent for service of process in this state;

(iii) The name, address and contact information for any individual or any corporation, partnership or other business entity that owns ten percent (10%) or more of the appraisal management company;

(iv) The name, address and contact information for the designated contact person;

(v) A certification that the appraisal management company complies with this article;

(vi) Any other information reasonably required by the board for the registration required by subsection (a) of this section; and

(vii) Evidence of a surety bond with one (1) or more corporate sureties authorized to do business in this state or an irrevocable letter of credit issued by an insured institution in the amount of twenty-five thousand dollars ($25,000.00), subject to the following:

(A) The surety bond or letter of credit required under this paragraph shall be conditioned that the applicant pays:

(I) All amounts owing to persons who perform real estate appraisal services for the appraisal management company; and

(II) All amounts adjudged against the appraisal management company by reason of negligent or improper real estate appraisal services or appraisal management services or breach of contract in performing real estate appraisal services or appraisal management services.

(B) The surety bond or letter of credit shall require the surety company to provide written notice to the board by registered or certified mail at least thirty (30) days before the surety company cancels or revokes the bond, and within thirty (30) days after the surety company pays for a loss under the bond;

(C) The surety bond or letter of credit required by this section shall be continuously on file with the board in the amount of twenty-five thousand dol-
lars ($25,000.00) and is for the exclusive purpose of payment of the obligations listed in subparagraph (A) of this section. Upon termination or cancellation of the bond or reduction of the bond or letter of credit to less than twenty-five thousand dollars ($25,000.00), a registered appraisal management company shall:

(I) File a replacement bond or letter of credit within the time period established by the board by rule; or

(II) Surrender the company’s registration to the board and cease operating as an appraisal management company.

(D) Any person damaged by an appraisal management company’s failure to pay an obligation listed in subparagraph (A) of this section has a right of action against the bond. An action against the bond shall be commenced in a court of competent jurisdiction within one (1) year after the appraisal management company fails to pay the amount owing or the amount adjudged against the appraisal management company;

(E) Termination or cancellation of the surety bond or letter of credit required by this section shall not terminate, cancel or limit the liability of the issuer of the surety bond or letter of credit for any and all claims against the surety bond or letter of credit to satisfy a final order of a court of competent jurisdiction in an action that was commenced prior to the cancellation of the surety bond or letter of credit.


(a) This article shall not apply to:

(i) Any person that exclusively employs persons on an employer and employee basis for the performance of real estate appraisal services in the normal course of its business and the employer is responsible for ensuring that the real estate appraisal services being performed by its employees are being performed in accordance with Uniform Standards of Professional Appraisal Practices;

(ii) A department or unit within a financial institution that is regulated by a federal financial institution regulatory agency, or is regulated by an agency of this state, that receives a request for the performance of an appraisal from one (1) employee of the financial institution, and another employee of the same financial institution assigns the request for the appraisal to an appraiser who is an independent contractor to the institution;

(iii) An appraisal management company that is a subsidiary owned and controlled by a financial institution regulated by a federal financial institution regulatory agency;

(iv) Any independent contractor appraiser who in the normal course of business enters into an agreement, whether written or otherwise, with another independent contractor appraiser for the performance of real estate appraisal
services that the hiring or contracting appraiser cannot complete for any reason, including but not limited to competency, work load, schedule or geographic location;

(v) An appraisal firm as defined in this article;

(vi) Attorneys, certified public accountants, financial advisors, insurance agents, real estate brokers and agents or other professionals who request an appraisal of the client’s property on behalf of the client.


An applicant for registration as an appraisal management company in this state shall submit to the board an application on a form as prescribed by the board.


A registration granted by the board pursuant to this article shall be valid for one (1) year from the date on which it is issued.

33-39-207. Consent to service of process.

Each entity applying for registration as an appraisal management company in this state shall complete an irrevocable “uniform consent to service of process” as prescribed by the board.


Pursuant to W.S. 33-1-201, the board shall establish fees for original registrations, renewals and certifications. The fees shall be used to pay the expense of maintaining and operating the office of the board and the enforcement of this article.

33-39-209. Owner requirements.

(a) No appraisal management company shall be eligible for registration in this state if the company has more than ten percent (10%) ownership by any person who has had a license or certificate to act as an appraiser refused, denied, cancelled, revoked or surrendered in lieu of revocation in this state or in any other state unless the certificate or license has been reinstated.

(b) Each person who owns more than ten percent (10%) of an appraisal management company performing appraisal management services regarding real estate located in this state shall:

   (i) Have not been convicted of or pleaded guilty or nolo contendere to any felony involving theft, dishonesty or breach of trust;

   (ii) Submit fingerprints and other information necessary for a criminal history record background check as provided under W.S. 7-19-201; and

   (iii) Certify to the board that the person has never had a certificate or license to act as an appraiser refused, denied, cancelled, revoked or surrendered in lieu of revocation in this state or in any other state unless the certificate or license has been reinstated.
Each appraisal management company applying to the board for registration in this state shall designate one (1) contact person who will be the main contact for all communication between the board and the appraisal management company.

33-39-211. Designated contact person; requirements.
(a) In order to serve as a contact person of an appraisal management company, a person shall:
   (i) Certify to the board that the person has never had a certificate or a license issued by the board of this state, or the board of any other state, to act as an appraiser refused, denied, cancelled, revoked or surrendered in lieu of revocation unless such certificate or license was subsequently granted or reinstated;
   (ii) Have not been convicted of or pleaded guilty or nolo contendere to any felony involving theft, dishonesty or breach of trust; and
   (iii) Submit fingerprints and other information necessary for a criminal history record background check as provided under W.S. 7-19-201.

33-39-212. Employee requirements.
(a) Any employee of the appraisal management company, or any person working on behalf of the appraisal management company, who has the responsibility of selecting independent appraisers for the performance of real estate appraisal services for the appraisal management company shall receive appropriate training concerning the application of the Uniform Standards of Professional Appraisal Practice.
(b) Any employee of or any person working on behalf of the appraisal management company that performs an appraisal review of an appraisal of a parcel of real property in this state shall hold a valid appraiser certificate in this state.

An appraisal management company registered in this state pursuant to this article shall not enter into any contract or agreement with an independent appraiser for the performance of real estate appraisal services unless the appraiser holds an appraiser certificate in good standing.

Each appraisal management company seeking to be registered or renew a registration in this state shall certify to the board on an annual basis on a form prescribed by the board that the appraisal management company has a system and process in place to verify that a person being added to the appraiser panel of the appraisal management company holds an appraiser certificate in good standing.

(a) Each appraisal management company shall certify to the board on an annual basis that:

(i) It has a system in place to review the work of all independent appraisers who are performing real estate appraisal services for the appraisal management company on a periodic basis to verify that the real estate appraisal services are being conducted in accordance with Uniform Standards of Professional Appraisal Practice; and

(ii) It requires all appraisers to have required competency to perform real estate appraisal services as provided in the applicable edition of the Uniform Standards of Professional Appraisal Practice for the appraisal being assigned.


Each appraisal management company shall certify to the board on an annual basis that it maintains a detailed record of each service request it receives and the name of the independent appraiser who performs the real estate appraisal services for the appraisal management company for a period of five (5) years from the final appraisal submission to the client, or two (2) years after final disposition of a judicial proceeding related to the assignment, whichever period expires later.


(a) The board shall issue a unique registration number to each appraisal management company registered in this state pursuant to this article.

(b) The board shall maintain and publish a list of the appraisal management companies registered in this state and the registration numbers assigned to each company.

(c) An appraisal management company registered in this state shall disclose the registration number provided to it by the board on the engagement documents presented to an appraiser.


(a) It shall be unlawful for any employee, director, officer or agent of an appraisal management company registered in this state to influence or attempt to influence the development, reporting or review of an appraisal through coercion, extortion, collusion, compensation, instruction, inducement, intimidation, bribery or in any other manner, including but not limited to:

(i) Withholding or threatening to withhold timely payment for an appraisal, except in cases of breach of contract or substandard performance of services;

(ii) Withholding or threatening to withhold future business for an independent appraiser or demoting or terminating or threatening to demote or terminate an independent appraiser;
(iii) Expressly or impliedly promising future business, promotions or increased compensation for an independent appraiser;

(iv) Conditioning the request for an appraisal service or the payment of an appraisal fee or salary or bonus on the opinion, conclusion or valuation to be reached, or on a preliminary estimate or opinion requested from an independent appraiser;

(v) Requesting that an independent appraiser provide an estimated, predetermined or desired valuation in an appraisal report, or provide estimated values or comparable sales at any time prior to the independent appraiser's completion of an appraisal service;

(vi) Providing to an independent appraiser an anticipated, estimated, encouraged or desired value for a subject property or a proposed or target amount to be loaned to the borrower, except that a copy of the sales contract for purchase transactions may be provided;

(vii) Providing to an independent appraiser, or any entity or person related to the appraiser, stock or other financial or nonfinancial benefits.

(b) It shall be unlawful for an appraisal management company to:

(i) Allow the removal of an independent appraiser from an appraiser panel, without prior written notice to the appraiser;

(ii) Obtain, use or pay for a second or subsequent appraisal or order an automated valuation model in connection with a mortgage financing transaction unless:

(A) The action is required by law;

(B) There is a reasonable basis to believe that the initial appraisal was flawed or tainted and the basis is clearly and appropriately noted in the loan file; or

(C) The appraisal or automated valuation model is done pursuant to a bona fide prefunding or post-funding appraisal review or quality control process.

(iii) Require an appraiser to prepare an appraisal if the appraiser, in the judgment of the appraiser, does not have the necessary expertise for the specific geographic area and the appraiser has notified the company of this belief and declined the assignment;

(iv) Require an appraiser to prepare an appraisal under a schedule that the appraiser, in the judgment of the appraiser, believes does not afford the appraiser the ability to meet all the relevant legal and professional obligations if the appraiser has notified the company of this belief and declined the assignment;

(v) Use, obtain or request the digital signature or seal of the appraiser;
(vi) Alter, modify or otherwise change any aspect of an appraisal report without the agreement of the appraiser that the modification is appropriate unless required by applicable law;

(vii) Engage in any act or practice that does not comply with the Uniform Standards of Professional Appraisal Practice or any assignment conditions and certifications required by the client;

(viii) Engage in any other act or practice that impairs or attempts to impair the independence, objectivity or impartiality of an appraiser;

(ix) Require an appraiser to enter into an agreement to not serve on the panel of another appraisal management company;

(x) Require an appraiser to indemnify or hold harmless the appraisal management company against liability other than those liabilities, damages, losses or claims arising out of the services performed by the appraiser, including performance or nonperformance of the appraiser’s duties and obligations, whether as a result of negligence or willful conduct.

(c) Nothing in subsection (a) or (b) of this section shall be construed as prohibiting the appraisal management company from requesting that an independent appraiser:

(i) Provide additional information about the basis for a valuation;

(ii) Correct objective factual errors in an appraisal report; or

(iii) Consider additional appropriate property information.


An appraisal management company shall have a system in place to require that appraisals are conducted independently and free from inappropriate influence and coercion as required by the appraisal independence standards established under Section 129E of the Truth In Lending Act, 16 U.S.C. 1601 et seq., or subsequent similar federal enactment, including the requirement that fee appraisers be compensated at a customary and reasonable rate, consistent with presumptions of compliance under federal law, when the appraisal management company is providing services for a consumer credit transaction secured by real estate.


(a) In reporting to a client, an appraisal management company shall separately state the fees:

(i) Paid to an appraiser for the completion of an appraisal service; and

(ii) Charged by the appraisal management company for appraisal management services.

(b) An appraisal management company shall not:
(i) Prohibit an appraiser from recording the fee that the appraiser was paid by the appraisal management company for completing the appraisal service in the body of the report that is submitted by the appraiser to the appraisal management company; or

(ii) Include any fees for appraisal management services performed by the appraisal management company in the amount the company reports as charges for the actual completion of an appraisal service by an appraiser.


An appraisal management company that has a reasonable basis to believe an appraiser is failing to comply with the Uniform Standards of Professional Appraisal Practice, is violating applicable laws, or is otherwise engaging in unethical or unprofessional conduct, in a manner that materially affects the value conclusion contained in an appraisal report, shall file a complaint with the board pursuant to W.S. 33-39-123.


An appraisal management company shall, except in cases of breach of contract or substandard performance of services, make payment to an independent appraiser for the completion of an appraisal or valuation assignment within sixty (60) days of the date on which the independent appraiser transmits or otherwise provides the appraisal or valuation study to the appraisal management company or its assignee unless a mutually agreed upon alternate arrangement has been previously established.


Except within the first ninety (90) days after an independent appraiser is added to the appraiser panel of an appraisal management company, an appraisal management company shall not remove an appraiser from its appraiser panel or otherwise refuse to assign requests for real estate appraisal services to an independent appraiser without notifying the appraiser in writing of the reasons for the action.


(a) The board shall upon a written sworn complaint or may upon its own motion investigate the actions of any appraisal management company and may impose an administrative fine not to exceed two thousand five hundred dollars ($2,500.00) for each separate violation, censure the company, place the company on probation and set the terms of the probation, suspend or revoke any registration issued under this article for any of the following:

(i) Procuring a registration pursuant to this article by knowingly making a false statement, submitting false information, refusing to provide complete information in response to a question in an application for a registration or through any form of fraud or misrepresentation;
(ii) Being convicted of a felony, but this discipline shall be limited to probation, suspension or revocation of a registration;

(iii) Making any substantial misrepresentation, false promises or false or fraudulent representation;

(iv) Violating any provision of this article or rule or regulation of the board;

(v) Being negligent or incompetent, as defined in the Uniform Standards of Professional Appraisal Practice, in reviewing an appraisal, in preparing an appraisal report or in communicating an appraisal report.

(b) Upon receipt from the department of family services of a certified copy of an order from a court to withhold, suspend or otherwise restrict a registration issued by the board, the board shall notify the party named in the court order of the withholding, suspension or restriction of the registration in accordance with the terms of the court order. No appeal under the Wyoming Administrative Procedure Act shall be allowed for a registration withheld, suspended or restricted under this subsection.

(c) The board may assess to a registered appraisal management company, an applicant for registration as an appraisal management company, or an unregistered appraisal management company performing appraisal management services in this state all or part of the actual expenses of a contested case proceeding resulting in the discipline or censure of the registrant, suspension or revocation of the registrant’s certificate of registration, the denial of a certificate of registration to the applicant or the discipline or censure of an unregistered appraisal management company performing appraisal management services in this state.


The hearing on any charge of violation of W.S. 33-39-224 shall be at a time and place prescribed by the board and in accordance with the provisions of the Wyoming Administrative Procedure Act.

Section 2. W.S. 7-19-106(a)(xviii), 7-19-201(a)(xi), 33-39-104(a) and 33-39-105(a) by creating a new paragraph (x) are amended to read:


(a) Criminal history record information shall be disseminated by criminal justice agencies in this state, whether directly or through any intermediary, only to:

(xviii) The certified real estate appraiser board for purposes of permitting or registration under title 33, chapter 39;

7-19-201. State or national criminal history record information.

(a) The following persons shall be required to submit to fingerprinting in order to obtain state and national criminal history record information:

(xii) Persons applying for a permit under W.S. 33-39-109 or a registration under W.S. 33-39-209 or 33-39-211;
33-39-104. Board of certified real estate appraisers.

(a) There is hereby established as an adjunct to the Wyoming real estate commission the certified real estate appraiser board which shall consist of five (5) - six (6) members, one (1) of whom shall be a public member, one (1) of whom shall be a member of the banking industry, one (1) of whom shall be an owner or representative of an appraisal management company and three (3) of whom shall be certified real estate appraisers. The director of the real estate commission will serve as an ex officio member.


(a) The board shall:

   (x) Implement, administer and enforce, and promulgate rules and regulations that are necessary to implement, administer and enforce the provisions of the Wyoming Appraisal Management Company Registration and Regulation Act, W.S. 33-39-201 through 33-39-224.

Section 3. There is appropriated sixty thousand dollars ($60,000.00) from the real estate appraiser board administration fund to the board of real estate appraisers. This appropriation shall be for the period beginning with the effective date of this act and ending June 30, 2014. This appropriation shall only be expended for the purpose of this act. Notwithstanding any other provision of law, this appropriation shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation shall revert as provided by law on June 30, 2014.

Section 4. Notwithstanding any other provision of this act, an appraisal management company conducting business in this state on or before July 1, 2013 may continue to conduct business in this state without registering pursuant to W.S. 33-39-203 created by this act until sixty (60) days after the date rules implementing the registration process created by the Wyoming certified real estate appraiser board pursuant to W.S. 33-39-203 take effect.

Section 5. This act is effective July 1, 2013.

Approved March 13, 2013.

Chapter 181

WYOMING POLLUTION DISCHARGE ELIMINATION SYSTEM

Original House Bill No. 56

AN ACT relating to environmental quality; designating in statute the Wyoming pollution discharge elimination system; providing for submittal of fees for a Wyoming pollution discharge elimination system permit before processing and issuance of the permit; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:
Section 1. W.S. 35-11-312(a) is amended to read:

35-11-312. Fees.

(a) The department shall implement a surface water point source discharge permit fee system for each national pollutant discharge elimination system permit issued pursuant to W.S. 35-11-302(a)(v). On January 1 of each year, the department shall assess an annual permit fee of one hundred dollars ($100.00) for each national pollutant discharge elimination system permit and for each permit authorization held by any person under W.S. 35-11-301, during any portion of the preceding twelve (12) month period. All payment of permit fees shall be received prior to processing and issuance of the permit. Permit fees shall not be prorated and are nonrefundable upon permit modification, termination or expiration. The department shall prepare a biennial report on the fee system for review by the joint minerals, business and economic development interim committee by October 31 of the year prior to the Wyoming legislative budget session.

Section 2. This act is effective July 1, 2013.

Approved March 13, 2013.

Chapter 182

REGULATION OF NATURAL GAS AS A TRANSPORTATION FUEL

Original House Bill No. 229

AN ACT relating to regulation of natural gas; exempting natural gas used as a transportation fuel from regulation by the public service commission; and providing for an effective date.

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

Section 1. W.S. 37-1-101(a)(vi)(H) by creating a new subdivision (VII) is amended to read:


(a) As used in chapters 1, 2, 3, 12 and 17 of this title:

(vi) “Public utility” means and includes every person that owns, operates, leases, controls or has power to operate, lease or control:

(H) None of the provisions of this chapter shall apply to:

(VII) The retail sale of compressed natural gas for use as motor vehicle fuel by a company which is not otherwise regulated under this title.

Section 2. 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.

Approved March 13, 2013.
Chapter 183

HOME ENERGY ASSISTANCE PROGRAM

Original House Bill No. 234

AN ACT relating to public assistance and social services; modifying the energy assistance program by repealing provision for weatherization assistance for cooling efficiency; and providing for an effective date.

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

Section 1. W.S. 42-2-501(b)(v) is repealed.

Section 2. This act is effective July 1, 2013.

Approved March 13, 2013.

Chapter 184

STATE ELECTED OFFICIALS-BOARD VOTES AND CHAIRMANSHIP

Original House Bill No. 259

AN ACT relating to boards and commissions; establishing the governor as chairman as specified; requiring recorded votes on final actions; and providing for an effective date.

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

Section 1. W.S. 9-5-101(a), 11-34-105(b)(vii) and 36-2-104 are amended to read:

9-5-101. State building commission; composition; general powers and duties; conflicts of interest.

(a) The five (5) elected state officers constitute the state building commission. The governor shall be chairman of the commission, but in his absence from any meeting, one (1) of the members may act as chairman, and shall preside at the meeting. All votes taken to decide the commission’s final action on any matter shall be recorded.

11-34-105. Chief executive officer; powers and duties.

(b) The director of the office of state lands and investments shall:

(vii) Keep a record of the proceedings of the board and such books and records as are necessary for the conduct of the business of his office including a written record of all votes taken to decide the board’s final action on any matter;

36-2-104. Meetings; rules, regulations and forms of procedure; records.

The board shall hold such regular and special meetings as it may prescribe and consider necessary for the proper transaction of the business before it. All meetings and transactions incident to the duties of the board, together with all protests, contests or other proceedings before it, shall be regulated by such
reasonable rules, regulations and forms of procedure as may from time to time 
be prescribed by the board; and such rules, regulations and forms of procedure 
shall bear the same relation to proceedings pending before the board, and have 
the same legal force and effect, upon all parties to such proceedings, as the 
Code of Civil Procedure bears and has to civil actions and the parties thereto in 
the courts of this state. The board shall cause proper records of its meetings and 
other proceedings to be kept in suitable books, and shall preserve all important 
documents and papers pertaining to the lands of the state and business of the 
board. All votes taken to decide the board’s final action on any matter shall be 
recorded.

Section 2. This act is effective July 1, 2013.

Approved March 13, 2013.

Chapter 185

CHIROPRACTOR LICENSURE-AMENDMENTS

Original House Bill No. 132

AN ACT relating to the chiropractic licensing act; amending the composition and compensation of the 
board of chiropractic examiners; providing for chiropractic interns and preceptors; providing for tempo-
rary licensure as specified; amending requirements for chiropractor examinations and continuing educa-
tion; amending acts identified as unlawful when committed by a chiropractor; amending criminal penal-
ties; and providing for an effective date.

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

Section 1. W.S. 33-10-101, 33-10-102, 33-10-103, 33-10-104(a), 33-10-105, 
33-10-106, 33-10-107, 33-10-108, 33-10-109, 33-10-110(a)(intro), (i), (xiii), 
by creating new paragraphs (xv) and (xvi) and by creating a new subsection 
(g), 33-10-111, 33-10-113, 33-10-114(a) and (b), 33-10-116 and 33-10-117 are 
amended to read:


Chiropractic is the system of specific adjustment or manipulation of the joints 
and tissues of the body and the treatment of the human body by the applica-
tion of manipulative, manual, mechanical, physiotherapeutic or clinical nutri-
tional methods for which those persons licensed under this chapter are trained 
and may include venipuncture, acupuncture and the use of diagnostic x-rays with 
rights for referral for advanced diagnostic imaging. A chiropractor may examine, 
diagnose and treat patients provided, however, chiropractors shall not perform 
surgery, direct the use of or administer drugs required by law to be dispensed 
on prescription only, practice obstetrics or prescribe or administer x-ray therapy. 
For purposes of this act, “venipuncture” means the puncture of the vein for the 
withdrawal of blood.
33-10-102. Board of chiropractic examiners; established; composition; qualifications of members.

There is hereby created and established a board to be known as the state board of chiropractic examiners, which shall be composed of three (3) one (1) member of the public at large and four (4) practicing chiropractors of integrity and ability, who shall be residents of the state of Wyoming, who shall have practiced chiropractic continuously in the state of Wyoming for a period of at least three (3) years and who shall have a diploma from a recognized accredited chiropractic school or college.

33-10-103. Board of chiropractic examiners; appointment; term; qualifications; vacancies; removal.

The governor shall appoint three (3) four (4) practicing chiropractors, who shall possess the qualifications specified in W.S. 33-10-102, and one (1) citizen from the public at large to constitute the membership of the board. Members shall be appointed to a term of three (3) four (4) years, except that initial terms of chiropractor members shall be staggered so that annually thereafter the governor shall appoint one (1) chiropractor member, who shall be a licensed chiropractic practitioner possessing the qualifications specified in W.S. 33-10-102, and who shall serve for a period of three (3) years or until his successor is appointed. The governor shall fill all vacancies occurring in the board. The governor may remove any board member as provided in W.S. 9-1-202.

33-10-104. Board of chiropractic examiners; meetings; procedure; records; members to be licensed.

(a) The board of examiners shall convene within thirty (30) days after the appointment of its members and shall elect from its membership a president, vice-president, and secretary-treasurer. The board may appoint a person who is not a member of the board to fulfill the functions of treasurer or secretary. The board shall hold a regular meeting once each year at the capitol of the state, the date to be set by the board at its first meeting. The board shall hold special meetings at such times and places as a majority of the members thereof may designate, provided that not more than three (3) meetings shall be held in any one (1) year. A majority of the board shall constitute a quorum. The board shall have authority to administer oaths, take affidavits, summon witnesses and take testimony as to matters coming within the scope of its duties. It shall adopt a seal, which shall be affixed to all licenses issued by it and shall from time to time adopt rules and regulations as are proper and necessary for the performance of its duties. It shall adopt a schedule of minimum educational requirements not inconsistent with the provisions of this law, which shall be without prejudice, partiality or discrimination as to the standard schools of chiropractic. The secretary of said board shall keep a record of the proceedings of the board, which shall at all times be open to public inspection. The board shall also have on file with the secretary of state for public inspection a copy of its rules and regulations.
33-10-105. License required.

(a) It shall be unlawful for any person to practice chiropractic in this state without first obtaining a license, as provided for in this act.

(b) Nothing in this chapter shall prevent the activities and services of a person pursuing a course of study leading to a degree in chiropractic at an accredited college or university, if the activities and services constitute a part of a supervised course of study and the person is a designated chiropractic intern or preceptor appropriate to his level of training and as authorized by rules and regulations of the board.

(c) The board pursuant to its rules and regulations may issue a temporary license to an applicant who is licensed or certified by a board of chiropractic of another United States state or territory, or of a foreign country or province whose standards are equal to or exceed the requirements for licensure as a chiropractor in this state.

(d) No business entity organized under title 17 of the Wyoming statutes shall employ or contract with a chiropractor to provide chiropractic services unless fifty-one percent (51%) of the equity in the entity is owned by persons, and the spouses of persons, licensed pursuant to title 33, chapter 9, 10 or 26 of the Wyoming statutes. This subsection shall not apply to:

(i) A health care facility as defined in W.S. 35-2-901(a)(x);

(ii) Clinical facilities affiliated with a college of chiropractic which provides training for chiropractic students and which is accredited by a nationally recognized accreditation organization;

(iii) A public or private university or college;

(iv) Any agency of federal, state or local government;

(v) Any partnership or other business entity authorized to be formed under title 17 of the Wyoming statutes and which is owned with other health care providers.

33-10-106. Application for license; educational requirements; fees.

Any person wishing to practice chiropractic in this state shall make application to the board of chiropractic examiners, through the secretary-treasurer thereof, upon such form and in such manner as may be prescribed and directed by the board, at least fifteen (15) days prior to any meeting of the board. Each applicant shall be a graduate of a recognized school of chiropractic, in which he actually attended a course of study for at least four (4) years of nine (9) months each, preceded by a four-year high school course or its equivalent, and at least two (2) years of study in either a course of liberal arts or science at the University of Wyoming or in a college or university accredited by the board. Application shall be in writing and shall be signed by the applicant and sworn to before some officer authorized to administer oaths having an accredited pro-
gram which is professional in content and which meets the academic and training standards established by the board. There shall be paid by each applicant a license fee in an amount established by the board pursuant to W.S. 33-1-201 which fee shall accompany the application.

33-10-107. Time, place and subjects for examinations; reexamination.

(a) Examinations for license to practice chiropractic shall be given by the board at such times and places as it shall determine, and shall be given according to the method deemed by the board to be the most practicable and expeditious to test the applicant’s qualifications. The secretary shall designate each applicant by a number instead of by name, so that his identity will not be disclosed to the members of the board until after the examination papers are graded:

(b) All examinations shall be made in writing and shall include the following subjects: principles and practice of chiropractic, sanitation, and hygiene; anatomy, physiology, symptomatology, diagnosis, chiropractic, orthopedic, pathology, and urinalysis. In addition the applicant must also give a clinical demonstration of vertebrae palpation, nerve tracing and adjusting, satisfactory to the board. Additional subjects may be prescribed from time to time by the board to meet with new conditions or those subjects identified by the board in its rules and regulations.

(c) A license shall be granted to all applicants who shall correctly answer seventy-five percent (75%) of all questions asked, but if any applicant shall fail to answer correctly sixty percent (60%) of the questions in any one (1) subject of said examination, regardless of what his average grade might be, he or she shall not be entitled to a license unless he or she shall achieve an overall passing grade and a passing grade in each subject area as determined by the board in its rules and regulations. An applicant who fails to pass the examination may take a second examination at any time within one (1) year from and after his first failure without the payment of any additional fees.

33-10-108. Duties and authority of practitioners.

Chiropractic practitioners shall observe and be subject to all state and municipal regulations relating to the control of contagious and infectious diseases; shall be permitted to sign death certificates; and shall, as to any and all matters pertaining to public health, report to the proper health officers the same as other practitioners.

33-10-109. Title of practitioners.

Chiropractors licensed under this act shall have the right to practice chiropractic in accordance with the method taught in the chiropractic schools and colleges recognized by the chiropractic board of examiners of this state. If a chiropractor chooses to use the prefix “Dr.” or “doctor” shall not appear on any display sign before the name of the practitioner, but shall appear in connection
with the display shall also include the title “doctor of chiropractic,” “chiropractor,” “D.C.” or the equivalent. Said title shall appear in same size type as name of practitioner.

33-10-110. Prohibited acts; refusal, revocation or suspension of license; appeals.

(a) It shall be unlawful for any holder of a license according to this chapter to commit: The board may deny, refuse to renew, suspend, revoke or otherwise restrict a license under this act for any of the following acts:

(i) To use any false, fraudulent or forged statement or document, or any fraudulent, deceitful, dishonest or immoral practice, in connection with any of the licensing requirements; knowingly submit false or misleading information to the board;

(xiii) To obtain a fee as personal compensation or gain to an employer or for a person on fraudulent representation that a manifestly incurable condition can be permanently cured;

(xv) To aid or abet the practice of chiropractic by a person who is not licensed by the board;

(xvi) To violate any code of ethics or disciplinary rules established by the board.

(g) Unless the board and the licensee have agreed to the relinquishment of or imposition of restrictions or conditions on a license, the board shall conduct a proceeding to deny, refuse to renew, suspend, revoke or otherwise restrict a license on the grounds set forth in subsection (a) of this section as a contested case under the Wyoming Administrative Procedure Act.

33-10-111. Appeal from decision of board.

Any person feeling himself aggrieved by the decision of the board may have an appeal to the district court of the county wherein his license to practice is of record. The manner and procedure of appeal shall be the same as that provided by law in the cases of appeals from a circuit court to the district court petition for judicial review pursuant to the Wyoming Administrative Procedure Act.

33-10-113. Prerequisite for renewal of license; board’s power to make regulations; fees.

(a) Each chiropractor shall, as a prerequisite to annual license renewal, submit as a part of the renewal application satisfactory evidence of a minimum of twelve (12) attendance hours during the preceding year at one (1) or more chiropractic symposiums. Symposiums approved for licensees practicing within the state of Wyoming are those sponsored or conducted by any state chiropractic association, the American Chiropractic Association, or the International Chiropractic Association, or an approved chiropractic college, which devote themselves to lectures or demonstrations concerning matters which are
recognized in the state of Wyoming chiropractic laws having completed the continuing education requirements established by the board in its rules and regulations.

(b) The board shall also adopt rules and regulations authorizing the board to grant exceptions to the educational requirements, including but not limited to retired chiropractors, chiropractors who graduated within twelve (12) months of the date of renewal application, or chiropractors who were unable to obtain the education requirements because of major illness.

(c) All persons practicing chiropractic within this state shall pay on or before June-August 1 of each year, a renewal license fee in an amount established by the board pursuant to W.S. 33-1-201. If any practicing chiropractor fails to pay the renewal license tax fee imposed by W.S. 33-10-101 through 33-10-117 within thirty (30) days after the same is due and payable due date, the board shall revoke his license shall lapse. When the license is revoked, it can A lapsed license shall only be restored within one (1) year of expiration upon written application therefor and payment to the board of a fee of twice the amount of the renewal fee in effect at the time the restoration application is filed.

33-10-114. Disposition of money collected; expenses of board; per diem of members; compensation of treasurer.

(a) All money shall be received and collected as provided by law. The state treasurer shall place ten percent (10%) of the money in the general fund and the remainder in a separate account, and shall pay out of the account on warrants drawn by the auditor of the state, upon vouchers issued and signed by the president and secretary-treasurer of the board. The money received and placed in the account may be used by the members of the state board of chiropractic examiners in defraying their salary, mileage and per diem allowance as hereinafter provided in carrying out the provisions of this act. The secretary-treasurer shall keep an accurate and true account of all money received and all vouchers issued by the board. He shall, as required by W.S. 9-2-1014, report to the governor relative to all proceedings of the board. All money received or collected under this chapter shall be paid to the state treasurer for deposit in a separate account. The money in the account is subject at all times to the warrant of the state auditor drawn upon written requisition attested by the executive director of the board for the payment of any board expenses.

(b) The members of the board shall receive ten dollars ($10.00) together with per diem and mileage allowance as allowed to state employees for each day during which they are actually engaged in the discharge of their duties. The total expense for every purpose incurred by the board shall not exceed the total of the money collected as salary the sum paid each day to legislators, or an equivalent hourly wage, together with per diem and mileage allowance as allowed to state employees, when actually engaged in official board duties.

(a) Any person, corporation or association who shall practice, or attempt to practice, chiropractic, or any person who shall buy, sell, or fraudulently obtain any diplomas or licenses to practice chiropractic, or who shall use the title “doctor of chiropractic”, or any word or title to influence belief that he is engaged in the practice of chiropractic, without first complying with the provisions of this act, shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than one hundred dollars ($100.00) nor more than five hundred dollars ($500.00) one thousand dollars ($1,000.00), or by imprisonment in the county jail for not less than thirty (30) days nor more than six (6) months more than one (1) year, or by both fine and imprisonment.

(b) The attorney general, the state board of chiropractic examiners, or any county attorney, or any licensed doctor of chiropractic in the state of Wyoming, may obtain an injunction in the name of the state of Wyoming upon the relation of such complainant enjoining any person, corporation or association and the officer and directors and employees of such corporation or association from engaging in the practice of chiropractic without a license and certificate or violation of any of the provisions of this chapter. The district court of the district in which the offending party resides or the district court of Laramie county shall have original jurisdiction of any such injunction proceedings. Any defendant who has been so enjoined who shall violate such injunction shall be punished for contempt of court by a fine of not less than two hundred dollars ($200.00) or more than one thousand dollars ($1,000.00) or by imprisonment in the county jail for not less than six (6) months or not more than one (1) year, or both. An injunction may be issued without proof of actual damage sustained and upon proof of one (1) or more acts constituting practice of chiropractic without a license or in violation of any provision of this chapter.

33-10-117. Restrictions.

Nothing contained in this act shall be construed to restrain or restrict any legally licensed physician or surgeon or any legally licensed osteopath, in the practice of his profession. The practice of chiropractic is hereby declared not to be the practice of medicine, surgery, or osteopathy, within the meaning of the laws of the state of Wyoming; licensed or certified members of other legally recognized professions from performing services consistent with the laws of this state, provided they do not represent themselves as practicing the profession regulated under this act and do not represent themselves to be chiropractors. Nothing contained in this act shall be construed to restrain or restrict the practice of venipuncture or acupuncture.

Section 2. W.S. 33-10-104(b) and 33-10-110(b) through (e), 33-10-112, 33-10-114(c) and 33-10-115 are repealed.

Section 3. This act is effective July 1, 2013.

Approved March 13, 2013.
Chapter 186

ATOMIC ENERGY ACT AGREEMENT STATE STUDY

Original House Bill No. 217

AN ACT relating to environmental quality; providing that a study shall be commissioned to determine the feasibility of the state of Wyoming becoming an agreement state under the Atomic Energy Act of 1954 for the licensing of source material and source material recovery and standards for radiation protection; requiring a report; providing an appropriation; and providing for an effective date.

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

Section 1.

(a) The department of environmental quality, in consultation with the attorney general’s office and the governor’s office, shall commission a study to determine the feasibility of managing a radiation protection program that is consistent with federal statutes and regulations and the licensing of source material and source material recovery. This study shall focus on statutory, regulatory and budgetary changes necessary for the state of Wyoming to become an agreement state under the Atomic Energy Act of 1954, 42 U.S.C. § 2011 et seq., pursuant to subsection (a) of this section.

(b) The department of environmental quality, land quality division, in consultation with the attorney general’s office and the governor’s office shall report to the joint minerals, business and economic development interim committee not later than December 1, 2013 regarding the study conducted pursuant to subsection (a) of this section. The report should focus on necessary statutory, regulatory, organizational and budgetary changes necessary for the state of Wyoming to become an agreement state under the Atomic Energy Act of 1954, 42 U.S.C. § 2011 et seq., in order to eliminate dual federal and state regulation of the uranium industry in the state of Wyoming to the benefit of the economy and environment of the state of Wyoming.

(c) The joint minerals, business and economic development interim committee may consider sponsoring legislation in the 2014 budget session of the legislature of the state of Wyoming necessary for the state of Wyoming to become an agreement state under the Atomic Energy Act of 1954, 42 U.S.C. § 2011 et seq.

Section 2. There is appropriated one hundred thousand dollars ($100,000.00) from the general fund to the department of environmental quality. This appropriation shall only be expended for the purpose of commissioning a study pursuant to section 1 of this act. Notwithstanding any other provision of law, this appropriation shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation shall revert as provided by law on June 30, 2014.

Section 3. This act is effective immediately upon completion of all acts nec-
Chapter 187

SURFACE MINING OPERATIONS-EXEMPTIONS

Original House Bill No. 55

AN ACT relating to environmental quality; amending the criteria for the environmental quality council to modify or suspend certain requirements for specified small surface mining operations; exempting access roads from small surface mine acreage limits; and providing for an effective date.

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

Section 1. W.S. 35-11-401(j) is amended to read:

35-11-401. Compliance generally; exceptions.

(j) The council, upon recommendation from the advisory board through the administrator and director, may modify or suspend certain requirements of W.S. 35-11-406(a), (b), (d), (f) and (g) by rules and regulations, for surface mining operations involving not more than ten thousand (10,000) thirty-five thousand (35,000) yards of overburden, excluding topsoil, and ten (10) acres of affected land in any one (1) year, if the application requirements insure reclamation in accordance with the purposes of this act. Roads used to access a mining operation permitted under this section shall be excluded from the annual ten (10) acres of affected land limit, but shall be included in the permit and bonded for reclamation liability.

Section 2. This act is effective July 1, 2013.

Approved March 13, 2013.

Chapter 188

SOLID WASTE DISPOSAL DISTRICT BOARD TERMS

Original House Bill No. 6

AN ACT relating to solid waste disposal districts; repealing limitation on reappointment of board members; and providing for an effective date.

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

Section 1. W.S. 18-11-102(a) is amended to read:

18-11-102. Powers; management; rates; penalty for violation of rules.

(a) Following the creation of a solid waste disposal district the board of coun-
ty commissioners shall appoint not less than three (3) nor more than nine (9) residents of the district to constitute the governing board of the district. Appointees shall serve a term of three (3) years and may be reappointed for three (3) additional terms. Terms of office shall be staggered. The governing board may exercise all powers granted to cities and towns by W.S. 15-1-103(a)(xxi) and (xl) and shall adopt rules and regulations in managing the disposal of solid wastes within the district. Violation of a rule or regulation of the governing board requiring disposal of solid wastes in designated sites constitutes a misdemeanor punishable upon conviction by a fine not to exceed seven hundred fifty dollars ($750.00) or imprisonment not exceeding six (6) months or both. A governing board may also enforce its rules and regulations by appropriate legal proceedings and expend and generate revenue relative to the purpose of a solid waste disposal district. The governing board may permit persons or entities not included within the district to utilize the facilities of the district. The governing board may impose fees upon persons or entities included within or outside of the district for the privilege of utilizing the facilities of the district at rates established by the governing board and any revenue generated in this manner shall only be used to operate the district.

Section 2. This act is effective July 1, 2013.

Approved March 13, 2013.

Chapter 189

CAMPAIGN FINANCE

Original House Bill No. 187

AN ACT relating to campaign finance reporting; modifying persons required to file campaign receipts reports; removing a requirement that contributors annually renew their consent to automatic contributions; limiting contributions by political action committees; adjusting contribution limits to candidates for statewide political office; requiring amendment of campaign finance reports as specified; providing and modifying criminal and civil penalties; and providing for an effective date.

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

Section 1. W.S. 22-25-102(c) by creating a new paragraph (i), by amending and renumbering (i) as (ii) and by renumbering (ii) as (iii), (e), (h) and by creating new subsections (m) and (n) and 22-25-108(a), (c)(intro) and (d) are amended to read:

22-25-102. Contribution of funds or election assistance restricted; limitation on contributions; right to communicate; civil penalty.

(c) Except as otherwise provided in this section, no individual other than the candidate, or the candidate’s immediate family shall contribute directly or indirectly:
(i) To any candidate for statewide political office, or to any candidate for statewide political office’s candidate’s campaign committee:

(A) More than two thousand five hundred dollars ($2,500.00) per election; and

(B) No contribution for the general election may be given prior to the date for the primary election.

(ii) To any candidate for nonstatewide political office, or to any candidate for nonstatewide political office’s candidate’s campaign committee:

(A) More than one thousand dollars ($1,000.00) per election; and

(B) No contribution for the general election may be given prior to the date for the primary election.

(iii) Total political contributions for any two (2) year period consisting of a general election year and the preceding calendar year, of more than twenty-five thousand dollars ($25,000.00) fifty thousand dollars ($50,000.00).

(e) Any corporation, person or organization violating the provisions of subsection (a), (b), (c), (j), (m) or (n) of this section is subject to a civil penalty up to five thousand dollars ($5,000.00) and costs including a reasonable attorney’s fee for a first violation and up to ten thousand dollars ($10,000.00) and costs including a reasonable attorney’s fee for a second or subsequent violation which shall be imposed in a court of competent jurisdiction. The amount of penalty imposed shall be in such amount as will deter future actions of a similar nature. An action to impose the civil penalty may be prosecuted by and in the name of any candidate adversely affected by the transgression, any political party, any county attorney, any district attorney or the attorney general. Proceeds of the penalty collected shall be paid to the state treasurer and credited as provided in W.S. 8-1-109.

(h) No organization of any kind, as specified in subsection (a) of this section, shall solicit or obtain contributions for any of the purposes specified in subsection (a) of this section from an individual on an automatic basis, including but not limited to a payroll deduction plan or reverse checkoff method, unless the individual who is contributing affirmatively consents in writing to the contribution at least once in every calendar year. Nothing in this subsection shall be construed to authorize contributions otherwise prohibited under this election code.

(m) Except as otherwise provided in this section, no political action committee shall contribute directly or indirectly more than seven thousand five hundred dollars ($7,500.00) to any candidate for statewide political office or three thousand dollars ($3,000.00) per election to any candidate for other political office. For purposes of this subsection the primary, general and special
elections shall be deemed separate elections. No candidate for political office shall accept, directly or indirectly, contributions which violate this subsection. Contributions to a candidate’s campaign committee shall be considered to be contributions to the candidate. This subsection does not limit political contributions by political parties, nor expenditures by a candidate from his own funds nor from his candidate’s campaign committee funds.

(n) Contributions donated to a political action committee which are designated by the donor to be used only for a particular candidate and no other purpose are subject to the limitations of subsection (c) of this section.

22-25-108. Failure of candidate or committee to file statement.

(a) Candidates shall be given notice prior to an election that failure to file, within the time required, a full and complete itemized statement of receipts required pursuant to W.S. 22-25-107 and a statement of receipts and expenditures shall subject the candidate to civil penalties as provided in subsection (e) of this section.

(c) In addition to any other penalty provided by law, a candidate who fails is convicted of failure to file the statement required by W.S. 22-25-106 within thirty (30) days of the report due date is ineligible to run as a candidate for any state or local office for which a statement is required by W.S. 22-25-106 until:

(d) Each political action committee and each candidate’s campaign committee shall be given notice prior to an election that failure to file the statement may result in the filing of criminal charges against the committee’s officers responsible for the filing. Any officer of a political action committee or candidate’s campaign committee who is responsible for filing a report and who knowingly and willfully fails to file a report as required or who knowingly and willfully subscribes to, makes or causes to be made a false report is guilty of a felony misdemeanor punishable by imprisonment not to exceed two (2) years one (1) year.

Section 2. This act is effective January 1, 2015.

Approved March 13, 2013.

Chapter 190

SANITARY FACILITIES FOR MOTION PICTURE OPERATORS

Original House Bill No. 7

AN ACT relating to public health and safety; repealing archaic provisions requiring motion picture operators to provide running water and flush toilet facilities; repealing related provisions; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:
Section 1. W.S. 35-4-701 through 35-4-703 are repealed.

Section 2. 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.

Approved March 13, 2013.

Chapter 191

PROPERTY OFFENSES

Original House Bill No. 36

AN ACT relating to offenses against property; renaming the crime of larceny and modifying elements of the crime; removing offenses of rustling and unlawful taking of motor vehicle fuel from the renamed theft statute; modifying elements of rustling; clarifying and modifying penalties for certain offenses regarding failure to obtain a brand permit; repealing unnecessary provisions; conforming statutes; and providing for an effective date.

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

Section 1. W.S. 6-3-412 and 6-3-413 are created to read:

6-3-412. Unlawful taking of motor vehicle fuel; penalties.

(a) A person who causes a motor vehicle to leave the premises of an establishment at which motor vehicle fuel is offered for retail sale without the person making full payment for motor fuel that was dispensed into the fuel tank of a motor vehicle or into another container is guilty of unlawful taking of motor vehicle fuel. Any person convicted of a second or subsequent offense under this section shall have his driver’s license suspended pursuant to W.S. 31-7-128. The court shall forward to the department of transportation a copy of the record pertaining to disposition of the arrest or citation. In addition:

(i) A first conviction under this section is punishable by a fine of not more than seven hundred fifty dollars ($750.00), imprisonment for not more than six (6) months, or both;

(ii) A second or subsequent conviction under this section is punishable by a fine of not more than one thousand dollars ($1,000.00), imprisonment for not more than six (6) months, or both.

6-3-413. Rustling; penalty.

A person who knowingly takes or exercises unlawful control over or makes an unauthorized transfer of an interest in any horse, mule, sheep, cattle, buffalo or swine with the purpose of depriving the lawful owner or possessor of the same is guilty of livestock rustling. Livestock rustling is a felony punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars ($10,000.00), or both.
Section 2.  W.S. 6-1-104(a)(xv)(D), 6-2-401(a)(intro), 6-3-301(a), 6-3-305, 6-3-401(a)(iii), 6-3-402(a) and (c)(intro), 6-3-410, 7-3-705(a)(ii)(G), 7-8-101(a)(iii)(A), 11-31-102, 26-5-106(a)(iv)(A), 31-7-128(n)(intro), 31-16-103(c)(vii), 33-11-105(b)(iv)(C) and (D) and 33-18-105 are amended to read:

6-1-104.  Definitions.

(a)  As used in this act, unless otherwise defined:

(xv) “Pattern of criminal street gang activity” means the commission of, conviction or adjudication for or solicitation, conspiracy or attempt to commit two (2) or more of the offenses listed in this paragraph on separate occasions within a three (3) year period. Offenses that form a pattern of criminal street gang activity include:

(D) Larceny-Theft in violation of W.S. 6-3-402;

6-2-401.  Robbery; aggravated robbery; penalties.

(a)  A person is guilty of robbery if in the course of committing a crime defined by W.S. 6-3-402, 6-3-412 or 6-3-413 he:

6-3-301.  Burglary; aggravated burglary; penalties.

(a)  A person is guilty of burglary if, without authority, he enters or remains in a building, occupied structure or vehicle, or separately secured or occupied portion thereof, with intent to commit larceny-theft or a felony therein.

6-3-305.  Breaking, opening or entering of coin machine with intent to commit theft; penalties.

A person is guilty of a misdemeanor punishable by imprisonment for not more than one (1) year, a fine of not more than one thousand dollars ($1,000.00), or both, if he breaks, opens or enters a coin machine with intent to commit larceny-theft.

6-3-401.  Definitions.

(a)  As used in this article:

(iii) “This article” means W.S. 6-3-401 through 6-3-411.

6-3-402.  Theft; penalties.

(a)  A person who steals, takes and carries, leads or drives away property of another with intent to deprive the owner or lawful possessor is guilty of larceny-theft if he knowingly takes or exercises unauthorized control over or makes an unauthorized transfer of an interest in the property of another person with the purpose of depriving the other person of the property.

(c)  Except as provided by subsections (c) and (f) of this section, larceny-Theft is:

6-3-410.  Value of property may be aggregated in certain cases.
The amount of property involved in violations of W.S. 6-3-402 through 6-3-404 and 6-3-406 through 6-3-408 and 6-3-412 committed pursuant to a common scheme or the same transaction, whether the property is taken from the same person or different persons, may be aggregated in determining the value of the property.

7-3-705. Authorization for interception of wire, oral or electronic communications.

(a) The attorney general or the district attorney within whose jurisdiction the order is sought in conjunction with the attorney general, may authorize an application to a judge of competent jurisdiction for an order authorizing the interception of wire, oral or electronic communications by the Wyoming division of criminal investigation, federal criminal law enforcement agency or any law enforcement agency of the state having responsibility for investigation of the offense for which the application is made, if the interception may provide evidence of an attempt to commit, conspiracy to commit, solicitation to commit or the commission of any of the following felony offenses or comparable crimes in any other jurisdiction:

(ii) Any of the following, if incident to or discovered during investigation of a violation of the Wyoming Controlled Substances Act of 1971:

(G) Felony larceny-theft or related felony offense defined in W.S. 6-3-401 through 6-3-410 or 6-3-413.

7-8-101. Arrest by private person.

(a) A person who is not a peace officer may arrest another for:

(iii) The following misdemeanors committed in his presence:

(A) A misdemeanor larceny-theft offense defined by W.S. 6-3-402(a) or (e) 6-3-402; or

11-31-102. Deemed personalty.

Dogs are personal property and the subject of larceny-theft the same as other personal property. The value in any criminal prosecution shall be determined as in other cases.

26-5-106. “Casualty insurance” defined.

(a) Casualty insurance includes:

(iv) Insurance against loss or damage:

(A) By actual or attempted burglary, theft, larceny-theft, robbery, forgery, fraud, vandalism, malicious mischief, confiscation, wrongful conversion, disposal or concealment, including supplemental coverage for medical, hospital, surgical and funeral expense incurred by the named insured or any other person as a result of bodily injury during the commission of a burglary, robbery or theft by another;
31-7-128. Mandatory suspension of license or nonresident operating privilege for certain violations; suspension of registration.

(n) The division shall suspend the license or nonresident operating privilege of any driver upon receiving a record of the driver’s second or subsequent conviction under W.S. 6-3-402(f)-6-3-412, a similar local ordinance or a similar statute or ordinance in another jurisdiction for:

31-16-103. Licenses; applications; issuance, suspension and revocation; change in ownership; rulemaking.

(c) The department may deny, suspend, revoke or refuse to renew a license or temporary permit issued under this act if it finds the person, applicant, vehicle dealer, salesperson, agent or Wyoming based manufacturer:

(vii) Has been convicted of a felony involving fraud, conspiracy to commit fraud, forgery, embezzlement, obtaining money under false pretenses, larceny, theft or extortion within the immediate ten (10) year period prior to the date of license application;

33-11-105. Powers and duties of collection agency board.

(b) The board shall refuse to issue or renew a license:

(iv) If an applicant, or an owner, officer, director, partner or resident manager of an applicant or licensee:

(C) Has been convicted in any court of a felony involving forgery, embezzlement, obtaining money under false pretenses, larceny, theft, extortion, fraud or conspiracy to commit fraud;

(D) Has had a judgment entered against him in any civil action involving forgery, embezzlement, obtaining money under false pretenses, larceny, theft, extortion, fraud or conspiracy to commit fraud;

33-18-105. Purchase from intoxicated persons.

No person, firm or corporation engaged in the buying or selling of junk metals, rubber, rags or paper, shall purchase any articles from any person appearing to be intoxicated, nor from any person known to be a thief, or to have been convicted of larceny or theft, and when any person is found to be the owner of stolen property, which had been so sold, the property shall be returned to the owner thereof without the payment of any money on the part of the owner.

Section 3. W.S. 6-3-401(a)(i), 6-3-402(b), (d), (e) and (f) and 11-20-203(b) are repealed.

Section 4. This act is effective July 1, 2013.

Approved March 13, 2013.
Chapter 192

LAND USE PLANNING

Original House Bill No. 42

AN ACT relating to land use planning; repealing provisions related to state level land use planning act; repealing specified provisions for local zoning and land use planning; providing conforming amendments; providing definitions; and providing for an effective date.

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

Section 1. W.S. 9-8-301(a) and by creating a new subsection (d) and 9-8-302(b) are amended to read:

9-8-301. Development of plans.

(a) All local governments shall develop a local land use plan within their jurisdiction. The plans shall be consistent with established state guidelines and be subject to review and approval by the commission.

(d) As used in this article:

(i) “Local land use plan” means any written statement of land use policies, goals and objectives adopted by local governments. Such plans shall relate to an explanation of the methods for implementation, however, these plans shall not require any provisions for zoning. Any local land use plan may contain maps, graphs, charts, illustrations or any other form of written or visual communication;

(ii) “Zoning” means a form of regulatory control granted to local governments which may be used to guide and to develop specific allowable land use.

9-8-302. Procedural requirements; intergovernmental cooperation.

(b) For the purpose of development of local land use plans, the local government within each city, town and county may cooperate in the development of land use plans not inconsistent with established goals, policies and guidelines in accordance with the powers granted by the Wyoming Joint Powers Act.

Section 2. W.S. 9-8-101 and 9-8-102, 9-8-201 through 9-8-204 and 18-5-101 through 18-5-107 are repealed.

Section 3. 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.

Approved March 13, 2013.
Chapter 193

DEPARTMENT OF FAMILY SERVICES PROGRAMS

Original House Bill No. 119

AN ACT relating to the department of family services; repealing obsolete provisions related to transportation of children and payments to facilities; amending the Juvenile Justice Act, the Children in Need of Supervision Act and Wyoming boys’ school statutes to delete references to placement at the Wyoming State Hospital and Wyoming Life Resource Center; updating references to the food stamp program with references to the supplemental nutrition assistance program (SNAP); and providing for an effective date.

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

Section 1. W.S. 9-2-2018(c)(xi), 14-6-247(a)(ii), 14-6-419(b) through (d), 20-2-303(a)(ii), 20-2-307(d), 20-2-311(a), 25-3-104(a), 27-3-321(a), (b)(intro), (ii) and (iii), 27-3-607(a)(v) and (b), 31-7-401(b)(vii), 39-15-105(a)(ii)(E), 42-2-102(a)(ii) through (iv), (vi) and (vii)(intro), 42-2-103(b)(xiii) and (e)(v), 42-2-109(b), 42-2-112(a) through (g), (k)(i) and (ii) and 42-2-202(a)(intro) and (b) are amended to read:

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

(c) The department reorganization plan shall consider whether the following functions or programs are assigned from or to the agency or department specified under a Type 2 transfer:

PROGRAM; FROM; TO

(xi) Food stamp; Supplemental nutrition assistance; employment program; Family services; Workforce services

14-6-247. Sanctions common to all levels.

(a) For a child at any sanction level, the juvenile court may:

(ii) Commit the child to a suitable certified hospital willing to accept the child, or the Wyoming state hospital, for not more than ninety (90) days for treatment for substance abuse or for specialized treatment and rehabilitation programs conducted especially for juveniles;

14-6-419. Physical and mental examinations.

(b) If a child has been committed to a medical facility or institution for mental examination prior to adjudication of the petition and if it appears to the court from the mental examination that the child is competent to participate in further proceedings and is not mentally ill or intellectually disabled to a degree rendering the child subject to involuntary commitment to the Wyoming state hospital or the Wyoming life resource center, a residential treatment facility, the court shall order the child returned to the court without delay.
(c) If it appears to the court by mental examination conducted before adjudication of the petition that a child alleged to be in need of supervision is incompetent to participate in further proceedings by reason of mental illness or intellectual disability to a degree rendering the child subject to involuntary commitment to the Wyoming state hospital or the Wyoming life resource center — a residential treatment facility, the court shall hold further proceedings under this act in abeyance. The district attorney shall then commence proceedings in the district court for commitment of the child to the appropriate institution as provided by law.

(d) The juvenile court shall retain jurisdiction of the child on the petition pending final determination of the commitment proceedings in the district court. If proceedings in the district court commit the child to the Wyoming state hospital, the Wyoming life resource center or any other facility or institution for treatment and care of people with mental illness or intellectual disability, the petition shall be dismissed and further proceedings under this act terminate. If proceedings in the district court determine the child does not have a mental illness or an intellectual disability to a degree rendering him subject to involuntary commitment, the court shall proceed to a final adjudication of the petition and disposition of the child under the provisions of this act.


(a) As used in this article:

(ii) “Income” means any form of payment or return in money or in kind to an individual, regardless of source. Income includes, but is not limited to wages, earnings, salary, commission, compensation as an independent contractor, temporary total disability, permanent partial disability and permanent total disability worker’s compensation payments, unemployment compensation, disability, annuity and retirement benefits, and any other payments made by any payor, but shall not include any earnings derived from overtime work unless the court, after considering all overtime earnings derived in the preceding twenty-four (24) month period, determines the overtime earnings can reasonably be expected to continue on a consistent basis. In determining income, all reasonable unreimbursed legitimate business expenses shall be deducted. Means tested sources of income such as Pell grants, aid under the personal opportunities with employment responsibilities (POWER) program, food stamps supplemental nutrition assistance program and supplemental security income (SSI) shall not be considered as income. Gross income also means potential income of parents who are voluntarily unemployed or underemployed;

20-2-307. Presumptive child support to be followed; deviations by court.

(d) Agreements regarding child support may be submitted to the court. All such agreements shall be accompanied by a financial affidavit as required by W.S. 20-2-308. The court shall use the presumed child support amounts to re-
view the adequacy of child support agreements negotiated by the parties. If the agreed amount departs from the presumed child support, the parties shall furnish statements of explanation which shall be included with the forms and shall be filed with the court. The court shall review the agreement and inform the parties whether or not additional or corrected information is needed, or that the agreement is approved or disapproved. No agreement which is less than the presumed child support amount shall be approved if means tested sources of income such as aid under the personal opportunities with employment responsibilities (POWER) program, health care benefits under Title XIX of the Social Security Act, food stamps, supplemental nutrition assistance program, supplemental security income (SSI) or other similar benefits are being paid on behalf of any of the children.

20-2-311. Adjustment of child support orders.

(a) Any party, or the department of family services in the case of child support orders being enforced by the department, may petition for a review and adjustment of any child support order that was entered more than six (6) months prior to the petition or which has not been adjusted within six (6) months from the date of filing of the petition for review and adjustment. The petition shall allege that, in applying the presumptive child support established by this article, the support amount will change by twenty percent (20%) or more per month from the amount of the existing order. The court shall require the parents to complete a verified financial statement on forms approved by the Wyoming supreme court, and shall apply the presumptive child support set out in this article in conducting the review and adjustment. If, upon applying the presumptive child support to the circumstances of the parents or child at the time of the review, the court finds that the support amount would change by twenty percent (20%) or more per month from the amount of the existing order, the court shall consider there to be a change of circumstances sufficient to justify the modification of the support order. The provisions of this section do not preclude a party or assignee from bringing an action for modification of a support order, based upon a substantial change of circumstances, at any time. Every three (3) years, upon the request of either parent or, if there is a current assignment of support rights in effect, upon the request of the department, the court, with respect to a support order being enforced under this article and taking into account the best interests of the child involved, shall review and, if appropriate, adjust the order in accordance with the guidelines established pursuant to this article. Any adjustment under the three (3) year cycle shall be made without a requirement for a showing of a change in circumstances. The commencement of aid under the personal opportunities with employment responsibilities (POWER) program, medical benefits under Title XIX of the Social Security Act, food stamps, supplemental nutrition assistance program, and supplemental security income (SSI) shall be considered a substantial change of circumstances requiring modification of child support.
25-3-104. Transfer of residents to state hospital; rules and regulations governing residents.

(a) The department of family services may, with the approval of the department of health, transfer any resident who becomes mentally incompetent to the Wyoming state hospital any appropriate acute placement facility based on a psychiatric evaluation.

27-3-321. Disclosure of supplemental nutrition assistance program over-issuance required; notification; amount withheld; payment; applicability of provisions.

(a) An individual filing a new claim for unemployment compensation shall, at the time of filing such claim, disclose whether or not he owes an uncollected overissuance of food stamp coupons supplemental nutrition assistance program benefits as defined in section 13(c)(1) of the Food Stamp Act of 1977 Food and Nutrition Act of 2008. The department shall notify the department of family services of any individual who discloses that he owes an uncollected overissuance and who is determined to be eligible for unemployment compensation.

(b) The department shall deduct and withhold from any unemployment compensation payable to an individual who owes an uncollected overissuance of food stamps supplemental nutrition assistance benefits:

(ii) The amount determined pursuant to an agreement under section 13(c)(3)(A) of the Food Stamp Act of 1977 Food and Nutrition Act of 2008 and submitted to the department of family services; or

(iii) Any amount otherwise required to be deducted and withheld from unemployment compensation pursuant to section 13(c)(3)(B) of the Food Stamp Act of 1977 Food and Nutrition Act of 2008, whichever is greater.

27-3-607. Cooperation by department with federal, state and local agencies; disclosure and submission of specified information; limitations.

(a) The department shall:

(v) Upon request, pursuant to contract and on a reimbursable basis, disclose to officers and employees of the United States department of agriculture and any state food stamp supplemental nutrition assistance program agency defined under 7 U.S.C. § 2012(n)(1), any wage information obtained under this act for an identified individual, any record of application for or receipt of benefits and the amount received, his most recent home address and any refusal of an offer of employment and a description of this employment;

(b) A requesting agency shall agree that information obtained under paragraph (a)(iv) of this section be used only for establishing and collecting child support obligations from and locating individuals owing obligations enforced pursuant to a plan described under 42 U.S.C. § 654, and that information ob-
tained under paragraph (a)(v) of this section be used only for determining the applicant’s eligibility for benefits or the amount of benefits under the food stamp supplemental nutrition assistance program. The agency shall also reimburse the department for the cost of furnishing this information. Requirements for confidentiality of information under this act and the penalties for improper disclosure apply to the use of this information by officers and employees of any child support or food stamp supplemental nutrition assistance program agency and the United States department of agriculture.

31-7-401. Ignition interlock licenses; definitions; administration and enforcement.

(b) The department shall prescribe reasonable rules and regulations for the certification of ignition interlock devices and ignition interlock service providers and for the calibration and maintenance of ignition interlock devices, which calibration and maintenance shall be the responsibility of an ignition interlock service provider. In addition to other matters necessary for the administration of this article, the rules and regulations shall:

(vii) Establish procedures under which indigent persons who are required to operate only vehicles equipped with an ignition interlock device may have one-half (1/2) the costs of obtaining and using such device paid from funds made available by the state. A person shall be considered indigent if they are able to produce evidence that they are eligible and qualified to participate in the federal food stamp supplemental nutrition assistance program.


(a) The following sales or leases are exempt from the excise tax imposed by this article:

(ii) For the purpose of exempting sales of services and tangible personal property protected by federal law, the following are exempt:

(E) To comply with the Food Security Act of 1985 Food and Nutrition Act of 2008, sales of food purchased with food stamp supplemental nutrition assistance benefits.


(a) Except as otherwise specifically provided, as used in this article:

(ii) “Coupon” means any coupon, stamp or other type of certificate provided for the purchase of eligible food as defined by the food stamp supplemental nutrition assistance program;

(iii) “Electronic benefit transfer” means a system for the food stamp supplemental nutrition assistance program as an alternative to issuing food stamp coupons a supplemental nutrition assistance program card. An electronic benefit transfer system is a computer-based system in which the benefit authorization is received through a point of sale terminal. Eligible households utilize
plastic cards in lieu of food stamp supplemental nutrition assistance program coupons to purchase food items at authorized food retailers. This type of benefit may also be used to issue other types of public welfare benefits;

(iv) “Food stamp Supplemental nutrition assistance program benefit” means assistance provided by the food stamp Supplemental nutrition assistance program to eligible households in the form of coupons, electronic benefit transfers or cash that are redeemable at federally approved food retailers;

(vi) “Public assistance” means financial assistance in the form of a performance payment, vendor payment, food stamp Supplemental nutrition assistance program benefits or a payment under the minimum medical program;

(vii) “Public welfare benefit” means financial assistance provided to eligible persons in the form of a performance payment, vendor payment, food stamp coupon Supplemental nutrition assistance program benefit, electronic benefit transfer or cash. These benefits may be received from several state or federal welfare programs including:

42-2-103. Provision of assistance and services; duties of department; burial assistance; state supplemental security income program.

(b) In carrying out subsection (a) of this section and except as provided under the Wyoming Medical Assistance and Services Act, the department shall:

(xiii) Exempt individuals domiciled in Wyoming from the application of section 115, subsection (a) of P.L. 104-193 allowing payment of benefits under the personal opportunities with employment responsibilities program (POWER) and the food stamp Supplemental nutrition assistance program;

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

(v) In accordance with guidelines and criteria prescribed by rule and regulation of the department and unless otherwise qualifying for a good cause exemption pursuant to rule and regulation of the department, require the development of and adherence to a self-sufficiency plan with guidelines and assistance provided by the department, as a condition for benefit eligibility under the personal opportunities with employment responsibilities (POWER) program. A self sufficiency plan including timely completion of an approved educational program complying with W.S. 42-2-109(a) shall be deemed to meet the requirements of this subsection if adhered to. Any person not qualifying for a good cause exemption and failing to comply with this paragraph shall be sanctioned, to include disqualification under the personal opportunities with employment responsibilities (POWER) program and be disqualified from receiving benefits under the food stamp Supplemental nutrition assistance and medical assistance programs. The sanction shall be established at a level which
would continue to assure children in a noncompliance household would be eligible for food stamp and Medicaid. Subject to procedure prescribed by department regulation, any recipient may at any time request a good cause exemption from the requirements of this section;

42-2-109. Review of assistance and services; termination or modification; notice to department of change in resources.

(b) Upon gaining possession of any property, income or other resources after receiving any public assistance and social services under this article, a recipient shall immediately notify the department as he becomes aware of the change in circumstances. The amount of public assistance and social services provided to the recipient shall be accordingly terminated or modified pursuant to rule and regulation of the department. The department shall allow the exclusion of one (1) duly registered and licensed motor vehicle from personal resources in determining eligibility for any household under the personal opportunities with employment responsibilities (POWER) and food stamp supplemental nutrition assistance programs. Married couples shall be allowed a second duly registered and licensed motor vehicle.

42-2-112. Misrepresentation; penalties; recovery, termination or modification of assistance and services.

(a) No person shall knowingly make a false statement or misrepresentation, fail to disclose a material fact, aid, abet or conspire with any other person in obtaining any form of food stamp supplemental nutrition assistance benefit under the food stamp supplemental nutrition assistance program.

(b) No person shall knowingly make a false statement or misrepresentation, fail to disclose a material fact, aid, abet or conspire with any other person in obtaining any commodity under the food stamp supplemental nutrition assistance program.

(c) No person shall knowingly trade or otherwise dispose of any food stamp supplemental nutrition assistance benefit received under the food stamp supplemental nutrition assistance program, except to a federally authorized food retailer.

(d) No person shall knowingly sell any form of food stamp supplemental nutrition assistance benefit to any other person.

(e) No person shall knowingly give, sell, trade or otherwise dispose of any commodity obtained under the food stamp supplemental nutrition assistance program to any other person.

(f) No person shall knowingly buy, trade or otherwise obtain any form of food stamp supplemental nutrition assistance benefit from any other person, except as authorized by law.
(g) No person shall knowingly buy, trade or otherwise obtain any commodity under the food stamp supplemental nutrition assistance program from any other person, except as authorized by law.

(k) Any person violating this section is guilty of:

(i) A felony punishable by imprisonment for not more than ten (10) years, a fine of not more than ten thousand dollars ($10,000.00), or both, if the value of the commodity, food stamp supplemental nutrition assistance benefit or other public welfare benefit under this article is five hundred dollars ($500.00) or more; or

(ii) A misdemeanor punishable by imprisonment for not more than six (6) months, a fine of not more than seven hundred fifty dollars ($750.00), or both, if the value of the commodity, food stamp supplemental nutrition assistance benefit or other public welfare benefit under this article is less than five hundred dollars ($500.00).

42-2-202. Participation required; exemptions; disqualification of benefits.

(a) If available within the county of his residence, any person receiving benefits from the department under the food stamp supplemental nutrition assistance or personal opportunities with employment responsibilities (POWER) programs shall as a condition of receiving any benefits, participate in the employment and training program unless he:

(b) Any person not exempt under this section and failing to participate in the program as required under this article may be disqualified from receiving benefits under the food stamp supplemental nutrition assistance or personal opportunities with employment responsibilities (POWER) programs. A good cause exemption may be requested at any time by a benefit recipient.

Section 2. W.S. 14-4-101(a)(vi)(H), 14-4-114, 14-6-304(a)(v) and 14-6-305 are repealed.

Section 3. This act is effective July 1, 2013.

Approved March 13, 2013.

Chapter 194

MUNICIPAL SOLID WASTE FACILITIES

Original House Bill No. 66

AN ACT relating to public health and safety; creating the municipal solid waste facility cease and transfer program; creating criteria for the program; creating municipal solid waste facility cease and transfer accounts; providing qualifications for applicants to receive funds under the program; providing authority for the state loan and investment board to award funds under the program; providing for the department of environmental quality to administer the program; providing that the department shall develop a general
permit as specified; providing assistance for closure of small landfills; requiring financial responsibility of municipal solid waste facility operators as specified; requiring financial reporting to the department of environmental quality; providing ineligibility for state funding for failure to perform financial responsibility actions as specified; providing rulemaking authority; providing for reports; providing appropriations; and providing for an effective date.

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

Section 1. W.S. 35-11-528 through 35-11-532 are created to read:

35-11-528. Municipal solid waste facilities cease and transfer program created; criteria for grants and loans; loan terms; availability of other state funding sources.

(a) There is created the municipal solid waste facilities cease and transfer program. Grants and loans under the program shall be awarded by the state loan and investment board. The program shall be administered by the solid and hazardous waste division of the department of environmental quality with the input of the waste and water advisory board as provided in W.S. 35-11-528 through 35-11-531.

(b) Grants and loans shall be made from the municipal solid waste facilities cease and transfer accounts for all cease and transfer activities as provided in this section and by rule and regulation of the board. Grants and loans shall be made for:

   (i) Capping of a closed landfill;

   (ii) Other closure related expenses including engineering, geological and other professional services;

   (iii) Construction or acquisition of appropriate solid waste transfer facilities and equipment, including acquisition of real property.

(c) Total costs of cease and transfer activities for a municipal solid waste facility shall be determined by the department in consultation with the local municipal solid waste facility operator. Grants shall be awarded in an amount determined by the state loan and investment board after consultation with the department and pursuant to the criteria contained in subsection (d) of this section. A municipal solid waste facility which is ceasing operations shall be eligible to receive loans for the costs of cease and transfer activities not funded by a grant pursuant to subsection (e) of this section.

(d) Grants and loans for cease and transfer activities shall be awarded in an amount determined by the state loan and investment board not to exceed seventy-five percent (75%) of the total cost of all cease and transfer activities of the municipal solid waste facility. The state loan and investment board shall base its determination of the percentage of grants and loans awarded for cease and transfer projects under the program on an equitable distribution of available funds among eligible municipal solid waste landfills and rules and regulations adopted pursuant to W.S. 35-11-530. To be eligible for funding under the program the following criteria shall be met:
(i) The local operator enters into a written agreement with the department to meet all regulatory obligations under the program;

(ii) The local operator implements and revises the community’s solid waste management plan as necessary to comply with all regulatory obligations;

(iii) The local operator ceases disposal of all municipal solid waste streams at the closed municipal solid waste facility;

(iv) The local operator conforms to the requirements of W.S. 35-11-532;

(v) The local operator ceases disposal into units and facilities regulated under this article which do not have engineered containment systems or do not conform to performance based design standards.

(e) Loans may be made under the program at zero interest rate, up to an annual interest rate equal to the average prime interest rate as determined in accordance with this subsection. Loans provided under the program shall be adequately collateralized as determined by the state loan and investment board. Principal and interest payments shall be deposited in the budget reserve account. The state loan and investment board shall establish interest rates to be charged for loans under the program, but the interest rate shall not exceed an annual interest rate equal to the average prime interest rate as determined by the state treasurer. To determine the average prime interest rate, the state treasurer shall average the prime interest rate for at least seventy-five percent (75%) of the thirty (30) largest banks in the United States. The interest rate shall be adjusted on January 1 of each year. Interest rates shall be established in recognition of the repayment abilities and needs of the local municipal solid waste facility operator eligible for loans under the program. The state loan and investment board shall establish loan amortization schedules, terms and conditions for each loan approved based on an applicant’s need, financial condition of the landfill operator or the entity responsible for solid waste funding, the projected life of the transfer facility and the ability of that entity to repay the loan in a timely manner.

(f) Participation in the program shall not restrict funding for a municipal solid waste facility from any other program created or supported by the state.

(g) Funds under the program shall not be expended on:

(i) Salaries or benefits for employees of the municipal solid waste facility;

(ii) Long-term monitoring at a closed municipal solid waste facility or a closed cell of a still operating municipal solid waste facility;

(iii) Operational costs of municipal solid waste facilities.

35-11-529. Municipal solid waste facilities cease and transfer accounts created; authorized expenditures from the accounts.

(a) There is created the municipal solid waste cease and transfer grant ac-
count. Monies from the account shall be awarded for grants to fund approved activities pursuant to W.S. 35-11-528. Interest earned by this account shall be deposited in the budget reserve account. Notwithstanding W.S. 9-2-1008, 9-2-1012(e) and 9-4-207(a), funds deposited in this account shall not revert without further action of the legislature.

(b) There is created the municipal solid waste cease and transfer loan account. Monies from the account shall be awarded for loans to fund approved activities pursuant to W.S. 35-11-528. Interest earned by this account shall be deposited in the budget reserve account. Notwithstanding W.S. 9-2-1008, 9-2-1012(e) and 9-4-207(a), funds deposited in this account shall not revert without further action of the legislature.

35-11-530. Rules and regulations.

(a) The state loan and investment board in consultation with the department of environmental quality shall promulgate rules and regulations necessary to administer the municipal solid waste facility cease and transfer program. Those rules shall include:

(i) Criteria for eligibility under the program based on W.S. 35-11-528(d);

(ii) Specific cease and transfer activities which are eligible for funding under the program;

(iii) Application form and procedure under the program;

(iv) Criteria for grant and loan prioritization based on:

(A) Funding availability;

(B) Cost efficiencies achieved by allocation of resources;

(C) Opportunities for increased cost sharing between cease and transfer actions at multiple leaking municipal solid waste facilities;

(D) Timeliness of cease and transfer actions in reducing risk to public health, safety and welfare or the environment;

(E) Remaining life of the existing municipal solid waste facility;

(F) Whether the proposed actions are a cost-effective alternative in accordance with the integrated solid waste management plan approved for the municipal solid waste facility;

(G) Whether the proposed action is reasonable and appropriate for the current and projected volumes of all solid waste for the area served by the facility;

(H) Whether the proposal contains recycling and other forms of waste diversion as a component of the proposed facilities and management practices; and

(J) The likelihood that the cease and transfer actions will reduce or eliminate the threat posed to public health, safety and welfare or the environment by continuing releases.
35-11-531. General permit for cease and closure for small landfills; rule-making authority.

(a) The department shall develop a general permit in accordance with W.S. 35-11-801(d) for closing municipal solid waste landfills with a total surface area of less than thirty (30) acres, and shall provide assistance to municipalities in the general permitting process. The general permit shall comply with federal requirements for municipal solid waste landfill closure and post-closure.

(b) The department shall provide assistance for permitting municipal solid waste transfer facility activities at closing municipal solid waste landfills with a total surface area of less than thirty (30) acres.

(c) The department shall promulgate rules and regulations necessary to achieve the purposes of this section.

(d) The department shall report to the joint minerals, business and economic development interim committee on or before July 1, 2014 on the assistance provided under subsections (a) and (b) of this section.

35-11-532. Municipal solid waste facility operator financial responsibility; penalties.

(a) Municipal solid waste facility operators shall ensure continued revenue or funding streams sufficient to provide for all foreseeable costs of the facility, including but not limited to the full costs of:

(i) Operations;

(ii) Monitoring;

(iii) Recycling, composting and other diversion activities;

(iv) Closure; and

(v) Post-closure activities.

(b) On or before January 1, 2014 and at least once every four (4) years thereafter, municipal solid waste facility operators shall submit to the department written documentation demonstrating compliance with subsection (a) of this section.

(c) Municipal solid waste facility operators shall employ generally accepted accounting principles, including the recognition of liabilities associated with:

(i) Closure and post-closure costs; and

(ii) The long-term cost of waste disposal compared to recycling, composting or other diversion activities.

(d) Compliance with this section shall be a prerequisite for eligibility for any state grant and loan program available to a municipal solid waste facility and state funding for solid waste landfill monitoring and remediation.

Section 2.
(a) Notwithstanding any other provision of law, there is appropriated four million dollars ($4,000,000.00) from the general fund to the municipal solid waste facilities cease and transfer grant account for the purposes of this act. No funds shall be expended from this account until the legislature has approved a prioritized list of projects that qualify for these grants.

(b) Notwithstanding any other provision of law, there is appropriated one million five hundred thousand dollars ($1,500,000.00) from the general fund to the municipal solid waste facilities cease and transfer loan account for the purposes of this act. No funds shall be expended from this account until the legislature has approved a prioritized list of projects that qualify for these loans.

(c) There is appropriated fifty thousand dollars ($50,000.00) from the general fund to the office of state lands and investments for the administration of the municipal solid waste landfill cease and transfer program. Notwithstanding any other provision of law, this appropriation shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation shall revert as provided by law on June 30, 2014.

(d) There is appropriated one hundred fifty thousand dollars ($150,000.00) from the general fund to the department of environmental quality to fulfill the purposes of this act. Notwithstanding any other provision of law, this appropriation shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation shall revert as provided by law on June 30, 2014.

Section 3. 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.

Approved March 13, 2013.

Chapter 195

STATEWIDE EDUCATION ACCOUNTABILITY-PHASE I

Original House Bill No. 91

AN ACT relating to education accountability; extending timelines specified for phase I of the accountability system under the Wyoming Accountability in Education Act; clarifying specified assessment and accountability provisions; modifying accountability system college readiness measures as specified; modifying duties and tasks of phase I development and initial implementation; modifying school district assessment requirements for determining graduation eligibility; authorizing rulemaking and requiring reporting; providing compensation, mileage and per diem for state board members; providing appropriations and support for system development; and providing for an effective date.

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

Section 1. W.S. 21-2-204(b)(intro), (c)(iv), by creating a new paragraph (vii), (d)(intro), (e)(intro), (h)(intro), (i)(intro) and (j), 21-2-303, 21-2-304(a)(iv)(intro)
and 21-3-110(a)(xxiv) are amended to read:

**21-2-204. Wyoming Accountability in Education Act; statewide education accountability system created.**

(b) A statewide education accountability system shall be established by the state board through the department of education in accordance with this section, which implements the components of the education resource block grant model as defined by W.S. 21-13-101(a)(xiv) and as contained in Attachment “A” as defined under W.S. 21-13-101(a)(xvii). The first phase of this system shall be a school-based system that is based on student performance as determined through multiple measures of school performance. The goals of the Wyoming Accountability in Education Act are to:

(c) School level performance shall be determined by measurement of performance indicators and attainment of student performance as specified by this section. To the extent applicable, each measure shall be aggregated to the school level based upon those grades served inclusive to each school as reported by the respective school district to the department of education. The indicators of school level performance shall be:

(iv) Readiness, as defined by a standardized achievement college entrance examination or the computer-adaptive college placement assessment administered pursuant to W.S. 21-2-202(a)(xxx) in grades eleven (11), and twelve (12) together with a readiness indicator defined by a series of student eligibility data reports generated under the Hathaway student scholarship program established by W.S. 21-16-1301 through 21-16-1310, with school level results aggregated according to a procedure in which values and weights determined by a deliberate method are tied to specified definitions of post secondary readiness;

(vii) Equity as defined by a measure of academic student growth for non-proficient students in reading and mathematics, subject to a standard for academic progress that is linked to attainment of proficiency within a reasonable period of time. If a school is without a sufficient sequence of assessment scores to support growth computations, another approach to equity may be used subject to approval of the director.

(d) Beginning in school year 2012-2013, and each school year thereafter, the department of education shall compute and report an overall school performance rating measured by student performance on those performance indicators specified under subsection (c) of this section. Any school through its school district may seek informal review of any overall school performance rating or other performance determination in accordance with the following:

(e) The state board, through the department of education, shall compile, evaluate and determine the target levels for an overall school performance rat-
ing and for content level performance. This determination by the board shall be developed through a prescribed deliberative process informed by a panel comprised of broad based representation from both public education and the community at-large. The target levels for school performance on all performance indicators measured under subsection (c) of this section shall conform to the January 2012 education accountability report as defined by subsection (k) of this section and shall be used by the state board through the department to:

(h) Measured performance results obtained and collected pursuant to this section, together with subsequent actions responding to results, shall be combined with other information and measures maintained and acquired under W.S. 21-2-202(a)(xxi), 21-2-304(a)(v)(H), 21-3-110(a)(xxiv) and otherwise by law, to be used as the basis of a statewide system for providing periodic and uniform reporting on the progress of state public education achievement compared to established targets. The statewide accountability system shall include a process for consolidating, coordinating and analyzing existing performance data and reports for purposes of aligning with the requirements of this section and for determinations of student achievement incorporated into the statewide system. In establishing a reporting system under this subsection, the state board department shall describe the performance of each public school in Wyoming. The performance report shall:

(i) Include an overall school performance rating along with ratings for each of the indicators and content levels in the accountability system that:

(j) Beginning school year 2013-2014 2014-2015, and each school year thereafter, the state board shall through the director, annually review the statewide education accountability system, including but not limited to a review of the appropriateness of the performance indicators, the measures used to demonstrate performance, the methods used to calculate school performance, the target levels and statewide, district and school attainment of those levels and the system of support, intervention and consequences. Not later than September 1, 2014 2015, and each September 1 thereafter, the state board shall report to the joint education interim committee on the information required under this subsection and the results of the accountability system for each school in the state.

All appointed members of the state board shall receive travel expenses, for compensation, per diem, and mileage expense for actual time spent in performance of their duties and traveling expenses while in attendance, and going to and from board meetings in the same manner and amount as employees of the state members of the Wyoming legislature.
21-2-304. Duties of the state board of education.

(a) The state board of education shall:

(iv) Effective school year 2013-2014, and each school year thereafter, require district administration of common benchmark adaptive assessments statewide in reading and mathematics for grades one (1) through eight (8) in accordance with W.S. 21-3-110(a)(xxiv). The board shall also establish, in consultation with local school districts, requirements for students to earn a high school diploma as measured by each district's assessment system prescribed by rule and regulation of the state board and required under W.S. 21-3-110(a)(xxiv). Beginning school year 2014-2015, and each school year thereafter, each district's assessment system shall include a measure or multiple measures for purposes of determining completion of high school graduation requirements. The state board shall by rule and regulation establish guidelines for district development of this measure or measures, and shall through the department of education, provide support to districts in developing each district's measure or measures. The state board shall through the department annually review and approve each district's assessment system designed to determine the various levels of student performance and the attainment of high school graduation requirements. A high school diploma shall provide for one (1) of the following endorsements which shall be stated on the transcript of each student:

21-3-110. Duties of boards of trustees.

(a) The board of trustees in each school district shall:

(xxiv) Establish a student assessment system to measure student performance relative to the uniform student content and performance standards in all content areas for which the state board has promulgated standards pursuant to W.S. 21-2-304(a)(iii). To the extent required by W.S. 21-2-204 and 21-2-304(a)(vii), the district assessment system shall be integrated with the statewide assessment system and the statewide accountability system. Components of the district assessment system required by this paragraph shall be designed and used to determine the various levels of student performance and attainment of high school graduation as described in the uniform student content and performance standards relative to the common core of knowledge and skills prescribed under W.S. 21-9-101(b). Beginning school year 2014-2015 and each school year thereafter, a component of the district assessment system shall include a measure or multiple measures used to determine satisfactory completion of high school graduation requirements and developed in accordance with guidelines established by the state board. The district shall on or before August 1, 2015, and each August 1 thereafter, report to the state board in accordance with W.S. 21-2-304(a)(iv) on its assessment system established under this paragraph. Beginning school year 2013-2014 and each school year thereafter, a component of the district assessment system shall include common benchmark adaptive assessments for reading and mathematics in grades...
two (2) through eight (8), common to all districts statewide, administered at least two (2) times during any one (1) school year and administered once in grade one (1). An additional component of the district assessment system shall continue the longitudinal study of summer school program effectiveness which uses a single common benchmark adaptive assessment in reading and mathematics administered for summer school and extended day intervention and remediation programs in accordance with W.S. 21-13-334(h)(iv);

Section 2. W.S. 21-2-202(a)(xxx), 21-2-204(f)(intro), (v) and (vi), 21-2-304(a)(v)(E) and (vi) and 21-3-110(a)(xxix), as amended by 2013 Wyoming Session Laws, Chapter 1, Section 2, are amended to read:


(a) In addition to any other duties assigned by law, the director shall:

(xxx) Effective school year 2012-2013 and each school year thereafter, in consultation and coordination with local school districts, by rule and regulation establish a program of administering a standardized, curriculum based, achievement college entrance examination, computer-adaptive college placement assessment and a job skills assessment test selected by the director to all students in the eleventh and twelfth grades throughout the state in accordance with this paragraph. The examinations and tests selected by the director shall be administered throughout the United States and shall be relied upon by institutions of higher education. The college entrance examination shall at a minimum test in the areas of English, reading, writing, mathematics and science for all students in grade eleven (11). The jobs skills assessment test shall be optional for all students in grade eleven (11) and shall at a minimum test in the areas of applied math, reading for information and locating information. The director shall pay all costs associated with administering the college entrance examination, the computer-adaptive college placement assessment and the jobs skills assessment test and shall schedule a day during which examinations shall be provided, and one (1) shall be administered to all eleventh and twelfth grade students throughout the state. The date for administration of the college entrance examination in grade eleven (11) shall be selected so that following receipt of scores, students may timely register for senior year classes which may be necessary to allow the student to qualify for a state provided scholarship. The computer adaptive college placement assessment shall be optional and all students in grade twelve (12) shall be provided at least one (1) opportunity to take the computer-adaptive college placement assessment in the spring during the school year. The director may enter into agreements with an administrator of the college entrance examination and the computer-adaptive college placement assessment and an administrator of the jobs skills assessment test and adopt rules as necessary to ensure compliance with any requirements of an administrator, such as a secure environment. Waivers may be granted for the examinations and tests required by this paragraph for students with disabilities.
in accordance with the provisions of the federal No Child Left Behind Act of 2001 and the federal Individuals with Disabilities Education Act. Alternative assessments and accommodations shall be offered by the director in accordance with rule and regulation;

21-2-204. Wyoming Accountability in Education Act; statewide education accountability system created.

(f) A progressive multi-tiered system of support, intervention and consequences to assist schools shall be established by the state board director, and shall conform to the January 2012 education accountability report as defined by subsection (k) of this section. The system shall clearly identify and prescribe the actions for each level of support, intervention and consequence. Commencing with school year 2013-2014 and each school year thereafter, the director shall take action based upon system results according to the following:

(v) Schools designated as partially meeting expectations shall file an improvement plan in accordance with paragraph (iv) of this subsection that identifies and addresses all content and indicator areas where performance is below target levels. The director shall appoint a representative from the department in accordance with paragraph (vii) of this subsection to monitor the school’s progress towards meeting the specified goals and implementation of the processes, measures and methods as contained in the school’s plan. The representative shall assist the district in identifying and securing the necessary resources to support the goals as stated by the school and the district. Failure to meet improvement goals as specified in the plan for two (2) consecutive years may require that the school be subject to paragraph (vi) of this subsection;

(vi) Schools designated as not meeting expectations shall file an improvement plan in accordance with paragraph (iv) of this subsection that identifies and addresses all content and indicator areas where performance is below target levels. The director shall appoint a representative from the department in accordance with paragraph (vii) of this subsection to assist in drafting the improvement plan, including the selection of programs and interventions to improve student performance. The representative shall perform duties as required by paragraph (v) of this subsection. The plan shall be recommended by the school district superintendent and approved by the local board of trustees and submitted to the school district superintendent prior to submission to the department. The plan shall describe the personnel and financial resources within the education resource block grant model as defined by W.S. 21-13-101(a)(xiv) necessary for implementation of the measures and methods chosen for improvement and shall specify how resources shall be reallocated, if necessary, to improve student performance.—Failure to meet improvement goals as specified in the plan for two (2) consecutive years may be grounds for dismissal of the school principal;

21-2-304. Duties of the state board of education.
(a) The state board of education shall:

(v) Through the director and in consultation and coordination with local school districts, implement a statewide assessment system comprised of a coherent system of measures that when combined, provide a reliable and valid measure of individual student achievement for each public school and school district within the state, and the performance of the state as a whole. Statewide assessment system components shall be in accordance with requirements of the statewide education accountability system pursuant to W.S. 21-2-204. Improvement of teaching and learning in schools, attaining student achievement targets for performance indicators established under W.S. 21-2-204 and fostering school program improvement shall be the primary purposes of statewide assessment of student performance in Wyoming. The statewide assessment system shall:

(E) Include Use only multiple measures-choice items to ensure alignment to the statewide content and performance standards, including multiple choice items. For the writing and language assessment only, include multiple measures and item types to ensure alignment, which may include grade appropriate open response tasks, constructed and extended response items as appropriate;

(vi) Subject to and in accordance with W.S. 21-2-204, through the director and in consultation and coordination with local school districts, by rule and regulation implement a statewide accountability system. The accountability system shall include a technically defensible approach to calculate achievement, growth, and readiness and equity as required by W.S. 21-2-204. The state board, through the director, shall establish performance targets as required by W.S. 21-2-204(e), establish a progressive multi-tiered system of supports, interventions and consequences as required by W.S. 21-2-204(f) and shall establish a statewide reporting system pursuant to W.S. 21-2-204(h). The system created shall conform to the January 2012 education accountability report as defined by W.S. 21-2-204(k). In addition and for purposes of complying with requirements under the federal No Child Left Behind Act of 2001, the board shall by rule and regulation provide for annual accountability determinations based upon adequate yearly progress measures imposed by federal law for all schools and school districts imposing a range of educational consequences and supports resulting from accountability determinations;

21-3-110. Duties of boards of trustees.

(a) The board of trustees in each school district shall:

(xxix) Beginning in school year 2012-2013, and each school year thereafter, administer a program where all students enrolled in the eleventh and twelfth grades in the district shall be required to take or be provided the opportunity to take, on a date specified by the director of the department of ed-
ucation, a standardized, curriculum based, achievement college entrance examination, a computer-adaptive college placement assessment or a jobs skills assessment test in accordance with W.S. 21-2-202(a)(xxx). Each school district shall provide the opportunity for all home school and private school students in the eleventh and twelfth grades and residing within the district to take the examinations or the jobs skills assessment test at no cost to the student on the same date administered to all eleventh and twelfth grade public school students in the state. The results of the examinations or jobs skills assessment test taken shall be included in each student’s transcript;

Section 3. 2011 Wyoming Session Laws, Chapter 184, Section 4(d)(vii) is amended to read:

Section 4.

(d) The select committee on statewide education accountability shall be assisted by an advisory committee to provide information to the select committee as it deems necessary to carry out this section. The advisory committee shall consist of the following members:

(vii) A representative of the department of education designated by the state superintendent of public instruction director of the department;

Section 4. W.S. 21-2-204(g) is repealed.

Section 5.

(a) Notwithstanding 2012 Wyoming Session Laws, Chapter 101, Section 5, and subject to the advice and guidance of the state board, the department of education shall develop phase I of the pilot statewide education accountability system in accordance with components prescribed by W.S. 21-2-204 and 21-2-304(a)(vi). Specifically, the phase I pilot accountability system development shall:

(i) Refine and correct components of the pilot accountability system, as developed by the state board submitted in a November 2012 report to the select committee on statewide education accountability, which is in a manner that is in accordance with the January, 2012 education accountability report and W.S. 21-2-204. In executing this paragraph, the department shall develop a model reflecting refined and corrected components that is based upon:

(A) Technically defensible computations of achievement, growth, equity and readiness, with proper consideration provided for inclusion and attribution requirements; and

(B) Data analyses to evaluate the reliability and validity of each component and the overall accountability system, conducted in a manner consistent with the January, 2012 education accountability report.
(ii) Include completion of business rules required for the implementation and administration of a fully operational phase I pilot accountability system refined and corrected under paragraph (i) of this subsection, including alternative schools under W.S. 21-13-309(m)(v)(B);

(iii) Reconvene the Wyoming education accountability professional judgment panel established under 2012 Wyoming Session Laws, Chapter 101, Section 5(b)(ii), expanded as deemed necessary by the department and the state board to include additional and alternative members beyond those members specified under law. The professional judgment panel shall be used by the department in developing and establishing target performance levels specified under W.S. 21-2-204(e);

(iv) Use available data from prior school years to demonstrate operation of the phase I pilot system subject to business rules developed by the department under paragraph (ii) of this subsection and target performance levels determined by the professional judgment panel under paragraph (iii) of this subsection. The pilot system shall analyze and recommend possible use of results from the computer adaptive placement assessment in grade twelve (12) administered under W.S. 21-2-202(a)(xxx) in a manner that is technically valid and defensible. The results from the computer adaptive placement assessment shall be aggregated at the school level, as a measure of post secondary readiness, and shall include specific values and weights for incorporation into the phase I pilot system;

(v) In consultation with the advisory committee to the select committee on statewide education accountability created under 2011 Wyoming Session Laws, Chapter 184, Section 4(d), as amended by section 3 of this act, and continued under 2012 Wyoming Session Laws, Chapter 101, Section 4(b), design a multi-tiered system of support, interventions and consequences which is coordinated with school performance determinations and complies with W.S. 21-2-204(f). The system of support shall be specified in a design document and implementation plan.

(b) Not later than October 15, 2013, the state board, through the department, shall submit a report on phase I of the pilot statewide education accountability system developed under this section to the select committee on statewide education accountability established under 2011 Wyoming Session Laws, Chapter 184, Section 4, and continued by 2012 Wyoming Session Laws, Chapter 101, Section 4. Based upon this report, the select committee shall report its findings and recommendations to the Wyoming legislature prior to the 2014 budget session, including implementing legislation and a timeline for implementation when applicable.

(c) Notwithstanding W.S. 21-2-204 and 21-2-304, the state board and the department of education shall investigate options available to the state for future assessment system development. The state board, through the department,
shall periodically report to the select committee on statewide education accountability regarding the status of assessment development, investigation of options available to the state and the impact of existing law governing statewide assessments on future assessment development. The select committee shall report to the 2014 legislature on any necessary legislation supporting future assessment development.

(d) The department of education shall continue work necessary to secure a waiver from the federal department of education allowing the use of the standardized achievement college entrance examination administered in grade eleven (11) as required by 2012 Wyoming Session Laws, Chapter 101, Section 3(a).

(e) The state board and department of education, in implementing W.S. 21-2-304(a)(iv) and 21-3-110(a)(xxiv), as amended by section 1 of this act, pertaining to development of guidelines for measures to be included within school district assessment systems for purposes of determining successful completion of high school graduation requirements, shall periodically report progress to the select committee. A report with final recommendations on guidelines shall be included within the October 15, 2013, report required under subsection (b) of this section.

(f) In carrying out duties prescribed by this section, and in addition to outreach provided by members of the advisory committee to the select committee as created by 2011 Wyoming Session Laws, Chapter 184, Section 4(d), as amended by section 3 of this act, the state board through the department of education shall provide outreach activities and communications to school districts and to local communities coinciding with the development of components of the report required by subsection (b) of this section, and with the development of recommendations contained within this report. Comments generated from district and local community outreach activities shall be considered by the board and the department in executing requirements imposed under this section, and shall be included within the report submitted to the select committee pursuant to subsection (b) of this section.

Section 6.

(a) For the period commencing on the effective date of this section and ending June 30, 2014, up to two hundred fifty thousand dollars ($250,000.00) is appropriated from the school foundation program account to the department of education to carry out duties imposed by this act upon the department and the state board. This appropriation may be expended for acquisition of necessary professional consulting expertise. The department and state board shall report expenditures of amounts appropriated under this subsection to members of the select committee on statewide education accountability on or before January 15, 2014.
(b) In addition to support provided to the state board of education and the department of education under subsection (a) of this section, the legislative service office, through acquired professional consulting expertise, shall assist the department and state board in carrying out the provisions of this act.

Section 7. 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.

Approved March 13, 2013.

Chapter 196

PROTECTING VETERAN DISABILITY COMPENSATION IN DIVORCE

Original Senate File No. 46

AN ACT relating to domestic relations; limiting the consideration of veteran's disability benefits in the division of property upon divorce as specified; and providing for an effective date.

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

Section 1. W.S. 20-2-114 is amended to read:

20-2-114. Disposition of property to be equitable; factors; alimony generally.

(a) Except as provided in subsection (b) of this section, in granting a divorce, the court shall make such disposition of the property of the parties as appears just and equitable, having regard for the respective merits of the parties and the condition in which they will be left by the divorce, the party through whom the property was acquired and the burdens imposed upon the property for the benefit of either party and children. The court may decree to either party reasonable alimony out of the estate of the other having regard for the other's ability to pay and may order so much of the other's real estate or the rents and profits thereof as is necessary be assigned and set out to either party for life, or may decree a specific sum be paid by either party.

(b) In making a disposition of property pursuant to this section, a court shall not do any of the following:

(i) Consider any federal disability benefits awarded to a veteran for service-connected disabilities pursuant to title 38, chapter 11 of the United States Code;

(ii) Indemnify a veteran's spouse or former spouse for any waiver or reduction in military retirement or retainer pay related to receipt of veteran disability benefits pursuant to title 38, chapter 11 of the United States Code;

(iii) Award any other income or property of the veteran to the veteran's spouse or former spouse as compensation for any waiver or reduction in mili-
tary retirement or retainer pay related to receipt of veteran disability benefits pursuant to title 38, chapter 11 of the United States Code.

Section 2. This act is effective July 1, 2013.

Approved March 13, 2013.

Chapter 197

PROFESSIONAL LICENSING-MILITARY SPOUSES

Original Senate File No. 74

AN ACT relating to professions and occupations; providing for the issuance of professional and occupational licenses to military spouses as specified; providing for temporary practice permits; requiring rulemaking; and providing for an effective date.

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

Section 1. W.S. 33-1-116 is created to read:

33-1-116. Professional and occupational licensure of military spouses; temporary permits.

(a) As used in this section:

(i) “Active” means a status of occupational or professional licensure which has not been suspended, revoked or terminated and which is not otherwise inactive;

(ii) “Applicant” means a military spouse seeking licensure from a professional or occupational licensing board of this state;

(iii) “Good standing” means a status of occupational or professional licensure which is in compliance with all requirements imposed by the issuing licensing, certification or registration authority;

(iv) “License” means any license, certificate or registration required to practice an occupation or profession;

(v) “Military service member” means an active uniformed member of the United States army, navy, air force, marine corps, coast guard, United States public health service commissioned corps, national oceanic and atmospheric administration commissioned corps, national guard or any reserve or auxiliary component thereof;

(vi) “Military spouse” means the spouse of a military service member as defined in paragraph (v) of this subsection who has been transferred or is scheduled to be transferred to Wyoming, is domiciled in Wyoming or has moved to Wyoming on a permanent change-of-station basis.

(b) A professional or occupational licensing board shall issue a license to a military spouse to allow the military spouse to lawfully practice a profession or occupation requiring licensure in this state if the military spouse:
(i) Holds a relevant, active occupational or professional license in good standing from another state which state mandates substantially equivalent or more stringent educational, training, examination and experience requirements for licensure. Substantial equivalency shall be determined pursuant to rules which shall be adopted by the licensing board from which the military spouse applicant seeks licensure;

(ii) Demonstrates competency in the occupation or profession for which the military spouse applicant seeks licensure. Competency shall be determined pursuant to rules which shall be adopted for that purpose and may include consideration of continuing education credits, recent work experience, disciplinary actions taken against the applicant in other states and other factors used to determine the competency of nonmilitary spouse license applicants;

(iii) Has not engaged in any act that would constitute grounds for refusal, suspension or revocation of the occupational or professional license sought in this state; and

(iv) Completes all required application procedures and pays any required fee.

(c) All relevant work experience of a military spouse applicant, including full-time or part-time experience, regardless of whether in a paid or volunteer capacity, may be credited in any work experience requirement adopted by an occupational or professional licensing board.

(d) This section shall apply to all applications for licensure under W.S. 21-2-802 or under title 33 of the Wyoming statutes except title 33, chapter 5, attorneys at law and applications to any board which represents a profession with prescriptive drug authority.

(e) Pursuant to rules which may be adopted for this purpose, a professional or occupational licensing board may issue a temporary practice permit to a military spouse applicant who meets the requirements of paragraph (b)(i) of this section and who has applied for a professional or occupational license under this section. The military spouse applicant may practice under the temporary permit for a period not to exceed one hundred twenty (120) days or until the professional or occupational license for which they have applied has been either granted or denied, whichever first occurs.

(f) Professional or occupational licensing boards shall adopt rules necessary to implement this section.

Section 2. This act shall apply to applications for professional licensing which are filed on or after July 1, 2013.

Section 3. 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.

Approved March 13, 2013.
Chapter 198

PROFESSIONAL LICENSING-MILITARY

Original Senate File No. 130

AN ACT relating to professions and occupations; providing for the issuance of professional and occupational licenses to past or present members of the military as specified; providing for the consideration of military education, experience and training as specified; providing exceptions; requiring rulemaking; and providing for an effective date.

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

Section 1. W.S. 33-1-116 is created to read:

33-1-116. Professional and occupational licensure of military service members.

(a) As used in this section:

(i) “Applicant” means a person seeking licensure, certification or registration from a professional or occupational licensing board under W.S. 21-2-802 or under this title of the Wyoming statutes;

(ii) “Military service” means service in the United States army, navy, air force, marine corps, coast guard, United States public health service commissioned corps, national oceanic and atmospheric administration commissioned corps, national guard or any reserve or auxiliary component of any of these services;

(iii) “Military service member” means a person on active status in the military service, or a person released from military service within two (2) years of applying for licensure, certification or registration pursuant to this section and whose service was characterized upon release as honorable.

(b) In determining whether a military service member applicant’s education and training meet a professional or occupational licensing board’s respective educational and training requirements, the board shall consider any relevant education, training and experience received by the applicant as a member of the armed forces or reserves of the United States, the national guard of any state, the military reserves of any state or the naval militia of any state.

(c) Unless otherwise provided in this section, military service member applicants shall be subject to the other provisions of this title and to any requirements properly adopted by the professional or occupational licensing board to which the applicant has applied.

(d) This section shall not apply to title 33, chapter 5 regarding attorneys-at-law or to any profession having authority to prescribe drugs that can only be obtained legally by prescription.

(e) Professional and occupational licensing boards shall adopt rules necessary to implement this section.
Section 2. This act shall apply to applications for professional licensing which are filed on or after July 1, 2013.

Section 3. 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.

Approved March 13, 2013.

Chapter 199

DRIVER’S LICENSES-VETERANS DESIGNATION

Original House Bill No. 127

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

Section 1. W.S. 31-7-141 is created to read:

31-7-141. Veteran designation.

Upon receiving the certification required by W.S. 31-7-111(b)(xii), the department shall identify on the Wyoming driver’s license or identification card that the person is an honorably discharged veteran of the armed forces of the United States. The identification shall be in the form of a “V” printed on the face of the driver’s license or identification card.

Section 2. W.S. 19-14-107(c)(viii), 31-7-111(b) by creating a new paragraph (xii) and 31-7-115(a)(iii) by creating a new subparagraph (M) are amended to read:

19-14-107. Creation of veterans’ commission; composition; terms.

(c) The commission shall:

(viii) Administer all vehicle licensing and driver’s licensing obligations required of the commission pursuant to title 31;

31-7-111. Application for license or permit generally.

(b) The application shall include:

(xii) Certification by the Wyoming veterans’ commission that the applicant is an honorably discharged veteran of the armed forces of the United States, if the applicant wishes to have a veteran designation pursuant to W.S. 31-7-141.

31-7-115. Issuance, description and contents.

(a) Upon the satisfactory completion of any required examination, the division shall issue to every qualifying applicant a driver’s license, and:
The driver’s license shall include, but not be limited to, the following information:

(M) A veteran designation in the form of a printed “V” pursuant to W.S. 31-7-141.

Section 3. This act is effective July 1, 2013.

Approved March 13, 2013.

Chapter 200

WYOMING LOTTERY

Original House Bill No. 77

AN ACT relating to lotteries; creating the Wyoming lottery corporation; providing for membership of the board; providing legislative declarations; providing definitions; providing powers and duties; providing for rules and regulations; providing for use of proceeds; providing limitations on retailers; providing for criminal offenses and penalties; providing for background checks; excluding authorized lottery games from definition of gambling; excluding purchase of lottery tickets from sales and use tax; and providing for an effective date.

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

Section 1. W.S. 9-17-101 through 9-17-128 are created to read:

CHAPTER 17

WYOMING LOTTERY


This chapter shall be known and may be cited as the “Wyoming Lottery Act.”

9-17-102. Legislative findings and declarations.

(a) It is found and declared by the legislature:

(i) That lottery games are an entrepreneurial enterprise and that the state shall create a public body, corporate and politic, known as the Wyoming lottery corporation, with comprehensive and extensive powers as generally exercised by corporations engaged in entrepreneurial pursuits;

(ii) That lottery games shall be operated and managed in a manner which provides continuing entertainment to the public, maximizes revenues and ensures that the lottery is operated with integrity and dignity and free of political influence; and

(iii) That the Wyoming lottery corporation shall be accountable to the legislature and to the public through a system of audits and reports.

9-17-103. Definitions.

(a) As used in this chapter:

(i) “Administrative expenses” means operating expenses, excluding
amounts set aside for prizes, regardless of whether the prizes are claimed and excluding amounts held as a fidelity fund pursuant to W.S. 9-17-116;

(ii) “Board” means the board of directors of the Wyoming lottery corporation;

(iii) “Central control computer” means a central site computer controlled by the corporation to which all lottery terminals in the state communicate for purposes established by the corporation;

(iv) “Chief executive officer” means the chief executive officer of the Wyoming lottery corporation;

(v) “Corporation” means the Wyoming lottery corporation;

(vi) “Lottery,” “lotteries,” “lottery game” or “lottery games” means any game of chance approved by the board and operated pursuant to this chapter, specifically limited to a state lottery or multi-state games, and shall not include instant tickets, scratch-off tickets, video lottery terminals or any other electronic game involving direct physical contact between the player and a machine;

(vii) “Major procurement contract” means any gaming product or service costing in excess of seventy-five thousand dollars ($75,000.00) including, but not limited to, major advertising contracts, annuity contracts, prize payment agreements, consulting services, equipment, tickets and other products and services unique to the Wyoming lottery, but not including materials, supplies, equipment and services common to the ordinary operation of a corporate entity;

(viii) “Member” or “members” means a director or directors of the board of directors of the Wyoming lottery corporation;

(ix) “Net proceeds” means all revenue derived from the sale of lottery tickets or shares and all other monies derived from the lottery less operating expenses;

(x) “Operating expenses” means all costs of doing business, including, but not limited to commissions and other compensation paid to retailers, advertising and marketing costs, personnel costs, capital costs, depreciation of property and equipment and other operating costs but does not include prizes, payments to the state under W.S. 9-17-111(b) or unclaimed prize monies set aside under W.S. 9-17-119(g);

(xi) “Retailer” means a person who sells lottery tickets or shares on behalf of the corporation pursuant to a contract;

(xii) “Share” means any intangible evidence of participation in a lottery game;

(xiii) “Ticket” means any tangible evidence issued by the lottery to provide participation in a lottery game;
“Vendor” or “retailer” means any person authorized to supply lottery goods or services under this act.

9-17-104. Wyoming lottery corporation created; membership of board of directors; appointment; terms; filling of vacancies; conflict of interests; reimbursement for expenses; officers; quorum.

(a) There is created the Wyoming lottery corporation which is a body politic and corporate operating as an instrumentality of the state of Wyoming, with authority to adopt an official seal and to sue and be sued. Notwithstanding any other provision of law, the state is not liable for any liability or deficiency of the Wyoming lottery corporation or any debt incurred by the corporation and the full faith and credit of the state of Wyoming shall not be pledged to any debt of the corporation. The sole recourse of any party contracting with the corporation shall be against the corporation and there shall be no cause of action against the state, or any county, municipality or other political subdivision of the state.

(b) The corporation shall be governed by a board of directors composed of nine (9) members appointed by the governor.

(c) Members shall be residents of the state of Wyoming, shall be prominent persons in their businesses or professions, and shall not have been convicted of any felony offense. A background investigation shall be conducted on each potential board member. The corporation shall be authorized to pay for the actual cost of the investigations and may contract with the division of criminal investigation for the performance of the investigations.

(d) Members shall serve terms of four (4) years, except that of the initial members appointed, four (4) members shall be appointed for initial terms of two (2) years and five (5) members shall be appointed for initial terms of four (4) years.

(e) Members of the board shall not have any direct or indirect interest in an undertaking that puts their personal interest in conflict with that of the corporation, including, but not limited to, an interest in a major procurement contract or a participating retailer.

(f) Each member shall only receive compensation from the corporation for each day or part of a day in which engaged in the performance of their official duties at the same salary and per diem provided members of the state legislature under W.S. 28-5-101 and shall be reimbursed for actual and necessary expenses incurred in the performance of their official duties. Members shall receive no other compensation from the corporation.

(g) The members shall elect from their membership a chairman and vice chairman. The members shall also elect a secretary and treasurer. The officers shall serve for terms as shall be prescribed by the bylaws of the corporation or until their respective successors are elected and qualified. No member of the
board shall hold more than any one (1) office of the corporation, except that the same person may serve as secretary and treasurer.

(h) The board of directors may delegate to any one (1) or more of its members, to the chief executive officer or to any agent or employee of the corporation any powers and duties as it may deem proper.

(j) A majority of members in office shall constitute a quorum for the transaction of any business and for the exercise of any power or function of the corporation.

(k) Action may be taken and motions and resolutions adopted by the board at any meeting thereof by the affirmative vote of a majority of present and voting board members.

(m) No vacancy in the membership of the board shall impair the right of the members to exercise all the powers and perform all the duties of the board.

9-17-105. General duties of board of directors.

(a) The board of directors shall provide the chief executive officer with private sector perspectives of a large marketing enterprise. The board shall:

(i) Approve, disapprove, amend or modify the budget recommended by the chief executive officer for the operation of the corporation;

(ii) Approve, disapprove, amend or modify the terms of major lottery procurements recommended by the chief executive officer;

(iii) Hear appeals of hearings required by this chapter;

(iv) Adopt regulations, policies and procedures relating to the conduct of lottery games and as specified in W.S. 9-17-108; and

(v) Perform other functions as specified by this chapter.

9-17-106. Appointment of chief executive officer; compensation.

The board of directors shall appoint and shall provide for the compensation of a chief executive officer who shall be an employee of the corporation and who shall direct the day-to-day operations and management of the corporation and shall be vested with the powers and duties as specified by the board and by law. The chief executive officer shall serve at the pleasure of the board.


(a) The corporation shall have any and all powers necessary or convenient to its usefulness in carrying out and effectuating the purposes and provisions of this chapter which are not in conflict with the constitution of this state and which are generally exercised by corporations engaged in entrepreneurial pursuits, including, but without limiting the generality of the foregoing, the following powers:

(i) To sue and be sued in contract and in tort and to complain and defend in all courts;
(ii) To adopt and alter a seal;

(iii) To adopt, amend and repeal bylaws, regulations and policies and procedures for the regulation of its affairs and the conduct of its business, to elect and prescribe the duties of officers and employees of the corporation and to perform any other matters as the corporation may determine. In the adoption of bylaws, regulations, policies and procedures or in the exercise of any regulatory power, the corporation shall be exempt from the requirements of W.S. 16-3-101 through 16-3-115;

(iv) To procure or to provide insurance;

(v) To hold copyrights, trademarks and service marks and enforce its rights with respect thereto;

(vi) To initiate, supervise and administer the operation of the lottery in accordance with the provisions of this chapter and regulations, policies and procedures adopted pursuant thereto;

(vii) To enter into written agreements with one (1) or more other states or sovereigns for the operation, participation in marketing and promotion of a joint lottery or joint lottery games;

(viii) To conduct market research as is necessary or appropriate, which may include an analysis of the demographic characteristics of the players of each lottery game and an analysis of advertising, promotion, public relations, incentives and other aspects of communication;

(ix) To acquire or lease real property and make improvements thereon and acquire by lease or by purchase personal property, including, but not limited to, computers, mechanical, electronic and on-line equipment and terminals and intangible property, including, but not limited to, computer programs, systems and software;

(x) To enter into contracts to incur debt in its own name and enter into financing agreements with any commercial bank or credit provider;

(xi) To be authorized to administer oaths, take depositions, issue subpoenas and compel the attendance of witnesses and the production of books, papers, documents and other evidence relative to any investigation or proceeding conducted by the corporation;

(xii) To appoint and select officers, agents and employees, including professional and administrative staff and personnel, including hearing officers to conduct hearings required by this chapter, and to fix their compensation, pay their expenses and provide a benefit program, including, but not limited to, a retirement plan and a group insurance plan;

(xiii) To select and contract with vendors and retailers;

(xiv) To enter into contracts or agreements with state or local law enforce-
ment agencies for the performance of law enforcement, background investigations and security checks;

(xv) To enter into contracts of any and all types on the terms and conditions the corporation may determine;

(xvi) To establish and maintain banking relationships, including, but not limited to, establishment of checking and savings accounts and lines of credit;

(xvii) To advertise and promote the lottery and lottery games;

(xviii) To act as a retailer, to conduct promotions which involve the dispensing of lottery tickets or shares and to establish and operate a sales facility to sell lottery tickets or shares and any related merchandise; and

(xix) To adopt and amend regulations, policies and procedures as necessary to carry out and implement its powers and duties, organize and operate the corporation, regulate the conduct of lottery games in general and any other matters necessary or desirable for the efficient and effective operation of the lottery or the convenience of the public. The promulgation of these regulations, policies and procedures shall be exempt from the requirements of W.S. 16-3-101 through 16-3-115.

(b) The powers enumerated in subsection (a) of this section are cumulative of and in addition to those powers enumerated elsewhere in this chapter and do not limit or restrict any other powers of the corporation.

9-17-108. Adoption by board of procedures regulating conduct of lottery games.

(a) The board may adopt regulations, policies and procedures regulating the conduct of lottery games in general, including, but not limited to, regulations, policies and procedures specifying:

(i) The type of games to be conducted, specifically limited to a state lottery or a multi-state lottery, and shall not include instant lotteries, scratch-off ticket games, video lottery terminals or any other electronic game involving direct physical contact between the player and a machine;

(ii) The sale price of tickets or shares and the manner of sale, provided, however, that all sales shall be for cash only and payment by checks, credit cards, charge cards or any form of deferred payment is prohibited;

(iii) The number and amount of prizes;

(iv) The method and location of selecting or validating winning tickets or shares;

(v) The manner and time of payment of prizes, which may include lump sum payments or installments over a period of years;

(vi) The manner of payment of prizes to the holders of winning tickets or shares, including without limitation, provision for payment of prizes not
exceeding six hundred dollars ($600.00) after deducting the price of the ticket or share and after performing validation procedures appropriate to the game and as specified by the board. The board may provide for a limited number of retailers who can pay prizes of up to five thousand dollars ($5,000.00) after performing validation procedures appropriate to the game and as specified by the board without regard to where the ticket or share was purchased;

(vii) The frequency of games and drawings or selection of winning tickets or shares;

(viii) The means of conducting drawings;

(ix) The method to be used in selling tickets or shares;

(x) The manner and amount of compensation to lottery retailers; and

(xi) Any and all other matters necessary, desirable or convenient toward ensuring the efficient and effective operation of lottery games, the continued entertainment and convenience of the public and the integrity of the lottery.

9-17-109. Duties of chief executive officer.

(a) The chief executive officer of the corporation shall direct and supervise all administrative and technical activities in accordance with the provisions of this chapter and with the regulations, policies and procedures adopted by the board. It shall be the duty of the chief executive officer to:

(i) Facilitate the initiation and supervise and administer the operation of the lottery games;

(ii) Employ and direct personnel as deemed necessary;

(iii) Employ by contract and compensate persons and firms as deemed necessary;

(iv) Promote or provide for promotion of the lottery and any functions related to the corporation;

(v) Prepare a budget for the approval of the board;

(vi) Require bond from retailers and vendors in amounts as required by the board;

(vii) Report quarterly to the department of audit, the joint revenue interim committee and the board a full and complete statement of lottery revenues and expenses for the preceding quarter; and

(viii) Perform other duties generally associated with a chief executive officer of a corporation of an entrepreneurial nature.

(b) The chief executive officer may for good cause suspend, revoke or refuse to renew any contract entered into in accordance with the provisions of this chapter or the regulations, policies and procedures of the board.

(c) The chief executive officer or his designee may conduct hearings and ad-
minister oaths to persons for the purpose of assuring the security or integrity of lottery operations or to determine the qualifications of or compliance by vendors and retailers.

**9-17-110. Employees; compensation; restrictions; background investigations; bonding.**

(a) The corporation shall establish and maintain a personnel program for its employees and fix the compensation and terms of compensation of its employees, including, but not limited to, production incentive payments.

(b) No employee of the corporation shall have a financial interest in any vendor doing business or proposing to do business with the corporation.

(c) No employee of the corporation with decision making authority shall participate in any decision involving a retailer with whom the employee has a financial interest.

(d) No employee of the corporation who leaves the employment of the corporation may represent any vendor or lottery retailer before the corporation for a period of two (2) years following termination of employment with the corporation.

(e) A background investigation shall be conducted on each applicant who has reached the final selection process prior to employment by the corporation at the level of division director and above and at any level within any division of security and as otherwise required by the board. The corporation shall be authorized to pay for the actual cost of the investigations and may contract with the division of criminal investigation for the performance of the investigations.

(f) No person who has been convicted of a felony or bookmaking or other forms of illegal gambling or of a crime involving moral turpitude shall be employed by the corporation.

(g) The corporation shall bond corporation employees with access to corporation funds or lottery revenue in an amount as provided by the board and may bond other employees as deemed necessary.

**9-17-111. Disposition of lottery proceeds.**

(a) As nearly as practical, at least forty-five percent (45%) of the net proceeds from the sale of lottery tickets or shares shall be made available as prize money, provided, however, that this subsection shall be deemed not to create any lien, entitlement, cause of action or other private right and any rights of holders of tickets or shares shall be determined by the corporation in setting the terms of its lottery or lotteries.

(b) On or before the fifteenth day of each quarter, the corporation shall transfer to the treasurer’s office, for credit to the lottery account which is hereby created, the amount of all net proceeds minus prizes and amounts earned pursuant to subsection (a) of this section during the preceding quarter. Upon their
deposit into the account, any monies representing a deposit of net proceeds shall then become the unencumbered property of the state of Wyoming and the corporation shall have no power to agree or undertake otherwise. Until June 30, 2019, the first six million dollars ($6,000,000.00) in each fiscal year of these monies shall be paid by the treasurer as they accrue to the treasurers of the counties, cities and towns for payment into their respective general funds. The percentage of the balance that will be distributed to each county and its cities and towns will be determined by computing the percentage that net sales taxes collected attributable to vendors in each county including its cities and towns bear to total net sales taxes collected of vendors in all counties including their cities and towns. This percentage of the monies shall be distributed within each county as follows:

(i) To each county in the proportion that the population of the county situated outside the corporate limits of its cities and towns bears to the total population of the county including cities and towns;

(ii) To each city and town within the county in the proportion the population of the city or town bears to the population of the county.

(c) Until June 30, 2019, after six million dollars ($6,000,000.00) is distributed in each fiscal year as provided in subsection (b) of this section, any remaining monies deposited to the lottery account which are attributable to that fiscal year shall be paid by the treasurer to common school account within the permanent land fund.

(d) No general fund monies or any other state funds or monies in any form shall be used to fund any liability or deficiency in the lottery account under this section. No general fund monies or any other state funds or monies in any form shall be used for any program or project started specifically from lottery proceeds unless specifically appropriated by the legislature.

9-17-112. Investigation of vendors; disclosure requirements; restrictions on entry into major procurement contracts.

(a) The corporation shall investigate the financial responsibility, security and integrity of any lottery system vendor who is a finalist in submitting a bid, proposal or offer. At the time of submitting the bid, proposal or offer to the corporation, the corporation may require the following items:

(i) A disclosure of the vendor’s name and address and, as applicable, the names and addresses of the following:

(A) If the vendor is a corporation, the officers, directors and each stockholder in the corporation, provided, however, that in the case of owners of equity securities of a publicly traded corporation, only the names and addresses of those known to the corporation to own beneficially five percent (5%) or more of the securities need be disclosed;
(B) If the vendor is a trust, the trustee and all persons entitled to receive income or benefits from the trust;

(C) If the vendor is an association, the members, officers and directors; and

(D) If the vendor is a partnership or joint venture, all of the general partners, limited partners or joint venturers.

(ii) A disclosure of all the states and jurisdictions in which the vendor does business and the nature of the business for each state or jurisdiction;

(iii) A disclosure of all the states and jurisdictions in which the vendor has contracts to supply gaming goods or services, including, but not limited to, lottery goods and services and the nature of the goods or services involved for each state or jurisdiction;

(iv) A disclosure of all the states and jurisdictions in which the vendor has applied for, has sought renewal of, has received, has been denied, has pending or has had revoked a lottery or gaming license of any kind or has had fines or penalties assessed to his license, contract or operation and the disposition in each state or jurisdiction. If any lottery or gaming license or contract has been revoked or has not been renewed or any lottery or gaming license or application has been either denied or is pending and has remained pending for more than six (6) months, all of the facts and circumstances underlying the failure to receive the license shall be disclosed;

(v) A disclosure of the details of any finding or plea, conviction or adjudication of guilt in a state or federal court of the vendor for any felony or any other criminal offense other than a traffic violation;

(vi) A disclosure of the details of any bankruptcy, insolvency, reorganization or corporate or individual purchase or takeover of another corporation, including bonded indebtedness, or any pending litigation of the vendor; and

(vii) Additional disclosures and information as the corporation may determine to be appropriate for the procurement involved. If at least twenty-five percent (25%) of the cost of a vendor's contract is subcontracted, the vendor shall disclose all of the information required by this section for the subcontractor as if the subcontractor were itself a vendor.

(b) A lottery major procurement contract shall not be entered into with any lottery system vendor who has not complied with the disclosure requirements described in subsection (a) of this section and any contract with such a vendor is voidable at the option of the corporation. Any contract with a vendor who does not comply with the requirements for periodically updating the disclosures during the tenure of contract as may be specified in the contract may be terminated by the corporation. The provisions of this section shall be construed broadly and liberally to achieve the ends of full disclosure of all information necessary to
allow for a full and complete evaluation by the corporation of the competence, integrity, background and character of vendors for procurements.

(c) A major procurement contract shall not be entered into with any vendor who has been found guilty of a felony related to the security or integrity of the lottery in this or any other jurisdiction.

(d) A major procurement contract shall not be entered into with any vendor if the vendor has an ownership interest in an entity that had supplied consultation services under contract to the corporation regarding the request for proposals pertaining to those particular goods or services.

(e) No lottery system vendor nor any applicant for a major procurement contract may pay, give or make any economic opportunity, gift, loan, gratuity, special discount, favor, hospitality or service, excluding food and beverages having an aggregate value not exceeding one hundred dollars ($100.00) in any calendar year, to the chief executive officer, any board member or any employee of the corporation or to a member of the immediate family residing in the same household as the person.

9-17-113. Bonding requirements for vendors; qualifications of vendors; competitive bid requirement.

(a) Each vendor shall, at the execution of the contract with the corporation, post a performance bond or letter of credit from a bank or credit provider acceptable to the corporation in an amount as deemed necessary by the corporation for that particular bid or contract. In lieu of the bond, a vendor may, to assure the faithful performance of its obligations, deposit and maintain with the corporation securities that are interest bearing or accruing and that are rated in one (1) of the three (3) highest classifications by an established nationally recognized investment rating service. Securities eligible under this section are limited to:

(i) Certificates of deposit issued by solvent banks or savings associations approved by the corporation and which are organized and existing under the laws of this state or under the laws of the United States;

(ii) United States bonds, notes and bills for which the full faith and credit of the government of the United States is pledged for the payment of principal and interest; and

(iii) Corporate bonds approved by the corporation. The corporation which issued the bonds shall not be an affiliate or subsidiary of the depositor. The securities shall be held in trust and shall have at all times a market value at least equal to the full amount estimated to be paid annually to the lottery vendor under contract.

(b) Each vendor shall be qualified to do business in this state. All contracts under this chapter shall be governed by the laws of this state.
(c) No contract shall be let with any vendor in which a public official has an ownership interest of ten percent (10%) or more.

(d) All major procurement contracts shall be competitively bid pursuant to policies and procedures approved by the board unless there is only one (1) qualified vendor and that vendor has an exclusive right to offer the service or product.

9-17-114. Statewide network of retailers; commissions; certificate of authority; qualifications of retailers; fees for outlets; review of activities.

(a) The legislature recognizes that to conduct a successful lottery, the corporation needs to develop and maintain a statewide network of lottery retailers that will serve the public convenience and promote the sale of tickets or shares and the playing of lottery games while ensuring the integrity of the lottery operations, games and activities.

(b) The corporation shall make every effort to provide small retailers a chance to participate in the sales of lottery tickets or shares.

(c) The corporation shall provide for compensation to lottery retailers in the form of commissions in an amount of not less than six percent (6%) of gross sales and may provide for other forms of compensation for services rendered in the sale or cashing of lottery tickets or shares.

(d) The corporation shall issue a certificate of authority to each person with whom it contracts as a retailer for purposes of display. Every lottery retailer shall post and keep conspicuously displayed in a location on the premises accessible to the public its certificate of authority. No certificate shall be assignable or transferable.

(e) The board shall develop a list of objective criteria upon which the qualification of lottery retailers shall be based. In developing these criteria, the board shall consider factors including the applicant’s financial responsibility, security of the applicant’s place of business or activity, accessibility to the public, integrity and reputation. The board shall not consider political affiliation, activities or monetary contributions to political organizations or candidates for any public office.

9-17-115. Retailer contracts not transferable or assignable; restriction on contracts and sales.

(a) No lottery retailer contract shall be transferable or assignable. No lottery retailer shall contract with any person for lottery goods or services except with the approval of the board.

(b) Lottery tickets and shares shall only be sold by the retailer stated on the lottery retailer certificate.

9-17-116. Fidelity fund for retailers; assessments.
(a) The corporation may establish a fidelity fund separate from all other funds and shall assess each retailer a one (1) time fee not to exceed one hundred dollars ($100.00) per sales location. The corporation is authorized to invest the funds or place the funds in one (1) or more interest bearing accounts. Money deposited to the fund may be used to cover losses the corporation experiences due to nonfeasance, misfeasance or malfeasance of a lottery retailer. In addition, the funds may be used to purchase blanket bonds covering the Wyoming lottery corporation against losses from all retailers. At the end of each fiscal year, the corporation shall pay to the general lottery fund any amount in the fidelity fund which exceeds five hundred thousand dollars ($500,000.00) and the funds shall be commingled with and treated as net proceeds from the lottery.

(b) A reserve account may be established as a general operating expense to cover amounts deemed uncollectible. The corporation shall establish procedures for minimizing any losses that may be experienced for the foregoing reasons and shall exercise and exhaust all available options in the procedures prior to amounts being written off to this account.

(c) The corporation may require any retailer to post an appropriate bond, as determined by the corporation, using an insurance company acceptable to the corporation. The amount shall not exceed the applicable district sales average of lottery tickets for two (2) billing periods.

(d) In its discretion, the corporation may allow a retailer to deposit and maintain with the corporation securities, held in trust in the name of the Wyoming lottery corporation, that are interest bearing or accruing. Securities eligible under this subsection shall be limited to:

(i) Certificates of deposit issued by solvent banks or savings associations organized and existing under the laws of this state or under the laws of the United States;

(ii) United States bonds, notes and bills for which the full faith and credit of the United States is pledged for the payment of principal and interest;

(iii) Federal agency securities by an agency or instrumentality of the United States government.

9-17-117. Cancellation, suspension, revocation or termination of retail contracts.

Any retail contract executed by the corporation pursuant to this chapter shall specify the reasons for which a contract may be cancelled, suspended, revoked or terminated by the corporation.

9-17-118. Restrictions on sale of tickets or shares; price; gifts and promotions.

(a) No person shall sell a ticket or share at a price other than established by the corporation unless authorized in writing by the chief executive officer. No
person other than a duly certified lottery retailer shall sell lottery tickets, but
this subsection shall not be construed to prevent a person who may lawfully
purchase tickets or shares from making a gift of lottery tickets or shares to
another. Nothing in this chapter shall be construed to prohibit the corpora-
tion from designating certain of its agents and employees to sell or give lottery
tickets or shares directly to the public.

(b) No lottery retailer shall sell a lottery ticket or share except from the loca-
tions listed in his contract and as evidenced by his certificate of authorization
unlessthe corporation authorizes in writing any temporary location not listed
in his contract.

(c) No lottery tickets or shares shall be sold to persons under eighteen (18)
years of age, but this subsection does not prohibit the purchase of a lottery
ticket or share by a person eighteen (18) years of age or older for the purpose of
making a gift to any person of any age. In that case, the corporation shall direct
payment of proceeds of any lottery prize to an adult member of the person's
family or a legal representative of the person on behalf of the underage person.

9-17-119. Prize proceeds subject to attachments, garnishments or execu-
tions; validation of winning tickets; prohibited purchases; money dispens-
ing machines; unclaimed prize money.

(a) Except as otherwise provided in this chapter, attachments, garnishments,
exe cutions or past-due child support authorized and issued pursuant to law
shall be withheld if timely served upon the corporation. This subsection shall
not apply to a retailer.

(b) The corporation shall adopt regulations, policies and procedures to estab-
ish a system of verifying the validity of tickets or shares claimed to win prizes
and to effect payment of the prizes, except that:

(i) No prize, any portion of a prize or any right of any person to a prize
awarded shall be assignable. Any prize or any portion of a prize remaining
unpaid at the death of a prize winner shall be paid to the estate of the deceased
prize winner or to the trustee of a trust established by the deceased prize win-
er as settlor if a copy of the trust document or instrument has been filed with
the corporation along with a notarized letter of direction from the settlor and
no written notice of revocation has been received by the corporation prior
to the settlor's death. Following a settlor's death and prior to any payment
to a successor trustee, the corporation shall obtain from the trustee a written
agreement to indemnify and hold the corporation harmless with respect to
any claims that may be asserted against the corporation arising from payment
to or through the trust. Notwithstanding any other provisions of this section,
yany person, pursuant to an appropriate judicial order, shall be paid the prize to
which a winner is entitled;

(ii) No prize shall be paid arising from claimed tickets that are:
(A) Stolen, counterfeit, altered, fraudulent, unissued, produced or issued in error, unreadable, not received or not recorded by the corporation within applicable deadlines;

(B) Lacking in captions that conform and agree with the play symbols as appropriate to the particular lottery game involved; or

(C) Not in compliance with any additional specific regulations and public or confidential validation and security tests of the corporation appropriate to the particular lottery game involved.

(iii) No particular prize in any lottery game shall be paid more than once, and in the event of a determination that more than one (1) claimant is entitled to a particular prize, the sole remedy of the claimants is the award to each of them of an equal share in the prize; and

(iv) A holder of a winning cash ticket or share from a lottery game shall claim a cash prize within one hundred eighty (180) days, or for a multi-state or multi-sovereign lottery game within one hundred eighty (180) days, after the drawing in which the cash prize was won. If a valid claim is not made for a cash prize within the applicable period, the cash prize shall constitute an unclaimed prize for purposes of this section.

(c) No prize shall be paid upon a ticket or share purchased or sold in violation of this chapter. The prize shall constitute an unclaimed prize for purposes of this section.

(d) The corporation is discharged of all liability upon payment of a prize.

(e) No ticket or share shall be purchased by and no prize shall be paid to any member of the board of directors, any officer or employee of the corporation or to any spouse, child, brother, sister or parent residing as a member of the same household in the principal place of residence of any member of the board of directors, officer or employee of the corporation. No ticket or share shall be purchased by and no prize shall be paid to any officer, employee, agent or subcontractor of any vendor or to any spouse, child, brother, sister or parent residing as a member of the same household in the principal place of residence of any officer, employee, agent or subcontractor of any vendor if the officer, employee, agent or subcontractor has access to confidential information which may compromise the integrity of the lottery.

(f) No lottery game utilizing an electronic or mechanical machine may use a machine which dispenses coins or currency.

(g) Unclaimed prize money shall not constitute net lottery proceeds. A portion of unclaimed prize money, not to exceed two hundred thousand dollars ($200,000.00) annually, shall be used by the corporation to develop, in consultation with the department of health programs for the treatment of compulsive gambling disorder and educational programs related to the disorder. In ad-
tion, unclaimed prize money may be added to the pool from which future 
prizes are to be awarded or used for special prize promotions.

9-17-120. Confidentiality of information; investigations; supervision and 
inspections; reports of suspected violations; assistance in investigation of 
violations.

(a) Except as authorized in this chapter, the corporation is subject to the 
provisions of W.S. 16-4-201 through 16-4-205. The corporation is specifically 
authorized to determine which information relating to the operation of the 
lottery is confidential. Confidential information includes trade secrets, secu-

rity measures, systems or procedures, security reports, information concern-
ing bids or other contractual data, the disclosure of which would impair the 
efforts of the corporation to contract for goods or services on favorable terms, 
employee personnel information unrelated to compensation, duties, qualifica-
tions or responsibilities and information obtained pursuant to investigations 
which is otherwise confidential. Information deemed confidential pursuant 
to this subsection is exempt from the provisions of W.S. 16-4-201 through 
16-4-205. Meetings or portions of meetings devoted to discussing informa-
tion deemed confidential pursuant to this subsection are exempt from W.S. 
16-4-201 through 16-4-205.

(b) The corporation shall perform full criminal background investigations 
on all potential vendors prior to the execution of any vendor contract. The cor-
poration shall be authorized to pay for the actual cost of the investigations and 
may contract with the division of criminal investigation for the performance 
of the investigations.

(c) The corporation or its authorized agent shall:

(i) Conduct criminal background investigations and credit investigations 
on all potential retailers. The corporation shall be authorized to pay for the 
actual cost of the investigations and may contract with the division of criminal 
investigation for the performance of the investigations;

(ii) Supervise ticket or share validation and lottery drawings;

(iii) Inspect at times, determined solely by the corporation, the facilities 
of any vendor or lottery retailer in order to determine the integrity of the ven-
dor’s product or the operations of the retailer in order to determine whether 
the vendor or the retailer is in compliance with its contract;

(iv) Report any suspected violations of this chapter to the appropriate 
district attorney or the attorney general and to any law enforcement agencies 
having jurisdiction over the violation; and

(v) Upon request, provide assistance to any district attorney, the attorney 
general or a law enforcement agency investigating a violation of this chapter.

9-17-121. Sales to minors; penalty; affirmative defense.
Any person who knowingly sells a lottery ticket or share to a person under eighteen (18) years of age or permits a person under eighteen (18) years of age to play any lottery game shall be guilty of a misdemeanor and shall be fined not less than one hundred dollars ($100.00) nor more than five hundred dollars ($500.00) for the first offense and for each subsequent offense not less than two hundred dollars ($200.00) nor more than one thousand dollars ($1,000.00). It shall be an affirmative defense to a charge of a violation under this section that the retailer reasonably and in good faith relied upon representation of proof of age in making the sale.

9-17-122. Penalty for falsely making, altering, forging, uttering, passing or counterfeiting ticket; penalty for attempting to influence winning of prize.

(a) Any person who, with intent to defraud, falsely makes, alters, forges, utters, passes or counterfeits a state lottery ticket is guilty of a felony and shall be punished by a fine not to exceed fifty thousand dollars ($50,000.00), imprisonment for not more than five (5) years, or both.

(b) Any person who influences or attempts to influence the winning of a prize through the use of coercion, fraud, deception or tampering with lottery equipment or materials is guilty of a felony and shall be punished by a fine not to exceed fifty thousand dollars ($50,000.00), imprisonment for not more than five (5) years, or both.

9-17-123. Penalty for making false statements or false entries in books or records.

No person shall knowingly or intentionally make a material false statement in any application for a license or proposal to conduct lottery activities or make a material false entry in any book or record which is compiled or maintained or submitted to the board pursuant to the provisions of this chapter. Any person who violates the provisions of this section shall be punished by a fine not to exceed twenty-five thousand dollars ($25,000.00) or the dollar amount of the false entry or statement, whichever is greater, by imprisonment for not more than five (5) years, or both.

9-17-124. Agreements with agencies of other jurisdictions; restriction on release of records, documents and information.

(a) The corporation may enter into intelligence sharing, reciprocal use or restricted use agreements with the federal government, law enforcement agencies, lottery regulation agencies and gaming enforcement agencies of other jurisdictions which provide for and regulate the use of information provided and received pursuant to the agreement.

(b) Records, documents and information in the possession of the corporation received pursuant to an intelligence sharing, reciprocal use or restricted use agreement entered into by the corporation with a federal department or
agency, any law enforcement agency or the lottery regulation or gaming enforcement agency of any jurisdiction shall be considered investigative records of a law enforcement agency and are not subject to W.S. 16-4-201 through 16-4-205 and shall not be released under any condition without the permission of the person or agency providing the record or information.

9-17-125. **Bidding requirements and procedures for contracts.**

(a) The corporation shall enter into its contracts for procurements after competitive bidding. The requirement for competitive bidding does not apply in the case of a single vendor having exclusive rights to offer a particular service or product. Procedures adopted by the board shall be designed to allow the selection of proposals that provide the greatest long-term benefit to the state, the greatest integrity for the corporation and the best service and products for the public.

(b) In any bidding process, the corporation may administer its own bidding and procurement or may utilize the services of the department of administration and information or other state agency or subdivision thereof.

9-17-126. **Appeals from actions of board.**

(a) Any retailer, vendor or applicant for a retailer or vendor contract aggrieved by an action of the board may appeal that decision to the first judicial district court.

(b) The first judicial district court shall hear appeals from decisions of the board and based upon the record of the proceedings before the board may reverse the decision of the board only if the appellant proves the decision to be:

   (i) Clearly erroneous;
   (ii) Arbitrary and capricious;
   (iii) Procured by fraud;
   (iv) A result of substantial misconduct by the board; or
   (v) Contrary to the United States constitution or the constitution of Wyoming or the provisions of this chapter.

(c) The district court may remand an appeal to the board to conduct further hearings.

(d) Any person who appeals the award of a major procurement contract for the supply of a lottery ticket system, share system or an on-line or other mechanical or electronic system shall be liable for all costs of appeal and defense in the event the appeal is denied or the contract award upheld.

9-17-127. **Corporation authorized to borrow money; validation of debt; restriction on use of money in state general fund and other state funds; purchase or release of goods and services.**
(a) The corporation may borrow, or accept and expend, in accordance with the provisions of this chapter, monies as may be received from any source, including income from the corporation's operations, for effectuating its corporate purposes, including the payment of the initial expenses of initiation, administration and operation of the corporation and the lottery.

(b) The corporation shall be self sustaining and self funded. Monies in the state general fund or any other state funds or monies in any form shall not be used or obligated to pay the expenses of the corporation or prizes of the lottery and no claim for the payment of an expense of the lottery or prizes of the lottery may be made against any monies other than monies credited to the corporation operating account.

(c) The corporation may purchase, lease or lease purchase goods or services as necessary to effectuate the purposes of this chapter. The corporation may make procurements which integrate functions including lottery game design, lottery ticket distribution to retailers, supply of goods and services and advertising. In all procurement decisions, the corporation shall take into account the particularly sensitive nature of the state lottery and shall act to promote and ensure security, honesty, fairness and integrity in the operation and administration of the lottery and the objectives of raising net proceeds.

9-17-128. Reports by corporation; audits; budget; fiscal year.

(a) To ensure the financial integrity of the lottery, the corporation through its board of directors shall:

(i) Submit quarterly and annual reports to the governor, department of audit and the joint revenue interim committee disclosing the total lottery revenues, prize disbursements, operating expenses and administrative expenses of the corporation during the reporting period. The annual report shall additionally describe the organizational structure of the corporation and summarize the functions performed by each organizational division within the corporation;

(ii) Adopt a system of internal audits;

(iii) Maintain weekly or more frequent records of lottery transactions, including the distribution of tickets or shares to retailers, revenues received, claims for prizes, prizes paid, prizes forfeited and other financial transactions of the corporation;

(iv) Contract with a certified public accountant or firm for an annual financial audit of the corporation. The certified public accountant or firm shall have no financial interest in any vendor with whom the corporation is under contract. The certified public accountant or firm shall present an audit report not later than four (4) months after the end of the fiscal year. The certified public accountant or firm shall evaluate the internal controls in effect during the audit period. The cost of this annual financial audit shall be an operating
expense of the corporation. The department of audit may at any time conduct an audit of any phase of the operations of the Wyoming lottery corporation at the expense of the state and shall receive a copy of the annual independent financial audit. A copy of any audit performed by the certified public accountant or firm or the department of audit shall be transmitted to the governor, the department of audit, the state auditor and the joint revenue interim committee;

(v) Submit to the governor, the department of audit, and the joint revenue interim committee by June 30 of each year a copy of the annual operating budget for the corporation for the next fiscal year. This annual operating budget shall be approved by the board and be on forms as prescribed by the department of administration and information;

(vi) For informational purposes only, submit to the governor on September 1 of each year a proposed operating budget for the corporation for the succeeding fiscal year. This budget proposal shall also be accompanied by an estimate of the net proceeds to be deposited into the lottery account during the succeeding fiscal year; and

(vii) Adopt the same fiscal year as that used by state government.

Section 2. W.S. 6-7-101(a)(iii) by creating a new subparagraph (J), 7-19-201(a) by creating a new paragraph (xxi), 39-15-105(a)(viii) by creating a new subparagraph (T) and 39-16-105(a)(viii) by creating a new subparagraph (J) are amended to read:

6-7-101. Definitions.

(a) As used in this article:

(iii) “Gambling” means risking any property for gain contingent in whole or in part upon lot, chance, the operation of a gambling device or the happening or outcome of an event, including a sporting event, over which the person taking a risk has no control, but does not include any of the following:

(J) Any lottery game authorized and run by the Wyoming lottery corporation pursuant to W.S. 9-17-101 through 9-17-128.

7-19-201. State or national criminal history record information.

(a) The following persons shall be required to submit to fingerprinting in order to obtain state and national criminal history record information:

(xxi) Board members, applicants, vendors and retailers required to receive a background investigation as provided in W.S. 9-17-104(c), 9-17-110(e) and 9-17-120(b) and (c)(i). Fingerprint card submissions under this paragraph shall be forwarded through the division of criminal investigation and the division of criminal investigation shall be responsible for receiving and screening the results of any record check to determine an applicant’s suitability for employment or licensing under the provisions specified in this paragraph.
(a) The following sales or leases are exempt from the excise tax imposed by this article:

(viii) For the purpose of exempting sales of services and tangible personal property as an economic incentive, the following are exempt:

(T) Sales of and retail commissions on lottery tickets or shares and equipment necessary to operate a lottery under W.S. 9-17-101 through 9-17-128.

(a) The following purchases or leases are exempt from the excise tax imposed by this article:

(viii) For the purpose of exempting sales of services and tangible personal property as an economic incentive, the following are exempt:

(J) Purchase of and retail commissions on lottery tickets or shares and equipment necessary to operate a lottery under W.S. 9-17-101 through 9-17-128.

Section 3. This act is effective July 1, 2013.

Approved March 13, 2013.

Chapter 201

EMINENT DOMAIN-2

Original Senate File No. 118

AN ACT relating to eminent domain; specifying burden of proof in eminent domain proceedings; adding provision for litigation expenses; clarifying determination of fair market value; requiring reporting; and providing for an effective date.

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

Section 1. W.S. 1-26-504 by creating a new subsection (d), 1-26-509(g) and by creating new subsections (j) and (k) and 1-26-704(a)(iii)(C) are amended to read:

1-26-504. Requirements to exercise eminent domain.
(d) A condemnor shall prove each requirement of subsection (a) of this section by a preponderance of the evidence. Failure of the condemnor to prove any requirement of subsection (a) of this section shall result in dismissal of the condemnation action without prejudice.

1-26-509. Negotiations; scope of efforts to purchase.
(g) The condemnor shall reimburse the condemnee for all reasonable litiga-
tion expenses if a court finds the condemnor failed to negotiate in good faith as required under subsections (b) through (e) of this section, or to comply with W.S. 1-26-504(a)(ii) and (iii) any requirements of W.S. 1-26-504(a).

(j) If a court or jury finds that the fair market value of the property sought by the condemnor is more than one hundred fifteen percent (115%) of the final offer required by subsection (e) of this section, the condemnor shall reimburse the condemnee for all reasonable litigation expenses incurred after the condemnee's receipt of the final offer.

(k) Attorney's fees and other expenses awarded under this section from a public entity to a condemnee shall be reported by the public entity which paid the fees, to the Wyoming attorney general within sixty (60) days of the award. The Wyoming attorney general shall collect this data and report annually to the governor on the amount of all taxpayer funded fee awards, beginning July 31, 2014. The report shall identify the name of each party to whom an award was made, the name of each counsel of record representing each party to whom an award was made, the public agency which paid each award and the total amount of each award.

1-26-704. Fair market value defined.
(a) Except as provided in subsection (b) of this section:
(iii) The determination of fair market value shall use generally accepted appraisal techniques and may include:
(C) Values paid for transactions of comparable type, size and location by other public or private entities in arms length transactions for comparable transactions on the same or similar property.

Section 2. This act is effective July 1, 2013.

Approved March 13, 2013.

Chapter 202
TRANSFER OF FEDERAL LANDS-STUDY

Original House Bill No. 228

AN ACT relating to public lands; creating the task force on the transfer of federal lands; requiring a report from the attorney general on possible legal recourses available to compel the federal government to relinquish ownership and management of specified federal lands in Wyoming; requiring a study and report by the task force to the joint agriculture, state and public lands and water resources interim committee as specified; providing appropriations; and providing for an effective date.

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

Section 1.
(a) There is created a task force on the transfer of public lands consisting of the following members:
(i) Two (2) members of the Wyoming senate, appointed by the president of the senate. One (1) of the members shall be designated as cochairman;

(ii) Two (2) members of the Wyoming house of representatives, appointed by the speaker of the house. One (1) of the members shall be designated as cochairman;

(iii) Five (5) members appointed by the governor. One (1) of the members shall have a background in oil and gas production, one (1) shall have a background in mining, one (1) shall be a county commissioner, one (1) shall have a background in travel and recreation and one (1) shall have a background in agriculture. [LANGUAGE SHOWN AS STRICKEN VETOED BY GOVERNOR MARCH 14, 2013.]

(b) The task force shall be staffed by the legislative service office. The department of administration and information and the University of Wyoming school of energy resources shall serve in an advisory capacity to the task force and shall provide technical and other relevant information as requested. State agencies shall provide information and assistance to the task force as provided in this act and as requested by the task force.

(c) The task force shall study the following, as they relate to loss of revenues to the state of Wyoming due to federally owned and managed lands:

(i) Loss of property tax revenues to the state of Wyoming from federal land ownership;

(ii) Permitting delays associated with, or caused by, analysis of proposed actions on federal lands under the National Environmental Protection Act or other federal law or regulation;

(iii) Management of lands as wilderness;

(iv) Management of public lands under the National Wild and Scenic Rivers Act, 16 U.S.C. 1271 et seq.;

(v) Other relevant federal actions or policies the task force determines impacts revenues to the state of Wyoming.

(d) The attorney general shall report to the task force on the possible legal recourses available to the state of Wyoming to compel the federal government to transfer ownership and control of federally owned and managed lands to the state of Wyoming or to private individuals on or before September 1, 2013. The attorney general shall provide an opinion to the task force on the likelihood of success of each possible legal recourse available to require the United States to transfer title to federally owned and managed lands, considering constitutional provisions and applicable decisions of the United States Supreme Court and other courts of competent jurisdiction. [LANGUAGE SHOWN AS STRICKEN VETOED BY GOVERNOR MARCH 14, 2013.]

(e) The task force shall consider whether the state should offer to purchase
land and mineral rights from the federal government subject to the following:

(i) The offer shall include all or part of the surface estate and mineral estate managed by the bureau of land management;

(ii) The offer shall include granting the federal government continuing mineral royalties at the current percentages without any requirement for federal management or right of oversight of those minerals other than the right to audit to ensure the federal government receives its share of the royalties;

(iii) The offer shall be structured to be financially attractive to both the state and federal government;

(iv) The offer shall pledge to maintain public access to the lands for hunting, fishing and recreation subject to closure for special circumstances including public safety and environmental sensitivity.

(f) The task force shall submit its recommendations, including proposed legislation with respect to the issues specified in subsection (c) and (d) of this section, to the joint agriculture, state and public lands and water resources interim committee no later than November 1, 2013. The joint agriculture, state and public lands and water resources interim committee shall consider the recommendations and develop legislation it deems appropriate for consideration by the legislature.

(g) The task force shall exist until December 31, 2013. Members of the task force who are not state employees or legislators shall not receive a salary but shall receive reimbursement for mileage and per diem expenses at the rate provided for legislators under W.S. 28-5-101. Members of the task force who are legislators shall be paid salary, per diem and mileage as provided in W.S. 28-5-101 for their official duties as members of the task force. [LANGUAGE SHOWN AS STRICKEN VETOED BY GOVERNOR MARCH 14, 2013.]

Section 2.

(a) There is appropriated from the general fund:

(i) Eighteen thousand dollars ($18,000.00) to the legislative service office for payment of salary, per diem and mileage for legislative task force members;

(ii) Twelve thousand dollars ($12,000.00) to the governor’s office for payment of authorized per diem and mileage for nonlegislative task force members; [LANGUAGE SHOWN AS STRICKEN VETOED BY GOVERNOR MARCH 14, 2013.]

(iii) Three thousand dollars ($3,000.00) to the office of the attorney general for accomplishing the purposes of this act including out of state travel to council of state governments west meetings. [LANGUAGE SHOWN AS STRICKEN VETOED BY GOVERNOR MARCH 14, 2013.]

Section 3. This act is effective immediately upon completion of all acts nec-
essary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

Approved March 14, 2013.

Chapter 203

PUBLIC EMPLOYEE RETIREMENT PLANS

Original House Bill No. 250

AN ACT relating to public employees; increasing employee contribution and employer retirement contribution in certain plans under the Wyoming Retirement Act and under The Wyoming State Highway Patrol, Game and Fish Warden and Criminal Investigator Retirement Act; increasing employee contribution under the Firemen’s Pension Account Reform Act of 1981; providing appropriations; and providing for an effective date.

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

Section 1. 9-3-412(a), (c)(iii) and (iv), 9-3-413, 9-3-604(a), 9-3-605 and 15-5-420(a) are amended to read:

9-3-412. Members’ contributions; payroll deductions; employer authorized to pay employee’s share.

(a) Except as otherwise provided in this section and W.S. 9-3-431 and 9-3-432, every member covered under this article, and firefighter members, shall pay into the account seven percent (7%) of his salary until August 31, 2013, and thereafter seven and one-half percent (7.5%) of his salary. Every firefighter member covered under this article shall pay into the account seven percent (7%) of his salary. Payments shall be deducted each pay period from each member’s salary by the chief fiscal officer of each participating employer. Employee contributions shall be transferred to the account in accordance with subsection (c) of this section.

(c) The contributions under subsection (b) of this section shall be paid from the source of funds which is used in paying salary to the member. The employer may pay these contributions by a reduction in cash salary of the member or by an offset against a future salary increase, or by a combination of a reduction in salary and an offset against a future salary increase, provided:

(iii) For state employee members five and fifty-seven hundredths percent (5.57%), except that for the period from September 1, 2013 through August 31, 2016 five and eighty-two hundredths percent (5.82%), of the member’s salary shall be paid by the employer without any salary reduction or offset. The remaining portion of the state employee’s contribution shall be paid through a reduction in cash salary of the state employee unless specified otherwise by legislative act; and
(iv) For full-time brand inspection contract employees authorized to participate in the state retirement system under W.S. 9-2-1022(a)(xi)(F)(IV), not more than five and fifty-seven hundredths percent (5.57%), except that for the period from September 1, 2013 through August 31, 2016 five and eighty-two hundredths percent (5.82%), of the contract employee's salary shall be paid by the livestock board unless specified otherwise by legislative act.

9-3-413. Employer's contributions; payable monthly; transfer to account; interest imposed upon delinquent contributions; recovery.

Except as provided by W.S. 9-2-1022(a)(xi)(F)(III) or (IV), 9-3-431 and 9-3-432, each employer including employers of firefighter members, shall on a monthly basis, pay into the account a contribution equal to seven and twelve hundredths percent (7.12%) until August 31, 2014, of the salary paid to each of its members covered under this article. Thereafter each employer, excluding employers of firefighter members, shall on a monthly basis, pay into the account a contribution equal to seven and sixty-two hundredths percent (7.62%) of the salary paid. After August 31, 2014 employers of firefighter members shall pay into the account a contribution equal to seven and twelve hundredths percent (7.12%) of the salary paid. Employer contributions for any month, together with the members’ contributions for that month, if any, shall be transferred to the board not later than the twelfth day of the following month. These contributions shall be credited to the account in a manner as directed by the board. Any employer failing to transfer contributions under this section in sufficient time for the board to receive the contributions by the twenty-fifth day of the month due shall be assessed interest at the rate of eight percent (8%) per annum. Interest imposed under this section shall be payable not later than the twelfth day of the next succeeding month. If the contributions and any interest imposed under this section are not transferred to the board when due, they may be recovered, together with court costs, in an action brought for that purpose in the first judicial district court in Laramie County, Wyoming.

9-3-604. Employee contributions.

(a) Except as otherwise provided in this section, every employee covered by this article shall pay into the fund twelve and sixty-four hundredths percent (12.64%) of his salary until August 31, 2013, and thereafter thirteen and fifty-four hundredths percent (13.54%) of his salary. For the period from September 1, 2013 through August 31, 2016 forty-five hundredths percent (.45%) salary contribution required by this subsection shall be paid by the employer on behalf of the member. To the extent the remaining amount is not paid by an employer on behalf of the member, this payment shall be deducted each pay period from employees' salaries by the respective chief fiscal officers of the employers.

9-3-605. Employer contributions.
Each employer subject to this article shall pay into the fund a contribution equal to twelve and ninety-six hundredths percent (12.96%) until August 31, 2014, and thereafter thirteen and eighty-six hundredths percent (13.86%) of all salaries paid to its employees. These contributions, together with the employees’ contributions, shall be transferred and credited to the retirement program in a manner the board directs.

15-5-420. Member contributions.

(a) Each employer shall deduct monthly from the compensation of each member participating in the account a sum equal to eight and five-tenths percent (8.5%) of the member’s compensation until August 31, 2013, and thereafter eight and seven hundred twenty-five thousandths percent (8.725%) of his compensation, and that amount shall be paid by the employer to the account.

Section 2.

(a) There is appropriated to the state auditor from reversions from the general fund appropriation for state employee compensation in 2011 Wyoming Session Laws, Chapter 88, Section 2, Section 003, the following amounts:

(i) Up to four hundred ninety-seven thousand dollars ($497,000.00) for state executive, legislative and judicial branch employee contributions;

(ii) Up to one hundred ten thousand five hundred dollars ($110,500.00) for community college employee contributions; and

(iii) Up to two hundred seventy-five thousand five hundred dollars ($275,500.00) for University of Wyoming employee contributions.

(b) There is appropriated to the state auditor up to one million eight hundred seventy-five thousand dollars ($1,875,000.00) from the school foundation program account.

(c) For state agency employees whose retirement contributions are made from nongeneral fund sources there is appropriated from those accounts and funds amounts necessary to provide payment of the increase in employee contribution rate required by W.S. 9-3-412(a) and 9-3-604(a) as amended by this act, until June 30, 2014.

(d) The appropriations under paragraph (a)(i) and subsection (c) of this section shall only be expended to provide payment of the increase in each state agency’s employee contribution rate required by W.S. 9-3-412(a) and 9-3-604(a) as amended by this act, until June 30, 2014. The appropriation under paragraphs (a)(ii) and (iii) of this section shall only be expended to provide payment of the increase in the University of Wyoming and community college employee contribution rate required by W.S. 9-3-412(a) and to provide like contributions under W.S. 21-19-101 through 21-19-106 corresponding to the increased employee contribution under this act, until June 30, 2014.

(e) The appropriation under subsection (b) of this section shall only be ex-
epended to provide payment of the increase in each school district’s employee contribution rate required by W.S. 9-3-412(a) as amended by this act, until June 30, 2014. Any amounts paid under this subsection shall not be reimbursable under W.S. 21-13-320 and 21-13-321. The auditor shall transfer the funds to the state retirement system or to the department of education for distribution to individual school districts as determined by the department of administration and information to be necessary to meet the provisions of this act. Any unexpended school foundation program account appropriation remaining on June 30, 2014 shall revert to the school foundation program account.

(f) Notwithstanding any other provision of law, the appropriations under this section shall not be transferred or expended for any purpose other than as specified in this section. Any unexpended, unobligated funds remaining from the appropriations under this section shall revert as provided by law on June 30, 2014.

(g) As used in this section “state agency” includes each state executive, legislative or judicial department, board, commission or other agency or instrumentality of the state, and for purposes of subsection (c) of this section includes the University of Wyoming and each community college.

(h) The auditor shall transfer the funds to the state retirement system or to individual state agencies as determined by the department of administration and information to be necessary to meet the provisions of this act.

Section 3. This act is effective July 1, 2013.

Approved March 14, 2013.

Chapter 204

WILD BISON LICENSES

Original House Bill No. 41

AN ACT relating to game and fish; adjusting fees for wild bison licenses; limiting the number of wild bison licenses available in a lifetime; providing an appropriation; and providing for an effective date.

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

Section 1. W.S. 23-2-107(a), (e) and by creating a new subsection (f) is amended to read:


(a) Except as provided in subsection (f) of this section, any person who will be fourteen (14) years of age or older prior to September 15 of the season for which the wild bison license is issued and who qualifies under W.S. 23-2-106 may apply to the department for a wild bison license.

(e) A resident applicant shall pay a license fee of four hundred dollars
($400.00) for a license to harvest any wild bison or two hundred fifty dollars ($250.00) for a license to harvest a female or calf wild bison and shall pay the fee required by W.S. 23-2-101(e). A nonresident applicant shall pay a license fee of two thousand five hundred dollars ($2,500.00) for a license to harvest any wild bison or one thousand dollars ($1,000.00) for a license to harvest a female or calf wild bison and shall pay the fee required by W.S. 23-2-101(e). The fee charged under W.S. 23-1-701 shall be in addition to the fee imposed under this subsection.

(f) Any person who is issued:

(i) An any wild bison license and harvests:

(A) A bull of the species shall be ineligible to apply for or receive an any wild bison license in any future year, but shall be eligible to apply for and receive a female or calf wild bison license in the immediately following season;

(B) A female or calf of the species shall be ineligible to apply for or receive a female or calf wild bison license in the immediately following five (5) years, but shall be eligible to apply for and receive an any wild bison license in the immediately following season.

(ii) A female or calf wild bison license and harvests a female or calf of the species shall be ineligible to apply for or receive an any wild bison license or a female or calf wild bison license in the immediately following five (5) years.

Section 2. There is appropriated two hundred fifty thousand dollars ($250,000.00) from the general fund to the attorney general’s office. This appropriation shall only be expended for the purpose of protecting or defending the rights of Wyoming citizens under the Second Amendment to the United States Constitution to possess and use any firearm legal pursuant to Wyoming law and useful in hunting bison, including defending against any executive orders which would limit the ability of Wyoming citizens to hunt or manage bison. Notwithstanding any other provision of law, this appropriation shall not be transferred or expended for any other purpose except that these funds may be subject to the B-11 process for use only for purposes related to Second Amendment protections as provided in this section. Any unexpended, unobligated funds remaining from this appropriation shall revert as provided by law on June 30, 2014.

Section 3. This act is effective July 1, 2013.

Approved March 14, 2013.
Original Senate Joint Resolution No. 1

A JOINT RESOLUTION proposing to amend the Wyoming Constitution to remove the requirement that a person be a resident of the state of Wyoming to serve as a trustee of the University of Wyoming; limiting the number of non-residents who may serve as trustees.

Be It Resolved by the Legislature of the State of Wyoming: two-thirds of all the members of the two houses, voting separately, concurring therein:

Section 1. The following proposal to amend Wyoming Constitution, Article 7, Section 17 is proposed for submission to the electors of the State of Wyoming at the next general election for approval or rejection to become valid as a part of the Constitution if ratified by a majority of the electors at the election:

Article 7, Section 17. Government of university.

The legislature shall provide by law for the management of the university, its lands and other property by a board of trustees, consisting of not less than seven members, to be appointed by the governor by and with the advice and consent of the senate, and the president of the university, and the superintendent of public instruction, as members ex officio, as such having the right to speak, but not to vote. The duties and powers of the trustees shall be prescribed by law. Not more than twenty percent (20%) of the appointed trustees may be nonresidents of the state, notwithstanding the provisions of Article 6, Section 15 of this Constitution.

Section 2. That the Secretary of State shall endorse the following statement on the proposed amendment:

The adoption of this amendment would allow the governor to appoint nonresidents of the state to serve as University of Wyoming trustees. Not more than twenty percent (20%) of the appointed trustees may be nonresidents of the state. The governor would not be required to appoint any nonresident as a trustee. All appointments to the board of trustees are with the advice and consent of the Wyoming Senate.

Approved February 15, 2013.
INDEX

(Catch Title)  (Chapter No.)

Administration of the Government
Wyoming lottery. ........................................................................................................ 200

Agencies/Boards/Commissions and Departments Generally
Administrative control of acquired institutional lands. ........................................... 155
Budget review process. ............................................................................................. 58
Community college construction. ............................................................................ 143
Correctional industries. ............................................................................................ 9
Life resource center. .................................................................................................. 114
Natural gas state vehicles. ....................................................................................... 97
Revisor’s bill. ............................................................................................................. 150
State building commission staffing. ........................................................................ 157

Community Development/and Science/Technology and Energy Authorities
Aeronautics programs. ............................................................................................... 138

Compensation and Benefits
Budget reduction implementation. ............................................................................. 176
Public employee retirement plans. .......................................................................... 203
State auditor-employee payment method amendments. ....................................... 139

Government Ethics
State Government Fraud Reduction Act-reporting requirements. .................. 16

Land Use Planning
Land use planning. ..................................................................................................... 192

Property and Buildings
Administrative control of acquired institutional lands. ....................................... 155
Community college construction. ............................................................................ 143
Resident preference provisions. ................................................................................ 134

Public Funds
Investment of public funds-interest bearing deposits................................. 68
State investments for a public purpose. ................................................................. 95

State Government Fraud Reduction
State Government Fraud Reduction Act-reporting requirements. .................. 16

State Officers
Education-state administration. ................................................................................. 1
Printing of state directory and constitution. ......................................................... 85
State auditor-employee payment method amendments. .................................. 139
State elected officials-board votes and chairmanship. .................................... 184

Wildlife and Natural Resource Funding Act
Large project funding. ................................................................................................ 83
State funded conservation easements-restrictions. ............................................. 148

Wyoming Economic Development Act
Challenge loan program-natural gas vehicle infrastructure. .............................. 96
Wyoming Partnership Challenge Loan Program
Challenge loan program—natural gas vehicle infrastructure. ..................96

Aeronautics
Wyoming Aeronautics Commission
Aeronautics programs. ...........................................................................138

Agriculture/Livestock/Other Animals
Interstate shipment of state inspected meats. .......................................86

Brands
Brands. ..................................................................................................13
Livestock fence repairs. ......................................................................76
Movement of livestock in emergency situations. ...............................107
Transfer of ownership of livestock and brands. .................................84

Conservation Districts
Conservation districts—special expertise. ........................................125

Contagious and Infectious Diseases Among Livestock
Contagious and infectious diseases among livestock .........................12
Livestock disease reporting and liability. ...........................................50

Estrays
Livestock fence repairs. ......................................................................76

Livestock Board
Livestock revisions. ...........................................................................47

Pari-Mutuel Wagering
Simulcasting of pari-mutuel events. ..................................................75

State Loan and Investment Board
State elected officials—board votes and chairmanship .....................184

Alcoholic Beverages
Local Licenses
Restaurant liquor licensees—dispensing rooms. ...............................174

Malt Beverages
Wholesale malt beverage distributors—limitations. .........................93

Minors
Alcoholic beverages purchases—acceptable identification. ...............172

Wyoming Liquor Division
Alcoholic beverages purchases—acceptable identification. ...............172

Appropriations
Adjunct professor incentives. .............................................................103
Administrative control of acquired institutional lands .......................155
Aeronautics programs. ......................................................................138
Appraisal management company regulation. ..................................180
Atomic Energy Act agreement state study. ......................................186
Bighorn sheep relocation. .................................................................72
Budget reduction implementation. ...................................................176
Budget review process. .................................................................58
Complimentary hunting licenses. .....................................................149
Education-state administration ................................................................. 1
Energy and natural resource education initiative..................................... 146
General government appropriations.......................................................... 73
Health benefit exchange study and select committee.............................. 116
Large project funding............................................................................. 83
Medicaid reform..................................................................................... 117
Municipal solid waste facilities................................................................. 194
Municipal solid waste landfill remediation............................................ 158
Omnibus water bill-construction.............................................................. 141
Projects funded by abandoned mine land funds.................................... 156
Public employee retirement plans............................................................ 203
School capital construction..................................................................... 129
Select federal natural resource management committee........................ 61
Statewide education accountability-phase I.......................................... 195
Transfer of federal lands-study................................................................. 202
Wild bison licenses................................................................................ 204

### Banks/Banking/Finance

#### Organization of Banks
- Banking act amendments...................................................................... 24

#### Children

#### Child Care Facilities
- Department of family services programs............................................. 193

#### Community Juvenile Services Boards
- Community juvenile services............................................................... 20

#### Juveniles
- Community juvenile services............................................................... 20
- Confidential student disciplinary hearing............................................ 168
- Department of family services programs............................................ 193
- Juvenile citations-notification by law enforcement............................. 119
- Representation of children in CHINS proceedings............................ 171
- Representation of children in compact proceedings........................ 170

#### Parents
- Termination of parental rights............................................................... 145

#### Protection
- Child placement orders......................................................................... 164
- Confidentiality of domestic abuse victim information........................ 98
- Electronic cigarettes............................................................................ 144
- Protective services investigation amendments.................................... 142

#### Cities and Towns

#### Fire and Police Departments
- Public employee retirement plans....................................................... 203

#### First Class Cities
- Municipal jurisdiction-extraterritorial authority................................. 104

#### City/County/State/Local Powers
Municipal jurisdiction-extraterritorial authority. ................................................. 104

**Administrative Procedure**
Administrative rules-takings assessment. ......................................................... 161

**Public Property**
Resident preference provisions. .................................................................. 134

**Uniform Municipal Fiscal Procedures: Public Records/Documents and Meetings**
Public records-institutions of higher education ......................................... 2

**Civil Procedure**

**Crime Victims Compensation**
Crime victims compensation and restitution .............................................. 32

**Eminent Domain**
Eminent domain-2. .................................................................................. 201
Eminent domain-wind energy collector systems ....................................... 34
Private roads. .......................................................................................... 99

**Governmental Claims**
Peace officer immunity .......................................................................... 46

**Intergovernmental Cooperation**
Municipal jurisdiction-extraterritorial authority ......................................... 104

**Real Property**
Eminent domain-wind energy collector systems ....................................... 34

**Special Districts**
Conservation districts-special expertise ................................................... 125
Solid waste disposal district board terms .................................................. 188
Special districts ..................................................................................... 45
Water and sewer districts-electors ............................................................ 140

**Wrongful Death**
Wrongful death-tolling of statutes of limitation ........................................ 177

**Counties**
Distribution of bills. ................................................................................ 36
Municipal jurisdiction-extraterritorial authority ........................................ 104
Special districts ..................................................................................... 45

**County Officers**
Budget reduction implementation ............................................................. 176
County commissioners-election to modify numbers ................................ 64
County fees ............................................................................................ 77
County offices-business days ................................................................. 105
Distribution of bills. ................................................................................ 36
Special districts ..................................................................................... 45

**Libraries**
Public library endowment challenge program extension .......................... 70

**Planning and Zoning**
Land use planning. .................................................................................. 192
Partition actions subject to subdivision laws ............................................ 128


**Solid Waste Disposal Districts**
Solid waste disposal district board terms.......................... 188

**Courts**
Confidentiality of domestic abuse victim information..............98
Deadly weapons in a courtroom........................................ 160

**Circuit Courts**
Circuit court magistrates............................................ 126

**Supreme Court**
Supreme court decisions and session laws..........................6

**Crimes and Offenses**
Authorized taking of an eagle under federal and state law........110
Illegal possession of wildlife parts.................................. 78

**Offenses Against Property**
Property offenses...................................................... 191

**Offenses Against Public Administration**
Deadly weapons in a courtroom....................................... 160
Interference with emergency calls................................... 81

**Offenses Against Public Peace**
Threats of bodily injury or death.................................... 136
Wyoming lottery........................................................... 200

**Offenses Against Public Policy**
Hunting license raffle................................................... 55

**Offenses Against the Person**
Human trafficking...................................................... 91

**Sentencing**
Inmate transfers......................................................... 10
Juvenile parole eligibility.............................................. 18

**Criminal Procedure**

**Criminal History Records**
Appraisal management company regulation..........................180
Banking division—nationwide licensing system......................27
Federal Motor Carrier Safety Act compliance.........................71

**Family Violence**
Confidentiality of domestic abuse victim information..............98

**Labor by Prisoners**
Correctional industries................................................ 9

**Peace Officers**
Peace officer immunity..................................................46

**Public Defender**
Public defender—fee schedule and indigency standard................87
Representation of children in CHINS proceedings....................171
Representation of children in compact proceedings..................170

**Sentence and Imprisonment**
Crime victims compensation and restitution.........................32
Inmate transfers .................................................................................................................................................. 10

**Victim Restitution**

Crime victims compensation and restitution ................................................................................................. 32

**Defense Forces and Affairs**

**Military Service Member Protections**

First responder retirement account payment rules ....................................................................................... 130
Professional licensing-military .................................................................................................................... 198
Professional licensing-military spouses ...................................................................................................... 197
Protecting veteran disability compensation in divorce .............................................................................. 196

**Veterans**

Driver’s licenses-veterans designation ......................................................................................................... 199

**Wyoming Emergency Management Agency**

Search and rescue program donations ........................................................................................................ 23

**Wyoming National Guard**

Active duty medical cost reimbursement program amendments ............................................................. 131
Healthcare provider retention program-sunset date .................................................................................... 40

**Domestic Relations**

**Child Support Enforcement**

Child support guideline tables ...................................................................................................................... 19
Child support payment procedures ........................................................................................................... 7

**Dissolution of Marriage**

Protecting veteran disability compensation in divorce .............................................................................. 196

**Husband and Wife**

Confidentiality of domestic abuse victim information .................................................................................. 98

**Education**

Education-state administration ....................................................................................................................... 1
Energy and natural resource education initiative .......................................................................................... 146
Hathaway success curriculum ...................................................................................................................... 101
High school equivalency certificate ............................................................................................................ 25
Public records-institutions of higher education .......................................................................................... 2
Statewide education accountability-phase I .................................................................................................. 195
Statewide education accountability-phase II ............................................................................................... 167

**Capital Construction Projects**

Community college construction .................................................................................................................. 143
School capital construction ......................................................................................................................... 129
School capital construction-capacity ........................................................................................................... 5
School capital construction-enrollment methodology .................................................................................. 15

**Community Colleges**

Bidder qualifications-community colleges-2 ................................................................................................. 132
Community college construction .................................................................................................................. 143
High school equivalency certificate ............................................................................................................ 25
Public records-institutions of higher education .......................................................................................... 2

**Higher Education Generally**

Hathaway success curriculum ...................................................................................................................... 101
High school equivalency certificate .................................................. 25
Public records-institutions of higher education ................................ 2

Pupils
Confidential student disciplinary hearing ........................................ 168
Hathaway success curriculum .......................................................... 101

School Districts in General
Hathaway success curriculum .......................................................... 101
School capital construction-capacity ............................................... 5
School capital construction-enrollment methodology .................... 15
Statewide education accountability-phase I ..................................... 195
Statewide education accountability-phase II .................................... 167

School Finance
Natural gas state vehicles ............................................................... 97

Teachers and Employees
Adjunct professor incentives ......................................................... 103

The Administration of the State System of Education at the State Level
Education-state administration ..................................................... 1
High school equivalency certificate ............................................... 25
State board of education-membership .......................................... 51
Statewide education accountability-phase I ..................................... 195
Statewide education accountability-phase II .................................... 167

University of Wyoming
Public records-institutions of higher education ............................... 2
Qualifications for University of Wyoming trustee ......................... NONE
University of Wyoming board of trustees ..................................... 42

Elections
Ballots
Election code-revisions 2 ............................................................. 31

Campaign Practices
Campaign finance ........................................................................... 189
Election code-revisions ............................................................... 28

Canvass and Recount
Election code-revisions 2 ............................................................. 31

Judges of Election and Counting Boards
Election code-revisions 2 ............................................................. 31

Nominations
Election code-revisions ............................................................... 28

Offenses and Penalties
Campaign finance ........................................................................... 189

Polling Place Regulations After Polls Close
Election code-revisions 2 ............................................................. 31

Polling Place Regulations Before Polls Open
Election code-revisions 2 ............................................................. 31

Registration
Election code-revisions.................................................................28

**Special District Elections Act**
Water and sewer districts-electors..............................................140

**Vacancies**
Election code-revisions.............................................................28
Elections-vacancy appointment process.....................................159

**Wyoming Election Code**
Election code-revisions 2.........................................................31

**Fiduciaries**

**Uniform Trust Code**
Uniform Trust Code.....................................................................178
Uniform trust code-notice of claims.............................................90

**Game and Fish**
Bighorn sheep relocation...........................................................72

**Administration**
Complimentary hunting licenses...............................................149
Game fish-definition.................................................................80
Hunting license raffle.................................................................55

**Game Bird Farms/Fishing Preserves**
Game bird farm licenses-expiration...........................................43

**General Regulatory Provisions**
Authorized taking of an eagle under federal and state law........110
Disabled hunter programs..........................................................54
Game licenses-landowner coupons.............................................33
Illegal possession of wildlife parts............................................78
Silencers, suppressors and automatic weapons........................65

**Licenses/Fees**
Search and rescue program donations.....................................23
Wild bison licenses.................................................................204

**Guardian and Ward**
Uniform Adult Guardianship Jurisdiction Act..........................21

**General Provisions**
Revisor’s bill..............................................................................150

**Health Care**
Health benefit exchange study and select committee..............116
Insurance-coverage of inherited enzymatic disorders.............112
Interstate sales of health insurance...........................................59
Life resource center.................................................................114
Medicaid reform.................................................................117
Medical assistance-hospice care..............................................111
Stroke and heart attack treatment centers..............................109
Wyoming health insurance pool-premiums..............................113

**Highways**
Highway funding.................................................................49
Establishment of Private Roads
Private roads.................................................................99

General Provisions
Livestock fence repairs......................................................76

Outdoor Advertising
Outdoor advertising-fees.....................................................173

Institutions of the State
Correctional Industries Program
Correctional industries.........................................................9
Honor farm horse program.................................................154

Fiscal Provisions
Inmate transfers.................................................................10

Hospitalization of Mentally Ill Persons
Hospitalization of mentally ill persons...............................115

Live Resource Center
Life resource center..........................................................114

State Penitentiary
Inmate transfers.................................................................10

Insurance Code
Agencies and Adjusters
Insurance-limited lines.......................................................123

Authorization of Insurers and General Requirements
Insurance-publications requirements..................................135

Casualty Insurance/Surety Insurance and Title Insurance
Insurance-limited lines.......................................................123

Disability Insurance Policies
Interstate sales of health insurance...................................59

Insurance Holding Company System Regulatory Act
Insurance Holding Company System Regulatory Act...........57

Mandated Coverage
Insurance-coverage of inherited enzymatic disorders...........112

Wyoming Health Insurance Pool Act
Wyoming health insurance pool-premiums..........................113

Wyoming Insurance Guaranty Association Act
Insurance Guaranty Association Act-amendments................108

Labor and Employment

Labor and Statistics
Revisor's bill.................................................................150

Unemployment Compensation
Unemployment compensation-direct sales.........................152
Unemployment insurance-federal compliance.....................133

Wages
Collection of unpaid wages..............................................67
Tips and gratuities—sales tax..........................................60
## Worker's Compensation
- Workplace safety initiatives ................................................................. 88

## Legislature
- Health benefit exchange study and select committee ......................... 116
- Revisor's bill .......................................................................................... 150
- Select federal natural resource management committee ..................... 61

## Compensation of Members
- Constituent service allowance ............................................................... 37
- Legislature-certificates of attendance .................................................. 35

## General Provisions
- Distribution of bills ............................................................................... 36
- Select federal natural resource management committee ..................... 61

## Liens

### General Provisions
- Frivolous liens .................................................................................... 53
- Lien notice ........................................................................................... 122

## Mines and Minerals

### Mining Operations
- Limited mining operations ................................................................. 44
- Surface mining operations-exemptions ............................................... 187

### Oil and Gas
- Oil and gas conservation commission-filings ..................................... 3
- Seismic exploration-3 ......................................................................... 151
- State oil and gas supervisor-qualifications .......................................... 4

## Motor Vehicles
- Motor vehicle-lemon law .................................................................. 17

## Commercial Vehicles
- Overweight and oversize vehicles ..................................................... 121

## Driver's Licenses
- Driver's licenses-veterans designation ............................................. 199
- Federal Motor Carrier Safety Act compliance .................................. 71
- Vehicle accident reporting ................................................................. 102

## General Fees
- County fees ....................................................................................... 77
- Highway funding ................................................................................ 49

## General Offenses and Penalties
- Hitchhiking .......................................................................................... 94
- Proof of motor vehicle insurance ....................................................... 120

## General Provisions
- Federal Motor Carrier Safety Act compliance .................................. 71
- Vehicle registration fees-assistive devices ........................................ 74

## Identification Cards
- Proof of motor vehicle insurance ....................................................... 120

## Regulation of Traffic on Highways
Hitchhiking........................................................................................................94
Railroad crossings-on-track vehicles...............................................................82
Vehicle accident reporting.............................................................................102

**Title and Registration**
- Bonds for certificates of title.............................................................163
- Firefighters’ license plates.................................................................106
- Search and rescue program donations..............................................23
- Vehicle registration fees-assistive devices........................................74

**Professions and Occupations**

**Athletic Trainers**
- Athletic trainers-licensure..............................................................162

**Chiropractors**
- Chiropractor licensure-amendments............................................185

**Licensing Generally**
- Professional licensing-military..................................................198
- Professional licensing-military spouses.....................................197

**Pharmacy**
- Immunization by pharmacists......................................................89

**Real Estate Appraisers**
- Appraisal management company regulation..............................180

**Surveyors and Engineers**
- Professional Engineers and Surveyors Practice Act...............11

**Veterinarians**
- Wyoming Veterinary Medical Practice Act.............................127

**Property/Conveyances and Security Transactions**

**General Provisions**
- Transfer on death deed..............................................................100

**Liability of Owners of Land Used for Recreation Purposes**
- Recreation liability-aircraft activities.......................................79

**Private Transfer Fees**
- Private transfer fees.................................................................137

**Public Health and Safety**
- Health benefit exchange study and select committee.............116
- Medicaid reform.......................................................................117
- Stroke and heart attack treatment centers............................109

**Adult Protective Services**
- Access to records-vulnerable adult abuse..................................147
- Protective services investigation amendments...........................142

**Domestic Violence Protection**
- Confidentiality of domestic abuse victim information.................98

**Environmental Quality**
- Atomic Energy Act agreement state study..................................186
- Authorization for certain radioactive waste facilities...............41
- Innocent landowner amendments..................................................38
<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Limited mining operations</td>
<td>44</td>
</tr>
<tr>
<td>Municipal solid waste landfill remediation</td>
<td>158</td>
</tr>
<tr>
<td>Municipal solid waste facilities</td>
<td>194</td>
</tr>
<tr>
<td>State primacy on greenhouse gas regulation</td>
<td>39</td>
</tr>
<tr>
<td>Surface mining operations-exemptions</td>
<td>187</td>
</tr>
<tr>
<td>Wyoming pollution discharge elimination system</td>
<td>181</td>
</tr>
<tr>
<td><strong>Food and Drugs</strong></td>
<td></td>
</tr>
<tr>
<td>Pesticides</td>
<td>153</td>
</tr>
<tr>
<td><strong>Health Regulations Generally</strong></td>
<td></td>
</tr>
<tr>
<td>Sanitary facilities for motion picture operators</td>
<td>190</td>
</tr>
<tr>
<td><strong>Hospitals/Health Care Facilities and Health Services</strong></td>
<td></td>
</tr>
<tr>
<td>Hospital district-elections</td>
<td>48</td>
</tr>
<tr>
<td><strong>Public Lands</strong></td>
<td></td>
</tr>
<tr>
<td>Administrative control of acquired institutional lands</td>
<td>155</td>
</tr>
<tr>
<td>Transfer of federal lands-study</td>
<td>202</td>
</tr>
<tr>
<td><strong>Board of Land Commissioners</strong></td>
<td></td>
</tr>
<tr>
<td>State elected officials-board votes and chairmanship</td>
<td>184</td>
</tr>
<tr>
<td>State land violations</td>
<td>56</td>
</tr>
<tr>
<td><strong>Public Utilities</strong></td>
<td></td>
</tr>
<tr>
<td><strong>General Provisions</strong></td>
<td></td>
</tr>
<tr>
<td>Regulation of natural gas as a transportation fuel</td>
<td>182</td>
</tr>
<tr>
<td><strong>Public Service Commission</strong></td>
<td></td>
</tr>
<tr>
<td>Office of consumer advocate-revisions</td>
<td>62</td>
</tr>
<tr>
<td>Office of consumer advocate-revisions 2</td>
<td>63</td>
</tr>
<tr>
<td><strong>Telecommunications</strong></td>
<td></td>
</tr>
<tr>
<td>Telecommunications-internet protocol enabled services</td>
<td>92</td>
</tr>
<tr>
<td><strong>Resolutions</strong></td>
<td></td>
</tr>
<tr>
<td>Qualifications for University of Wyoming trustee</td>
<td>NONE</td>
</tr>
<tr>
<td><strong>Revisions</strong></td>
<td></td>
</tr>
<tr>
<td>Revisor’s bill</td>
<td>150</td>
</tr>
<tr>
<td><strong>State-Federal Issues</strong></td>
<td></td>
</tr>
<tr>
<td>Health benefit exchange study and select committee</td>
<td>116</td>
</tr>
<tr>
<td>Interstate sales of health insurance</td>
<td>59</td>
</tr>
<tr>
<td>Transfer of federal lands-study</td>
<td>202</td>
</tr>
<tr>
<td><strong>Taxation and Revenue</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Administration</strong></td>
<td></td>
</tr>
<tr>
<td>Budget reduction implementation</td>
<td>176</td>
</tr>
<tr>
<td><strong>Fuel Tax</strong></td>
<td></td>
</tr>
<tr>
<td>Fuel tax-gasoline definition</td>
<td>165</td>
</tr>
<tr>
<td>Highway funding</td>
<td>49</td>
</tr>
<tr>
<td>Off-road vehicle gasoline tax distribution-sunset</td>
<td>22</td>
</tr>
<tr>
<td><strong>Sales Tax</strong></td>
<td></td>
</tr>
<tr>
<td>Data center co-location tax exemption</td>
<td>29</td>
</tr>
<tr>
<td>Highway funding</td>
<td>49</td>
</tr>
</tbody>
</table>
Revisor’s bill ........................................................................................................ 150
Sales tax-zapping .............................................................................................. 52
Streamlined sales tax-direct mail ..................................................................... 179
Tips and gratuities—sales tax .......................................................................... 60

Use Tax
Data center co-location tax exemption ............................................................ 29
Highway funding ............................................................................................... 49
Revisor’s bill ....................................................................................................... 150

Trade and Commerce
Money Transmitters
Banking division—nationwide licensing system .............................................. 27
Money Transmitters Act amendments .............................................................. 26
Motor Vehicles
Motor vehicle—lemon law ................................................................................ 17

Wyoming Residential Mortgage Practices Act
Revisor’s bill ....................................................................................................... 150

Wyoming Uniform Consumer Credit Code
Banking division—nationwide licensing system .............................................. 27
Revisor’s bill ....................................................................................................... 150
Uniform Consumer Credit Code amendments ................................................. 124

Uniform Commercial Code (UCC)
Secured Transactions/Sales of Accounts/Contract Rights and Chattel Paper
Effective financing statements—duration ....................................................... 30
Uniform Commercial Code—revisions ............................................................. 8

Water
Planning and Development
Omnibus water bill—construction ................................................................. 141
Omnibus water bill—planning ......................................................................... 66

Water and Sewer District Law
Water and sewer districts—electors ................................................................. 140

Water Rights/Administration and Control
Use of water outside the state .......................................................................... 14

Watercraft
Search and rescue program donations ............................................................ 23

Welfare
Medical Assistance and Services
Life resource center ........................................................................................ 114
Medicaid fraud recovery ................................................................................ 118
Medicaid reform ............................................................................................... 117
Medical assistance—hospice care ................................................................... 111

Public Assistance and Social Services
Home energy assistance program ................................................................... 183

Wills/Estates/Probates
Transfer on death deed ................................................................................... 100
<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Foreign Wills</td>
<td>166</td>
</tr>
<tr>
<td>General Provisions</td>
<td>166</td>
</tr>
<tr>
<td>Summary procedure for distribution of decedent's property</td>
<td>175</td>
</tr>
<tr>
<td>Wyoming Constitution</td>
<td>NONE</td>
</tr>
</tbody>
</table>

**Foreign Wills**

- Probate amendments: 166

**General Provisions**

- Probate amendments: 166
- Probate-objections to appointment: 169
- Summary procedure for distribution of decedent's property: 175

**Wyoming Constitution**

- Qualifications for University of Wyoming trustee: NONE
<table>
<thead>
<tr>
<th>HB/SF</th>
<th>CHAPTER</th>
</tr>
</thead>
<tbody>
<tr>
<td>HB0001</td>
<td>73  General government appropriations.</td>
</tr>
<tr>
<td>HB0002</td>
<td>28  Election code-revisions.</td>
</tr>
<tr>
<td>HB0003</td>
<td>30  Effective financing statements-duration.</td>
</tr>
<tr>
<td>HB0004</td>
<td>13  Brands.</td>
</tr>
<tr>
<td>HB0006</td>
<td>188 Solid waste disposal district board terms.</td>
</tr>
<tr>
<td>HB0007</td>
<td>190  Sanitary facilities for motion picture operators.</td>
</tr>
<tr>
<td>HB0009</td>
<td>31  Election code-revisions 2.</td>
</tr>
<tr>
<td>HB0011</td>
<td>57  Insurance Holding Company System Regulatory Act.</td>
</tr>
<tr>
<td>HB0012</td>
<td>12  Contagious and infectious diseases among livestock.</td>
</tr>
<tr>
<td>HB0013</td>
<td>47  Livestock revisions.</td>
</tr>
<tr>
<td>HB0014</td>
<td>32  Crime victims compensation and restitution.</td>
</tr>
<tr>
<td>HB0017</td>
<td>15  School capital construction-enrollment methodology.</td>
</tr>
<tr>
<td>HB0018</td>
<td>92  Telecommunications-internet protocol enabled services.</td>
</tr>
<tr>
<td>HB0020</td>
<td>19  Child support guideline tables.</td>
</tr>
<tr>
<td>HB0021</td>
<td>46  Peace officer immunity.</td>
</tr>
<tr>
<td>HB0023</td>
<td>18  Juvenile parole eligibility.</td>
</tr>
<tr>
<td>HB0024</td>
<td>166  Probate amendments.</td>
</tr>
<tr>
<td>HB0025</td>
<td>75  Simulcasting of pari-mutuel events.</td>
</tr>
<tr>
<td>HB0026</td>
<td>180  Appraisal management company regulation.</td>
</tr>
<tr>
<td>HB0028</td>
<td>54  Disabled hunter programs.</td>
</tr>
<tr>
<td>HB0029</td>
<td>33  Game licenses-landowner coupons.</td>
</tr>
<tr>
<td>HB0031</td>
<td>85  Printing of state directory and constitution.</td>
</tr>
<tr>
<td>HB0032</td>
<td>159  Elections-vacancy appointment process.</td>
</tr>
<tr>
<td>HB0036</td>
<td>191  Property offenses.</td>
</tr>
<tr>
<td>HB0037</td>
<td>55  Hunting license raffle.</td>
</tr>
<tr>
<td>HB0038</td>
<td>14  Use of water outside the state.</td>
</tr>
<tr>
<td>HB0040</td>
<td>34  Eminent domain-wind energy collector systems.</td>
</tr>
<tr>
<td>HB0041</td>
<td>204  Wild bison licenses.</td>
</tr>
<tr>
<td>HB0042</td>
<td>192  Land use planning.</td>
</tr>
<tr>
<td>HB0047</td>
<td>168 Confidential student disciplinary hearing.</td>
</tr>
<tr>
<td>Bill Number</td>
<td>Number</td>
</tr>
<tr>
<td>-------------</td>
<td>--------</td>
</tr>
<tr>
<td>HB0049</td>
<td>35</td>
</tr>
<tr>
<td>HB0050</td>
<td>36</td>
</tr>
<tr>
<td>HB0051</td>
<td>169</td>
</tr>
<tr>
<td>HB0052</td>
<td>88</td>
</tr>
<tr>
<td>HB0053</td>
<td>56</td>
</tr>
<tr>
<td>HB0054</td>
<td>25</td>
</tr>
<tr>
<td>HB0055</td>
<td>187</td>
</tr>
<tr>
<td>HB0056</td>
<td>181</td>
</tr>
<tr>
<td>HB0057</td>
<td>37</td>
</tr>
<tr>
<td>HB0059</td>
<td>24</td>
</tr>
<tr>
<td>HB0060</td>
<td>26</td>
</tr>
<tr>
<td>HB0061</td>
<td>27</td>
</tr>
<tr>
<td>HB0062</td>
<td>38</td>
</tr>
<tr>
<td>HB0063</td>
<td>39</td>
</tr>
<tr>
<td>HB0064</td>
<td>29</td>
</tr>
<tr>
<td>HB0065</td>
<td>158</td>
</tr>
<tr>
<td>HB0066</td>
<td>194</td>
</tr>
<tr>
<td>HB0068</td>
<td>114</td>
</tr>
<tr>
<td>HB0069</td>
<td>49</td>
</tr>
<tr>
<td>HB0071</td>
<td>66</td>
</tr>
<tr>
<td>HB0072</td>
<td>167</td>
</tr>
<tr>
<td>HB0077</td>
<td>200</td>
</tr>
<tr>
<td>HB0078</td>
<td>58</td>
</tr>
<tr>
<td>HB0079</td>
<td>67</td>
</tr>
<tr>
<td>HB0080</td>
<td>40</td>
</tr>
<tr>
<td>HB0081</td>
<td>83</td>
</tr>
<tr>
<td>HB0082</td>
<td>59</td>
</tr>
<tr>
<td>HB0084</td>
<td>76</td>
</tr>
<tr>
<td>HB0085</td>
<td>104</td>
</tr>
<tr>
<td>HB0086</td>
<td>164</td>
</tr>
<tr>
<td>HB0090</td>
<td>79</td>
</tr>
<tr>
<td>HB0091</td>
<td>195</td>
</tr>
<tr>
<td>HB0092</td>
<td>81</td>
</tr>
<tr>
<td>Bill Number</td>
<td>Section</td>
</tr>
<tr>
<td>-------------</td>
<td>---------</td>
</tr>
<tr>
<td>HB0094</td>
<td>89</td>
</tr>
<tr>
<td>HB0095</td>
<td>82</td>
</tr>
<tr>
<td>HB0098</td>
<td>77</td>
</tr>
<tr>
<td>HB0100</td>
<td>74</td>
</tr>
<tr>
<td>HB0102</td>
<td>115</td>
</tr>
<tr>
<td>HB0109</td>
<td>86</td>
</tr>
<tr>
<td>HB0110</td>
<td>22</td>
</tr>
<tr>
<td>HB0111</td>
<td>60</td>
</tr>
<tr>
<td>HB0115</td>
<td>177</td>
</tr>
<tr>
<td>HB0116</td>
<td>61</td>
</tr>
<tr>
<td>HB0117</td>
<td>161</td>
</tr>
<tr>
<td>HB0119</td>
<td>193</td>
</tr>
<tr>
<td>HB0122</td>
<td>172</td>
</tr>
<tr>
<td>HB0123</td>
<td>174</td>
</tr>
<tr>
<td>HB0127</td>
<td>199</td>
</tr>
<tr>
<td>HB0128</td>
<td>78</td>
</tr>
<tr>
<td>HB0131</td>
<td>80</td>
</tr>
<tr>
<td>HB0132</td>
<td>185</td>
</tr>
<tr>
<td>HB0133</td>
<td>91</td>
</tr>
<tr>
<td>HB0134</td>
<td>99</td>
</tr>
<tr>
<td>HB0139</td>
<td>178</td>
</tr>
<tr>
<td>HB0145</td>
<td>112</td>
</tr>
<tr>
<td>HB0146</td>
<td>162</td>
</tr>
<tr>
<td>HB0150</td>
<td>163</td>
</tr>
<tr>
<td>HB0151</td>
<td>90</td>
</tr>
<tr>
<td>HB0152</td>
<td>102</td>
</tr>
<tr>
<td>HB0153</td>
<td>170</td>
</tr>
<tr>
<td>HB0154</td>
<td>171</td>
</tr>
<tr>
<td>HB0156</td>
<td>107</td>
</tr>
<tr>
<td>HB0161</td>
<td>173</td>
</tr>
<tr>
<td>HB0163</td>
<td>103</td>
</tr>
<tr>
<td>HB0170</td>
<td>179</td>
</tr>
<tr>
<td>HB0171</td>
<td>165</td>
</tr>
<tr>
<td>Bill</td>
<td>Cross Reference</td>
</tr>
<tr>
<td>------</td>
<td>----------------</td>
</tr>
<tr>
<td>HB0175</td>
<td>119 Juvenile citations-notification by law enforcement.</td>
</tr>
<tr>
<td>HB0177</td>
<td>101 Hathaway success curriculum.</td>
</tr>
<tr>
<td>HB0187</td>
<td>189 Campaign finance.</td>
</tr>
<tr>
<td>HB0188</td>
<td>68 Investment of public funds-interest bearing deposits.</td>
</tr>
<tr>
<td>HB0190</td>
<td>87 Public defender-fee schedule and indigency standard.</td>
</tr>
<tr>
<td>HB0197</td>
<td>175 Summary procedure for distribution of decedent’s property.</td>
</tr>
<tr>
<td>HB0201</td>
<td>100 Transfer on death deed.</td>
</tr>
<tr>
<td>HB0203</td>
<td>116 Health benefit exchange study and select committee.</td>
</tr>
<tr>
<td>HB0215</td>
<td>95 State investments for a public purpose.</td>
</tr>
<tr>
<td>HB0216</td>
<td>160 Deadly weapons in a courtroom.</td>
</tr>
<tr>
<td>HB0217</td>
<td>186 Atomic Energy Act agreement state study.</td>
</tr>
<tr>
<td>HB0221</td>
<td>16 State Government Fraud Reduction Act-reporting requirements.</td>
</tr>
<tr>
<td>HB0223</td>
<td>2 Public records-institutions of higher education.</td>
</tr>
<tr>
<td>HB0225</td>
<td>84 Transfer of ownership of livestock and brands.</td>
</tr>
<tr>
<td>HB0228</td>
<td>202 Transfer of federal lands-study.</td>
</tr>
<tr>
<td>HB0229</td>
<td>182 Regulation of natural gas as a transportation fuel.</td>
</tr>
<tr>
<td>HB0234</td>
<td>183 Home energy assistance program.</td>
</tr>
<tr>
<td>HB0235</td>
<td>106 Firefighters’ license plates.</td>
</tr>
<tr>
<td>HB0248</td>
<td>157 State building commission staffing.</td>
</tr>
<tr>
<td>HB0249</td>
<td>176 Budget reduction implementation.</td>
</tr>
<tr>
<td>HB0250</td>
<td>203 Public employee retirement plans.</td>
</tr>
<tr>
<td>HB0259</td>
<td>184 State elected officials-board votes and chairmanship.</td>
</tr>
<tr>
<td>SF0002</td>
<td>3 Oil and gas conservation commission-filings.</td>
</tr>
<tr>
<td>SF0003</td>
<td>4 State oil and gas supervisor-qualifications.</td>
</tr>
<tr>
<td>SF0004</td>
<td>50 Livestock disease reporting and liability.</td>
</tr>
<tr>
<td>SF0005</td>
<td>123 Insurance-limited lines.</td>
</tr>
<tr>
<td>SF0006</td>
<td>62 Office of consumer advocate-revisions.</td>
</tr>
<tr>
<td>SF0007</td>
<td>125 Conservation districts-special expertise.</td>
</tr>
<tr>
<td>SF0008</td>
<td>5 School capital construction-capacity.</td>
</tr>
<tr>
<td>SF0009</td>
<td>137 Private transfer fees.</td>
</tr>
<tr>
<td>SF0010</td>
<td>6 Supreme court decisions and session laws.</td>
</tr>
</tbody>
</table>
SF0011  126 Circuit court magistrates.
SF0012  7 Child support payment procedures.
SF0013  8 Uniform Commercial Code-revisions.
SF0014  9 Correctional industries.
SF0015  10 Inmate transfers.
SF0016  138 Aeronautics programs.
SF0017  20 Community juvenile services.
SF0018  11 Professional Engineers and Surveyors Practice Act.
SF0019  48 Hospital district-elections.
SF0022  124 Uniform Consumer Credit Code amendments.
SF0023  96 Challenge loan program-natural gas vehicle infrastructure.
SF0026  41 Authorization for certain radioactive waste facilities.
SF0027  44 Limited mining operations.
SF0028  134 Resident preference provisions.
SF0029  94 Hitchhiking.
SF0030  45 Special districts.
SF0031  127 Wyoming Veterinary Medical Practice Act.
SF0033  23 Search and rescue program donations.
SF0036  135 Insurance-publications requirements.
SF0037  63 Office of consumer advocate-revisions 2.
SF0038  42 University of Wyoming board of trustees.
SF0039  21 Uniform Adult Guardianship Jurisdiction Act.
SF0043  69 State parks-acquisition of lands.
SF0044  130 First responder retirement account payment rules.
SF0046  196 Protecting veteran disability compensation in divorce.
SF0048  111 Medical assistance-hospice care.
SF0051  71 Federal Motor Carrier Safety Act compliance.
SF0052  97 Natural gas state vehicles.
SF0053  128 Partition actions subject to subdivision laws.
SF0055  146 Energy and natural resource education initiative.
SF0056  147 Access to records-vulnerable adult abuse.
SF0060  117 Medicaid reform.
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Number</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>SF0061</td>
<td>150</td>
<td>Revisor's bill.</td>
</tr>
<tr>
<td>SF0062</td>
<td>51</td>
<td>State board of education-membership.</td>
</tr>
<tr>
<td>SF0064</td>
<td>93</td>
<td>Wholesale malt beverage distributors-limitations.</td>
</tr>
<tr>
<td>SF0066</td>
<td>148</td>
<td>State funded conservation easements-restrictions.</td>
</tr>
<tr>
<td>SF0068</td>
<td>52</td>
<td>Sales tax-zapping.</td>
</tr>
<tr>
<td>SF0069</td>
<td>141</td>
<td>Omnibus water bill-construction.</td>
</tr>
<tr>
<td>SF0073</td>
<td>133</td>
<td>Unemployment insurance-federal compliance.</td>
</tr>
<tr>
<td>SF0074</td>
<td>197</td>
<td>Professional licensing-military spouses.</td>
</tr>
<tr>
<td>SF0075</td>
<td>154</td>
<td>Honor farm horse program.</td>
</tr>
<tr>
<td>SF0076</td>
<td>72</td>
<td>Bighorn sheep relocation.</td>
</tr>
<tr>
<td>SF0077</td>
<td>143</td>
<td>Community college construction.</td>
</tr>
<tr>
<td>SF0078</td>
<td>131</td>
<td>Active duty medical cost reimbursement program amendments.</td>
</tr>
<tr>
<td>SF0080</td>
<td>139</td>
<td>State auditor-employee payment method amendments.</td>
</tr>
<tr>
<td>SF0082</td>
<td>43</td>
<td>Game bird farm licenses-expiration.</td>
</tr>
<tr>
<td>SF0083</td>
<td>118</td>
<td>Medicaid fraud recovery.</td>
</tr>
<tr>
<td>SF0084</td>
<td>113</td>
<td>Wyoming health insurance pool-premiums.</td>
</tr>
<tr>
<td>SF0086</td>
<td>105</td>
<td>County offices-business days.</td>
</tr>
<tr>
<td>SF0087</td>
<td>120</td>
<td>Proof of motor vehicle insurance.</td>
</tr>
<tr>
<td>SF0090</td>
<td>155</td>
<td>Administrative control of acquired institutional lands.</td>
</tr>
<tr>
<td>SF0091</td>
<td>64</td>
<td>County commissioners-election to modify numbers.</td>
</tr>
<tr>
<td>SF0094</td>
<td>70</td>
<td>Public library endowment challenge program extension.</td>
</tr>
<tr>
<td>SF0098</td>
<td>17</td>
<td>Motor vehicle-lemon law.</td>
</tr>
<tr>
<td>SF0099</td>
<td>140</td>
<td>Water and sewer districts-electors.</td>
</tr>
<tr>
<td>SF0103</td>
<td>144</td>
<td>Electronic cigarettes.</td>
</tr>
<tr>
<td>SF0104</td>
<td>1</td>
<td>Education-state administration.</td>
</tr>
<tr>
<td>SF0105</td>
<td>129</td>
<td>School capital construction.</td>
</tr>
<tr>
<td>SF0106</td>
<td>156</td>
<td>Projects funded by abandoned mine land funds.</td>
</tr>
<tr>
<td>SF0113</td>
<td>108</td>
<td>Insurance Guaranty Association Act-amendments.</td>
</tr>
<tr>
<td>SF0115</td>
<td>142</td>
<td>Protective services investigation amendments.</td>
</tr>
<tr>
<td>SF0117</td>
<td>98</td>
<td>Confidentiality of domestic abuse victim information.</td>
</tr>
<tr>
<td>SF0118</td>
<td>201</td>
<td>Eminent domain-2.</td>
</tr>
<tr>
<td>SF0124</td>
<td>53</td>
<td>Frivolous liens.</td>
</tr>
<tr>
<td>Bill</td>
<td>Section</td>
<td>Description</td>
</tr>
<tr>
<td>------</td>
<td>---------</td>
<td>-------------</td>
</tr>
<tr>
<td>SF0126</td>
<td>121</td>
<td>Overweight and oversize vehicles.</td>
</tr>
<tr>
<td>SF0127</td>
<td>122</td>
<td>Lien notice.</td>
</tr>
<tr>
<td>SF0130</td>
<td>198</td>
<td>Professional licensing-military.</td>
</tr>
<tr>
<td>SF0132</td>
<td>65</td>
<td>Silencers, suppressors and automatic weapons.</td>
</tr>
<tr>
<td>SF0136</td>
<td>151</td>
<td>Seismic exploration-3.</td>
</tr>
<tr>
<td>SF0144</td>
<td>132</td>
<td>Bidder qualifications-community colleges-2.</td>
</tr>
<tr>
<td>SF0146</td>
<td>145</td>
<td>Termination of parental rights.</td>
</tr>
<tr>
<td>SF0147</td>
<td>109</td>
<td>Stroke and heart attack treatment centers.</td>
</tr>
<tr>
<td>SF0149</td>
<td>149</td>
<td>Complimentary hunting licenses.</td>
</tr>
<tr>
<td>SF0153</td>
<td>152</td>
<td>Unemployment compensation-direct sales.</td>
</tr>
<tr>
<td>SF0159</td>
<td>136</td>
<td>Threats of bodily injury or death.</td>
</tr>
<tr>
<td>SF0160</td>
<td>153</td>
<td>Pesticides.</td>
</tr>
<tr>
<td>SF0162</td>
<td>110</td>
<td>Authorized taking of an eagle under federal and state law.</td>
</tr>
<tr>
<td>SJ0001</td>
<td>NONE</td>
<td>Qualifications for University of Wyoming trustee.</td>
</tr>
</tbody>
</table>
TABLE OF LAWS CREATED

<table>
<thead>
<tr>
<th>WYOMING STATUTES</th>
<th>HB/SF</th>
<th>Laws 2013 Chapter No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-26-504(d)</td>
<td>SF0118</td>
<td>201</td>
</tr>
<tr>
<td>1-26-509(j) and (k)</td>
<td>SF0118</td>
<td>201</td>
</tr>
<tr>
<td>2-1-103</td>
<td>HB0051</td>
<td>169</td>
</tr>
<tr>
<td>2-18-101 through 2-18-106</td>
<td>HB0201</td>
<td>100</td>
</tr>
<tr>
<td>3-2-101(c)</td>
<td>SF0039</td>
<td>21</td>
</tr>
<tr>
<td>3-8-101 through 3-8-106</td>
<td>SF0039</td>
<td>21</td>
</tr>
<tr>
<td>3-8-201 through 3-8-209</td>
<td>SF0039</td>
<td>21</td>
</tr>
<tr>
<td>3-8-301 and 3-8-302</td>
<td>SF0039</td>
<td>21</td>
</tr>
<tr>
<td>3-8-401 through 3-8-403</td>
<td>SF0039</td>
<td>21</td>
</tr>
<tr>
<td>3-8-501 and 3-8-502</td>
<td>SF0039</td>
<td>21</td>
</tr>
<tr>
<td>4-10-112</td>
<td>HB0139</td>
<td>178</td>
</tr>
<tr>
<td>4-10-402(c) through (e)</td>
<td>HB0139</td>
<td>178</td>
</tr>
<tr>
<td>4-10-410(a)(iv)</td>
<td>HB0139</td>
<td>178</td>
</tr>
<tr>
<td>4-10-506(c)</td>
<td>HB0139</td>
<td>178</td>
</tr>
<tr>
<td>4-10-510(a)(iv)(O) and (P)</td>
<td>HB0139</td>
<td>178</td>
</tr>
<tr>
<td>4-10-604(b) through (d)</td>
<td>HB0139</td>
<td>178</td>
</tr>
<tr>
<td>4-10-816(a)(xxviii)</td>
<td>HB0139</td>
<td>178</td>
</tr>
<tr>
<td>6-1-104(a)(xvi)</td>
<td>HB0216</td>
<td>160</td>
</tr>
<tr>
<td>6-2-701 through 6-2-710</td>
<td>HB0133</td>
<td>91</td>
</tr>
<tr>
<td>6-3-412 and 6-3-413</td>
<td>HB0036</td>
<td>191</td>
</tr>
<tr>
<td>6-5-212(b)</td>
<td>HB0092</td>
<td>81</td>
</tr>
<tr>
<td>6-6-103(d)</td>
<td>SF0159</td>
<td>136</td>
</tr>
<tr>
<td>6-7-101(a)(iii)(J)</td>
<td>HB0077</td>
<td>200</td>
</tr>
<tr>
<td>6-7-101(a)(iii)(J)</td>
<td>HB0037</td>
<td>55</td>
</tr>
<tr>
<td>7-19-201(a)(xxi)</td>
<td>HB0077</td>
<td>200</td>
</tr>
<tr>
<td>7-19-201(a)(xxi)</td>
<td>SF0051</td>
<td>71</td>
</tr>
<tr>
<td>7-19-301(a)(iv)(J)</td>
<td>HB0133</td>
<td>91</td>
</tr>
<tr>
<td>9-1-303(d)</td>
<td>HB0031</td>
<td>85</td>
</tr>
<tr>
<td>9-1-403(b)(vii) and (c)(ix)</td>
<td>SF0080</td>
<td>139</td>
</tr>
</tbody>
</table>
9-1-507(a)(viii) ........................................................ SF0030 ................................. 45
9-2-1011(d) ............................................................. HB0078 ............................. 58
9-2-1016(b)(xxii) .................................................... HB0248 ............................... 157
9-2-1016(h)(iii) ...................................................... SF0052 ................................. 97
9-2-2005(g) through (k) ........................................ SF0090 ................................. 155
9-2-2006(e) through (h) ........................................ SF0090 ................................. 155
9-2-2012(e) through (h) ........................................ SF0090 ................................. 155
9-3-101(f) ............................................................... SF0080 ................................. 139
9-8-301(d) ............................................................... HB0042 ............................. 192
9-12-301(a)(x) ........................................................ SF0023 ................................. 96
9-12-304(h) ............................................................. SF0023 ................................. 96
9-15-103(n) through (q) ........................................ SF0066 ................................. 148
9-15-801 through 9-15-817 ..................................... HB0081 ................................. 83
9-17-101 and 9-17-102 ............................................ SF0052 ................................. 97
9-17-101 through 9-17-128 ..................................... HB0077 ................................. 200
11-16-122(b)(xxviii) .............................................. SF0007 ................................. 125
11-16-135 ............................................................... SF0007 ................................. 125
11-19-102(d) and (e) .............................................. SF0004 ................................. 50
11-19-201(a)(ii) ...................................................... HB0012 ................................. 12
11-20-203(d) ........................................................... HB0225 ................................. 84
11-20-205(e) ........................................................... HB0225 ................................. 84
11-20-401(c) ........................................................... HB0004 ................................. 13
11-25-105(b)(iii) ..................................................... HB0025 ................................. 75
14-2-309(c)(iii) ....................................................... SF0146 ................................. 145
14-3-301(a)(v) ........................................................ SF0103 ................................. 144
14-3-429(c)(iv) ....................................................... HB0086 ................................. 164
14-3-441 ................................................................. SF0117 ................................. 98
14-6-203(g)(vii) ..................................................... HB0047 ................................. 168
14-6-206(c) ........................................................... HB0175 ................................. 119
14-6-229(e)(v) ....................................................... HB0086 ................................. 164
14-6-429(c)(iv) ....................................................... HB0086 ................................. 164
14-9-103(a)(vii) ...................................................... SF0017 ................................. 20
14-9-105(b) ............................................................. SF0017 ................................. 20
TABLE OF LAWS CREATED

<table>
<thead>
<tr>
<th>Law Section</th>
<th>Description</th>
<th>Date</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>14-9-106(d)</td>
<td></td>
<td>20</td>
<td>SF0017</td>
</tr>
<tr>
<td>14-12-101(a)(v)</td>
<td></td>
<td>170</td>
<td>HB0153</td>
</tr>
<tr>
<td>15-6-302(d)</td>
<td></td>
<td>134</td>
<td>SF0028</td>
</tr>
<tr>
<td>16-3-103(a)(i)(H) and (iii)</td>
<td></td>
<td>161</td>
<td>HB0117</td>
</tr>
<tr>
<td>16-4-203(b)(vii)</td>
<td></td>
<td>2</td>
<td>HB0223</td>
</tr>
<tr>
<td>16-6-101(a)(i)(M) and (vi)</td>
<td></td>
<td>134</td>
<td>SF0028</td>
</tr>
<tr>
<td>18-3-504(d)</td>
<td></td>
<td>134</td>
<td>SF0028</td>
</tr>
<tr>
<td>18-3-504(d)</td>
<td></td>
<td>45</td>
<td>SF0030</td>
</tr>
<tr>
<td>20-2-309(h)</td>
<td></td>
<td>98</td>
<td>SF0117</td>
</tr>
<tr>
<td>21-1-103(a)(iii)</td>
<td></td>
<td>1</td>
<td>SF0104</td>
</tr>
<tr>
<td>21-1-104</td>
<td></td>
<td>1</td>
<td>SF0104</td>
</tr>
<tr>
<td>21-2-204(c)(vii)</td>
<td></td>
<td>195</td>
<td>HB0091</td>
</tr>
<tr>
<td>21-7-701</td>
<td></td>
<td>103</td>
<td>HB0163</td>
</tr>
<tr>
<td>21-16-1307(b)(vi), (d)(vi) and (e)(iii)</td>
<td></td>
<td>101</td>
<td>HB0177</td>
</tr>
<tr>
<td>21-18-303(a)(xvii)</td>
<td></td>
<td>132</td>
<td>SF0144</td>
</tr>
<tr>
<td>22-5-301(b)</td>
<td></td>
<td>28</td>
<td>HB0002</td>
</tr>
<tr>
<td>22-25-102(c)(i)</td>
<td></td>
<td>189</td>
<td>HB0187</td>
</tr>
<tr>
<td>23-1-302(p)</td>
<td></td>
<td>55</td>
<td>HB0037</td>
</tr>
<tr>
<td>23-2-107(f)</td>
<td></td>
<td>204</td>
<td>HB0041</td>
</tr>
<tr>
<td>23-3-301(c) and (d)</td>
<td></td>
<td>78</td>
<td>HB0128</td>
</tr>
<tr>
<td>23-3-306(f)</td>
<td></td>
<td>54</td>
<td>HB0028</td>
</tr>
<tr>
<td>24-1-112(c)</td>
<td></td>
<td>76</td>
<td>HB0084</td>
</tr>
<tr>
<td>24-9-105</td>
<td></td>
<td>99</td>
<td>HB0134</td>
</tr>
<tr>
<td>25-10-110(o)</td>
<td></td>
<td>115</td>
<td>HB0102</td>
</tr>
<tr>
<td>26-1-102(a)(xli)</td>
<td></td>
<td>57</td>
<td>HB0011</td>
</tr>
<tr>
<td>26-3-126(d)</td>
<td></td>
<td>135</td>
<td>SF0036</td>
</tr>
<tr>
<td>26-9-229(d)</td>
<td></td>
<td>123</td>
<td>SF0005</td>
</tr>
<tr>
<td>26-9-234</td>
<td></td>
<td>123</td>
<td>SF0005</td>
</tr>
<tr>
<td>26-18-301 through 26-18-307</td>
<td></td>
<td>59</td>
<td>HB0082</td>
</tr>
<tr>
<td>26-20-401</td>
<td></td>
<td>112</td>
<td>HB0145</td>
</tr>
<tr>
<td>26-20-401 through 26-23-406</td>
<td></td>
<td>123</td>
<td>SF0005</td>
</tr>
<tr>
<td>26-31-103(a)(ii)(E) and (F)</td>
<td></td>
<td>108</td>
<td>SF0113</td>
</tr>
<tr>
<td>26-43-107(e)</td>
<td></td>
<td>113</td>
<td>SF0084</td>
</tr>
</tbody>
</table>
26-44-101(a)(xi)..................................................................HB0011........................................57
26-44-103(a)(iii), (b)(xiii) and (xiv) and (h), (j) and (n).................................HB0011..........................57
26-44-104(n) and (o)..........................................................HB0011......................................57
26-44-105(a)(vi)..................................................................HB0011......................................57
26-44-113(e).......................................................................HB0011......................................57
26-44-118..........................................................................HB0011......................................57
27-3-102(a)(xxii)................................................................SF0073.................................133
27-3-506(e) and (f).............................................................SF0073.................................133
28-11-501..........................................................................HB0116.......................................61
29-1-601(d).........................................................................SF0124.................................53
30-5-104(e).........................................................................SF0002.................................3
30-5-111(j)..........................................................................SF0002.................................3
31-1-101(a)(xxxiii)...............................................................HB0100......................................74
31-2-409(b)(iii) and (h)........................................................SF0033.................................23
31-2-703(e).........................................................................SF0033.................................23
31-3-101(a)(iv).....................................................................HB0100......................................74
31-7-102(a)(xlix).................................................................SF0051.................................71
31-7-111(b)(xii).................................................................HB0127....................................199
31-7-114(f)(iii) through (vi)..................................................SF0051.................................71
31-7-115(a)(iii)(M) and (c).....................................................HB0127....................................199
31-7-141............................................................................HB0127....................................199
31-7-304(g)........................................................................SF0051.................................71
31-7-305(p) and (q)..............................................................SF0051.................................71
31-8-201(c)........................................................................SF0087.................................120
31-9-110............................................................................HB0152.................................102
31-9-402(b)........................................................................HB0152.................................102
31-18-804(u)......................................................................SF0126.................................121
33-1-116............................................................................SF0130.................................198
33-1-116............................................................................SF0074.................................197
33-10-110(a)(xv), (xvi) and (g)..............................................HB0132.................................185
33-29-201........................................................................SF0018.................................11
33-29-301 through 33-29-308................................................SF0018.................................11
TABLE OF LAWS CREATED

33-29-401 through 33-29-406..........................SF0018......................11
33-29-501 and 33-29-502..........................SF0018......................11
33-29-601 through 33-29-604..........................SF0018......................11
33-29-701 through 33-29-709..........................SF0018......................11
33-29-801..................................................SF0018......................11
33-30-202(a)(x) and (xi)..........................SF0031......................127
33-30-223 through 33-30-225..........................SF0031......................127
33-39-105(a)(x)........................................HB0026.....................180
33-39-201 through 33-39-225..........................HB0026.....................180
34-19-105(a)(iii)........................................HB0090.....................79
34-28-103(d)...............................................SF0009.....................137
34.1-9-102(a)(lxxxiv)..........................SF0013......................8
34.1-9-316(h) and (j)..........................SF0013......................8
34.1-9-503(a)(iv) and (f) through (h)...............SF0013.....................8
34.1-9-518(c) and (d)..........................SF0013......................8
34.1-9-521(c) through (e)..........................SF0013......................8
34.1-9-801 through 34.1-9-809......................SF0013.....................8
35-2-1001..................................................SF0147.....................109
35-7-354(d)(iv) and (f) through (j)...............SF0160.....................153
35-7-359(b) through (d)..........................SF0160.....................153
35-7-376..................................................SF0160.....................153
35-11-103(d)(xi)..........................HB0065.....................158
35-11-103(g)(xii)..........................HB0062.....................38
35-11-528 through 35-11-532..........................HB0066....................194
35-11-528 through 35-11-532..........................HB0065....................158
35-11-1506(e)........................................SF0026.....................41
35-11-1801(a)(vi)..........................HB0062.....................38
35-21-112..................................................SF0117.....................98
36-2-107(b)(vi), (vii) and (d)..................HB0053.....................56
36-3-102(c)(vi)........................................SF0090.....................155
37-1-101(a)(vi)(H)(VII)..........................HB0229.....................182
37-2-402(e)...............................................SF0037.....................63
37-15-105........................................HB0018.....................92
39-15-104(f)(xii) through (xvi) .................. HB0170 .................. 179
39-15-108(f) .................................. SF0068 .................. 52
39-16-105(a)(viii)(J) ............................. HB0077 .................. 200
40-14-120(a)(iv) ............................... SF0022 .................. 124
40-14-140(a)(xxi) and (xxii) .................. SF0022 .................. 124
40-14-140(a)(xxi) and (xxii) .................. HB0061 .................. 27
40-14-142(a)(lxxvii) and (lxxviii) ........... SF0022 .................. 124
40-14-365 ..................................... SF0022 .................. 124
40-14-604(a)(vii) and (viii) .................... HB0061 .................. 27
40-14-634(o) through (r) ....................... HB0061 .................. 27
40-17-101(k) .................................. SF0098 .................. 17
40-22-102(a)(xix) and (xx) .................... HB0061 .................. 27
40-22-102(a)(xix) ............................... HB0060 .................. 26
40-22-108(e) through (k) ...................... HB0061 .................. 27
40-22-119(e) and (f) ............................ HB0060 .................. 26
41-10-101(b) .................................. SF0099 .................. 140
42-4-102(a)(xii) and (xiii) ................... SF0083 .................. 118
42-4-111(e) .................................. SF0083 .................. 118
42-4-207(k) .................................. HB0201 .................. 100
42-4-301 through 42-4-306 .................... SF0083 .................. 118
99-3-1703 (f)(viii) ............................. SF0069 .................. 141
99-3-1801 through 99-3-1804 .................. SF0069 .................. 141
## TABLE OF LAWS AMENDED

<table>
<thead>
<tr>
<th>WYOMING STATUTES</th>
<th>HB/SF</th>
<th>Laws 2013 Chapter No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-25-101</td>
<td>SF0117</td>
<td>98</td>
</tr>
<tr>
<td>1-25-103</td>
<td>SF0117</td>
<td>98</td>
</tr>
<tr>
<td>1-26-509(g)</td>
<td>SF0118</td>
<td>201</td>
</tr>
<tr>
<td>1-26-704(a)(iii)(C)</td>
<td>SF0118</td>
<td>201</td>
</tr>
<tr>
<td>1-26-815(d)</td>
<td>HB0040</td>
<td>34</td>
</tr>
<tr>
<td>1-32-103</td>
<td>SF0053</td>
<td>128</td>
</tr>
<tr>
<td>1-32-104</td>
<td>SF0053</td>
<td>128</td>
</tr>
<tr>
<td>1-38-103(b)(ii)</td>
<td>HB0115</td>
<td>177</td>
</tr>
<tr>
<td>1-40-112(c)(intro)</td>
<td>HB0014</td>
<td>32</td>
</tr>
<tr>
<td>2-1-204(a)(i)</td>
<td>HB0024</td>
<td>166</td>
</tr>
<tr>
<td>2-1-205(e)</td>
<td>HB0197</td>
<td>175</td>
</tr>
<tr>
<td>2-11-201</td>
<td>HB0024</td>
<td>166</td>
</tr>
<tr>
<td>2-11-202(a)(intro)</td>
<td>HB0024</td>
<td>166</td>
</tr>
<tr>
<td>3-1-102</td>
<td>SF0039</td>
<td>21</td>
</tr>
<tr>
<td>3-1-106</td>
<td>SF0061</td>
<td>150</td>
</tr>
<tr>
<td>4-10-103(a)(xv)</td>
<td>HB0139</td>
<td>178</td>
</tr>
<tr>
<td>4-10-506(a)(ii)</td>
<td>HB0139</td>
<td>178</td>
</tr>
<tr>
<td>4-10-507(a)(ii)</td>
<td>HB0151</td>
<td>90</td>
</tr>
<tr>
<td>4-10-517</td>
<td>HB0139</td>
<td>178</td>
</tr>
<tr>
<td>4-10-520(a)(i)</td>
<td>HB0139</td>
<td>178</td>
</tr>
<tr>
<td>4-10-521(b)</td>
<td>HB0139</td>
<td>178</td>
</tr>
<tr>
<td>4-10-604(a)(intro)</td>
<td>HB0139</td>
<td>178</td>
</tr>
<tr>
<td>4-10-816(a)(xxvi) and (xxvii)</td>
<td>HB0139</td>
<td>178</td>
</tr>
<tr>
<td>5-2-402</td>
<td>SF0010</td>
<td>6</td>
</tr>
<tr>
<td>5-2-502</td>
<td>SF0010</td>
<td>6</td>
</tr>
<tr>
<td>5-6-114</td>
<td>SF0017</td>
<td>20</td>
</tr>
<tr>
<td>5-9-206</td>
<td>SF0011</td>
<td>126</td>
</tr>
<tr>
<td>5-9-207</td>
<td>SF0011</td>
<td>126</td>
</tr>
<tr>
<td>6-1-104(a)(xv)(D)</td>
<td>HB0036</td>
<td>191</td>
</tr>
</tbody>
</table>
SESSION LAWS OF WYOMING, 2013

6-2-101(b).........................................................HB0023..............................18
6-2-306(d)(intro) and (e) ................................HB0023..............................18
6-2-401(a)(intro)................................................HB0036..............................191
6-3-301(a)..........................................................HB0036..............................191
6-3-305................................................................HB0036..............................191
6-3-401(a)(iii) ....................................................HB0036..............................191
6-3-402(a) and (c)(intro).................................HB0036..............................191
6-3-410................................................................HB0036..............................191
6-4-101................................................................HB0133..............................91
6-4-102................................................................HB0133..............................91
6-4-103(a)(intro) ..................................................HB0133..............................91
6-5-209................................................................HB0216..............................160
6-5-210(a)(intro) ..................................................HB0092..............................81
6-6-103(b)(ii) and (c)........................................SF0159..............................136
6-10-201(b)(ii)....................................................HB0023..............................18
6-10-301(c)..........................................................HB0023..............................18
7-2-106(c)............................................................HB0021..............................46
7-3-705(a)(ii)(G)..................................................HB0036..............................191
7-6-103(c)(vi).......................................................HB0190..............................87
7-6-104(c)(v).......................................................HB0153..............................170
7-6-106(b)............................................................HB0190..............................87
7-6-112(a)(i)........................................................HB0154..............................171
7-8-101(a)(iii)(A)..................................................HB0036..............................191
7-13-103(a) and (b)..........................................SF0015..............................10
7-13-301(a)(v).....................................................HB0014..............................32
7-13-304(c)..........................................................SF0017..............................20
7-13-402(a)..........................................................HB0023..............................18
7-16-206(a)(ii) and (e).......................................SF0014..............................9
7-19-106(a)(xvi)...............................................SF0051..............................71
7-19-106(a)(xviii)...............................................HB0026..............................180
7-19-106(a)(xxii)................................................HB0061..............................27
7-19-201(a)(xi)....................................................HB0026..............................180
7-19-201(a)(xvi)..................................................HB0061..............................27
<table>
<thead>
<tr>
<th>Law</th>
<th>Code</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>7-19-201 (a)(xviii)</td>
<td>SF0051</td>
<td>71</td>
</tr>
<tr>
<td>7-19-301 (a)(viii)</td>
<td>HB0133</td>
<td>91</td>
</tr>
<tr>
<td>9-1-403 (b)(vi)</td>
<td>SF0080</td>
<td>139</td>
</tr>
<tr>
<td>9-1-507 (a)(vii)</td>
<td>SF0030</td>
<td>45</td>
</tr>
<tr>
<td>9-1-513 (b)(i) and (c)</td>
<td>SF0104</td>
<td>1</td>
</tr>
<tr>
<td>9-2-1010 (a)(iii)</td>
<td>SF0061</td>
<td>150</td>
</tr>
<tr>
<td>9-2-1010 (a)(iii)</td>
<td>HB0078</td>
<td>58</td>
</tr>
<tr>
<td>9-2-1016 (b)(iv)(F)</td>
<td>SF0014</td>
<td>9</td>
</tr>
<tr>
<td>9-2-2018 (c)(xi)</td>
<td>HB0119</td>
<td>193</td>
</tr>
<tr>
<td>9-3-412 (a), (c)(iii) and (iv)</td>
<td>HB0250</td>
<td>203</td>
</tr>
<tr>
<td>9-3-413</td>
<td>HB0250</td>
<td>203</td>
</tr>
<tr>
<td>9-3-604 (a)</td>
<td>HB0250</td>
<td>203</td>
</tr>
<tr>
<td>9-3-605</td>
<td>HB0250</td>
<td>203</td>
</tr>
<tr>
<td>9-4-715 (m)(intro) and (n)</td>
<td>HB0215</td>
<td>95</td>
</tr>
<tr>
<td>9-4-831 (a)(ix)(intro), (B)(I) through (IV), (x)(intro) and (B)(I) through (IV)</td>
<td>HB0188</td>
<td>68</td>
</tr>
<tr>
<td>9-5-101 (a)</td>
<td>HB0259</td>
<td>184</td>
</tr>
<tr>
<td>9-8-301 (a)</td>
<td>HB0042</td>
<td>192</td>
</tr>
<tr>
<td>9-8-302 (b)</td>
<td>HB0042</td>
<td>192</td>
</tr>
<tr>
<td>9-11-103 (a)(iv) and (b)</td>
<td>HB0221</td>
<td>16</td>
</tr>
<tr>
<td>9-12-302 (a)</td>
<td>SF0023</td>
<td>96</td>
</tr>
<tr>
<td>9-12-304 (a)(intro) and (b)(i)</td>
<td>SF0023</td>
<td>96</td>
</tr>
<tr>
<td>9-15-604 (b)(iv) through (vi)</td>
<td>HB0081</td>
<td>83</td>
</tr>
<tr>
<td>9-15-613 (b)(iv) through (vi)</td>
<td>HB0081</td>
<td>83</td>
</tr>
<tr>
<td>9-17-101 (b)</td>
<td>SF0061</td>
<td>150</td>
</tr>
<tr>
<td>10-3-101 (h)</td>
<td>SF0016</td>
<td>138</td>
</tr>
<tr>
<td>10-3-601 (b)</td>
<td>SF0016</td>
<td>138</td>
</tr>
<tr>
<td>10-3-602 (b) and (c)</td>
<td>SF0016</td>
<td>138</td>
</tr>
<tr>
<td>11-1-103</td>
<td>HB0013</td>
<td>47</td>
</tr>
<tr>
<td>11-1-103</td>
<td>HB0012</td>
<td>12</td>
</tr>
<tr>
<td>11-16-102 (a)(xii)</td>
<td>SF0061</td>
<td>150</td>
</tr>
<tr>
<td>11-16-122 (b)(viii) and (xvi)</td>
<td>SF0007</td>
<td>125</td>
</tr>
<tr>
<td>11-19-103 (a) and (e)</td>
<td>HB0012</td>
<td>12</td>
</tr>
</tbody>
</table>
11-19-104(a)(intro)........................................HB0012..........................12
11-19-108.....................................................HB0012..........................12
11-19-111(a), (b) and (d)...............................HB0012..........................12
11-19-112.....................................................HB0012..........................12
11-19-201(a)(i).............................................HB0012..........................12
11-19-205.....................................................HB0012..........................12
11-19-208.....................................................HB0012..........................12
11-19-209.....................................................HB0012..........................12
11-19-210.....................................................HB0012..........................12
11-19-214.....................................................HB0012..........................12
11-19-215.....................................................HB0012..........................12
11-19-303.....................................................HB0012..........................12
11-19-304.....................................................HB0012..........................12
11-19-305.....................................................SF0061............................150
11-19-306.....................................................HB0012..........................12
11-19-401.....................................................HB0012..........................12
11-19-402.....................................................HB0012..........................12
11-19-403.....................................................HB0012..........................12
11-20-107.....................................................HB0004............................13
11-20-110.....................................................HB0004............................13
11-20-111.....................................................HB0004............................13
11-20-114(a)...............................................HB0004............................13
11-20-115(a)...............................................HB0004............................13
11-20-117(a)...............................................HB0004............................13
11-20-118.....................................................HB0004............................13
11-20-125(a)(intro)......................................HB0004............................13
11-20-202(b)...............................................HB0084............................76
11-20-203.....................................................HB0156............................107
11-20-212(a)...............................................HB0004............................13
11-20-409.....................................................HB0004............................13
11-22-106(a)(intro)......................................HB0013............................47
11-22-113(a) and (b).....................................HB0013............................47
11-24-101(a)(v)............................................HB0004............................13
TABLE OF LAWS AMENDED

11-24-103..........................................................HB0013..........................47
11-24-104..........................................................HB0013..........................47
11-24-105..........................................................HB0013..........................47
11-24-108(b) and (d).............................HB0013..........................47
11-24-108(g).....................................................HB0084.........................76
11-24-110..........................................................HB0013..........................47
11-24-112..........................................................HB0013..........................47
11-24-114..........................................................HB0013..........................47
11-25-102(a)(v) and (vii)(intro)....................HB0025..........................75
11-25-105(b)(ii) and (d).............................HB0025..........................75
11-26-101..........................................................HB0013..........................47
11-31-102..........................................................HB0036.........................191
11-31-214..........................................................HB0013..........................47
11-34-105(b)(vii).................................HB0259..........................184
12-2-201(a)......................................................SF0064...........................93
12-2-503(a)(i)(E)............................................HB0122..........................172
12-4-410(b).......................................................HB0123..........................174
12-6-101(h).......................................................HB0122..........................172
13-1-101(a)(iii)...............................................HB0059..........................24
13-1-502(f).......................................................HB0059..........................24
13-2-702(a) and (m).............................HB0059..........................24
13-2-803..........................................................HB0059..........................24
14-2-309(c)(intro) and (ii)........................SF0146..........................145
14-3-204(a)(iii)(intro)..............................SF0115..........................142
14-3-206(a)(i)......................................................SF0115..........................142
14-3-301(a)(i)......................................................SF0103..........................144
14-6-203(g)(v) and (vi).............................HB0047..........................168
14-6-240(e).......................................................HB0047..........................168
14-6-247(a)(ii).....................................................HB0119..........................193
14-6-419(b) through (d)......................HB0119..........................193
14-9-105(a)(intro).................................SF0017..........................20
14-9-106(b)(intro), (ii) and (c)...............SF0017..........................20
14-9-108(a)(i), (iii), (iv)(intro) and (c)......SF0017..........................20
15-3-202(b)(ii) ....................................................... HB0085 ......................... 104
15-5-420(a) ........................................................... HB0250 ...................... 203
16-6-101(a)(i)(intro), (A), (C)(intro), (I), (III),
(D)(intro), (II), (J)(intro) and (iii)(D) .................. SF0028 ......................... 134
16-6-102(a) ........................................................... SF0028 ......................... 134
16-6-105(a) ........................................................... SF0028 ......................... 134
16-6-106 ............................................................... SF0028 ......................... 134
16-6-107 ............................................................... SF0028 ......................... 134
16-6-109 ............................................................... SF0028 ......................... 134
16-6-112(a)(intro) ................................................ SF0028 ......................... 134
16-6-119 ............................................................... SF0028 ......................... 134
16-6-120(b)(intro) ................................................ SF0028 ......................... 134
16-6-202(a)(ii) ...................................................... SF0028 ......................... 134
16-6-206(b) ........................................................... SF0028 ......................... 134
16-6-301(b) ........................................................... SF0028 ......................... 134
16-6-701(a)(ii) and (v) ........................................ SF0028 ......................... 134
16-6-702 ............................................................... SF0028 ......................... 134
16-6-1001(a)(intro), (i)(E), (ii)(C) and (iii) ............ SF0028 ......................... 134
18-3-103(b) ........................................................... SF0086 ......................... 105
18-3-107(f) ............................................................. HB0249 ......................... 176
18-3-402(a)(vii), (viii), (xvi)(A), (xvi)(D),
(xvi)(F), (xvi)(J), (xvi)(K) through (Q), (S),
(T), (W) and (xxiv) ............................................. HB0098 ......................... 77
18-3-501(b) through (d), (f) and (g) ...................... SF0091 ......................... 64
18-5-303(a)(ii) ...................................................... SF0053 ......................... 128
18-7-202(a)(ii)(A) and (B) .................................... SF0094 ......................... 70
18-7-204(h) ........................................................ SF0094 ......................... 70
18-11-102(a) ....................................................... HB0006 ......................... 188
19-9-403(a) ........................................................ SF0078 ......................... 131
19-9-804 ............................................................. HB0080 ......................... 40
19-9-805 ............................................................. HB0080 ......................... 40
19-11-115(f) ....................................................... SF0044 ......................... 130
19-13-301(a) ........................................................ SF0033 ......................... 23
<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>19-14-107(c)(viii)</td>
<td>HB0127</td>
<td>199</td>
</tr>
<tr>
<td>20-2-114</td>
<td>SF0046</td>
<td>196</td>
</tr>
<tr>
<td>20-2-202(a)(iii)</td>
<td>SF0117</td>
<td>98</td>
</tr>
<tr>
<td>20-2-303(a)(ii)</td>
<td>HB0119</td>
<td>193</td>
</tr>
<tr>
<td>20-2-304(a) and (b)</td>
<td>HB0020</td>
<td>19</td>
</tr>
<tr>
<td>20-2-304(a)(intro)</td>
<td>SF0012</td>
<td>7</td>
</tr>
<tr>
<td>20-2-307(d)</td>
<td>HB0119</td>
<td>193</td>
</tr>
<tr>
<td>20-2-309(b)(intro)</td>
<td>SF0117</td>
<td>98</td>
</tr>
<tr>
<td>20-2-309(f)</td>
<td>SF0012</td>
<td>7</td>
</tr>
<tr>
<td>20-2-310(c)</td>
<td>SF0012</td>
<td>7</td>
</tr>
<tr>
<td>20-5-309(a)(intro)</td>
<td>SF0117</td>
<td>98</td>
</tr>
<tr>
<td>21-2-104</td>
<td>SF0104</td>
<td>1</td>
</tr>
<tr>
<td>21-2-105</td>
<td>SF0104</td>
<td>1</td>
</tr>
<tr>
<td>21-2-201</td>
<td>SF0104</td>
<td>1</td>
</tr>
<tr>
<td>21-2-202(a)(intro), (i), (ix), (x), (xix)(intro), (xix)(H), (xx), (xxx) and (b) through (e)</td>
<td>SF0104</td>
<td>1</td>
</tr>
<tr>
<td>21-2-202(a)(xxx)</td>
<td>HB0091</td>
<td>195</td>
</tr>
<tr>
<td>21-2-202(a)(xxxii) and (xxxiii)</td>
<td>SF0061</td>
<td>150</td>
</tr>
<tr>
<td>21-2-203(a), (c)(intro), (c)(iv), (viii), (d)(intro), (e)(intro) and (ii)(intro)</td>
<td>SF0104</td>
<td>1</td>
</tr>
<tr>
<td>21-2-204(b)(intro), (c)(iv), (d)(intro), (e)(intro) and (f)(intro)</td>
<td>HB0091</td>
<td>195</td>
</tr>
<tr>
<td>21-2-204(d)(v)</td>
<td>SF0061</td>
<td>150</td>
</tr>
<tr>
<td>21-2-204(f)(intro), (iv) and (v) through (viii)</td>
<td>SF0104</td>
<td>1</td>
</tr>
<tr>
<td>21-2-204(f)(v), (vi), (h)(intro), (i)(intro) and (j)</td>
<td>HB0091</td>
<td>195</td>
</tr>
<tr>
<td>21-2-301(a) and (c)</td>
<td>SF0104</td>
<td>1</td>
</tr>
<tr>
<td>21-2-301(a)</td>
<td>SF0062</td>
<td>51</td>
</tr>
<tr>
<td>21-2-303</td>
<td>HB0091</td>
<td>195</td>
</tr>
<tr>
<td>21-2-304(a)(i), (v)(intro), (vi), (b)(ii) and (xvii)</td>
<td>SF0104</td>
<td>1</td>
</tr>
<tr>
<td>21-2-304(a)(iv)(intro), (v)(E) and (vi)</td>
<td>HB0091</td>
<td>195</td>
</tr>
<tr>
<td>21-2-304(b)(xv) and (xvi)</td>
<td>HB0072</td>
<td>167</td>
</tr>
<tr>
<td>Law Reference</td>
<td>Bill Number</td>
<td>Page</td>
</tr>
<tr>
<td>---------------</td>
<td>-------------</td>
<td>------</td>
</tr>
<tr>
<td>21-15-117(e)(iv)</td>
<td>SF0008</td>
<td>5</td>
</tr>
<tr>
<td>21-15-123(f)(ii)</td>
<td>HB0017</td>
<td>15</td>
</tr>
<tr>
<td>21-16-1301(a)(xvi)</td>
<td>HB0054</td>
<td>25</td>
</tr>
<tr>
<td>21-16-1307(d)(v), (e)(ii) and (f)(ii)</td>
<td>HB0177</td>
<td>101</td>
</tr>
<tr>
<td>21-16-1308(b)(intro), (iv)(intro), (A) (C)(intro) and (c)(ii)</td>
<td>HB0054</td>
<td>25</td>
</tr>
<tr>
<td>21-17-201</td>
<td>SF0038</td>
<td>42</td>
</tr>
<tr>
<td>21-17-201</td>
<td>SF0104</td>
<td>1</td>
</tr>
<tr>
<td>21-18-105(c)(ii)</td>
<td>HB0054</td>
<td>25</td>
</tr>
<tr>
<td>21-18-201(c)</td>
<td>SF0104</td>
<td>1</td>
</tr>
<tr>
<td>21-18-225(a), (f), (g), (j) and (k)</td>
<td>SF0077</td>
<td>143</td>
</tr>
<tr>
<td>21-22-103(a)(i)(intro), (ii), (v) and (b)</td>
<td>SF0104</td>
<td>1</td>
</tr>
<tr>
<td>22-1-102(a)(xxxii)</td>
<td>HB0009</td>
<td>31</td>
</tr>
<tr>
<td>22-3-102(a)(intro) and (d)</td>
<td>HB0002</td>
<td>28</td>
</tr>
<tr>
<td>22-3-117(c)</td>
<td>HB0002</td>
<td>28</td>
</tr>
<tr>
<td>22-8-113</td>
<td>HB0002</td>
<td>28</td>
</tr>
<tr>
<td>22-11-105</td>
<td>HB0002</td>
<td>28</td>
</tr>
<tr>
<td>22-12-105</td>
<td>HB0009</td>
<td>31</td>
</tr>
<tr>
<td>22-13-105</td>
<td>HB0002</td>
<td>28</td>
</tr>
<tr>
<td>22-14-104</td>
<td>HB0009</td>
<td>31</td>
</tr>
<tr>
<td>22-16-101</td>
<td>HB0009</td>
<td>31</td>
</tr>
<tr>
<td>22-18-105</td>
<td>HB0002</td>
<td>28</td>
</tr>
<tr>
<td>22-18-111(a)(iii)(A)</td>
<td>HB0032</td>
<td>159</td>
</tr>
<tr>
<td>22-25-102(e) and (h)</td>
<td>HB0187</td>
<td>189</td>
</tr>
<tr>
<td>22-25-105(b)</td>
<td>HB0002</td>
<td>28</td>
</tr>
<tr>
<td>22-25-107(b)</td>
<td>HB0002</td>
<td>28</td>
</tr>
<tr>
<td>22-25-108(a), (c)(intro) and (d)</td>
<td>HB0187</td>
<td>189</td>
</tr>
<tr>
<td>23-1-101(a)(v)</td>
<td>HB0131</td>
<td>80</td>
</tr>
<tr>
<td>23-1-502(a)</td>
<td>HB0078</td>
<td>58</td>
</tr>
<tr>
<td>23-1-705(a)</td>
<td>SF0149</td>
<td>149</td>
</tr>
<tr>
<td>23-1-705(h)</td>
<td>HB0028</td>
<td>54</td>
</tr>
<tr>
<td>23-2-101(h)</td>
<td>SF0033</td>
<td>23</td>
</tr>
<tr>
<td>23-2-107(a) and (e)</td>
<td>HB0041</td>
<td>204</td>
</tr>
</tbody>
</table>
23-2-201(c) .......................................................... SF0033 ......................... 23
23-3-101 ............................................................. SF0162 .......................... 110
23-3-112 ............................................................. SF0132 ........................... 65
23-3-303(a) ......................................................... HB0128 ............................ 78
23-3-306(b) ......................................................... HB0028 ............................ 54
23-5-105 ............................................................. SF0082 ............................ 43
24-1-112(a) ........................................................ HB0084 ............................ 76
24-9-101(a)(intro), (i), (iii) through (vi),
(b) through (f), (h) and (j) .............................. HB0134 ............................ 99
24-9-103(a) through (d) and (f) ...................... HB0134 ............................ 99
24-9-104 ............................................................. HB0134 ............................ 99
24-10-107(a) and (b) ........................................... HB0161 .......................... 173
25-1-104(g) ........................................................ SF0014 .............................. 9
25-3-104(a) ........................................................ HB0119 ............................ 193
25-10-109(f) ........................................................ HB0102 ............................ 115
25-13-104 ........................................................ SF0014 .............................. 9
25-13-104 ........................................................ SF0075 .............................. 154
26-2-113(d)(i) ..................................................... HB0011 ......................... 57
26-2-121(m) ........................................................ HB0011 ......................... 57
26-3-126(b)(iii) ............................................... SF0036 ............................ 135
26-4-101(a)(xiv) .............................................. SF0005 ............................ 123
26-5-106(a)(iv)(A) ........................................... HB0036 ............................ 191
26-9-202(a) ........................................................ SF0005 ............................ 123
26-31-103(a)(ii)(C) and (D) ............................... SF0113 .......................... 108
26-31-106(c)(ii) and (iii) ................................. SF0113 .......................... 108
26-31-111(c) ..................................................... SF0113 .......................... 108
26-43-107(c) ........................................................ SF0084 ............................ 113
26-44-102(b)(i)(intro) ....................................... HB0011 ............................ 57
26-44-103(a)(i), (ii), (b)(intro) and (xii) .......... HB0011 ............................ 57
26-44-104(a) through (c) and (m) .................. HB0011 ............................ 57
26-44-105(a)(intro), (iv), (v), (b)(intro),
(i)(A), (ii)(A), (iii), (iv), (c) and (d) .................. HB0011 ............................ 57
26-44-106(b)(i) and (ii) ................................. HB0011 ............................ 57
<table>
<thead>
<tr>
<th>Law Reference</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>26-44-108(a)(intro), (viii) and (b)</td>
<td>HB0011</td>
<td>57</td>
</tr>
<tr>
<td>26-44-109</td>
<td></td>
<td>57</td>
</tr>
<tr>
<td>26-44-110</td>
<td></td>
<td>57</td>
</tr>
<tr>
<td>27-3-108(a)(iv)</td>
<td>SF0153</td>
<td>152</td>
</tr>
<tr>
<td>27-3-321(a), (b)(intro), (ii) and (iii)</td>
<td>HB0119</td>
<td>193</td>
</tr>
<tr>
<td>27-3-409(a) and (d)</td>
<td>SF0073</td>
<td>133</td>
</tr>
<tr>
<td>27-3-607(a)(v) and (b)</td>
<td>HB0119</td>
<td>193</td>
</tr>
<tr>
<td>27-4-501(a)(iii)</td>
<td>HB0079</td>
<td>67</td>
</tr>
<tr>
<td>27-14-201(o)(intro)</td>
<td>HB0052</td>
<td>88</td>
</tr>
<tr>
<td>28-5-106(a) and (b)(iv)</td>
<td>HB0057</td>
<td>37</td>
</tr>
<tr>
<td>29-1-312(c)</td>
<td>SF0127</td>
<td>122</td>
</tr>
<tr>
<td>29-1-313(a)</td>
<td>SF0127</td>
<td>122</td>
</tr>
<tr>
<td>29-1-601(a)(intro)</td>
<td>SF0124</td>
<td>53</td>
</tr>
<tr>
<td>29-10-102(a)</td>
<td>SF0061</td>
<td>150</td>
</tr>
<tr>
<td>30-5-104(d)(v)(A)</td>
<td>SF0136</td>
<td>151</td>
</tr>
<tr>
<td>30-5-108</td>
<td>SF0003</td>
<td>4</td>
</tr>
<tr>
<td>30-5-404(b) and (c)</td>
<td>SF0136</td>
<td>151</td>
</tr>
<tr>
<td>31-1-101(a)(v)</td>
<td>HB0100</td>
<td>74</td>
</tr>
<tr>
<td>31-2-105(c)</td>
<td>HB0150</td>
<td>163</td>
</tr>
<tr>
<td>31-2-218(a)</td>
<td>HB0235</td>
<td>106</td>
</tr>
<tr>
<td>31-2-404(c)(iii) and (f)</td>
<td>SF0033</td>
<td>23</td>
</tr>
<tr>
<td>31-2-404(c)</td>
<td>SF0033</td>
<td>23</td>
</tr>
<tr>
<td>31-2-703(b) and (c)</td>
<td>SF0033</td>
<td>23</td>
</tr>
<tr>
<td>31-3-102(a)(vii) and (b)(intro)</td>
<td>HB0098</td>
<td>77</td>
</tr>
<tr>
<td>31-4-103(b)(intro)</td>
<td>SF0087</td>
<td>120</td>
</tr>
<tr>
<td>31-5-102(a)(xxxvi)</td>
<td>HB0095</td>
<td>82</td>
</tr>
<tr>
<td>31-5-118(a)</td>
<td>SF0104</td>
<td>1</td>
</tr>
<tr>
<td>31-5-510(a)(i) through (iv)</td>
<td>HB0095</td>
<td>82</td>
</tr>
<tr>
<td>31-5-511(a)(iii) and (b)(iii)</td>
<td>HB0095</td>
<td>82</td>
</tr>
<tr>
<td>31-5-606(a)</td>
<td>SF0029</td>
<td>94</td>
</tr>
<tr>
<td>31-5-1106(c)</td>
<td>HB0152</td>
<td>102</td>
</tr>
<tr>
<td>31-5-1108(a)</td>
<td>HB0152</td>
<td>102</td>
</tr>
<tr>
<td>31-5-1111</td>
<td>HB0152</td>
<td>102</td>
</tr>
<tr>
<td>Law Reference</td>
<td>Bill Number</td>
<td>Page</td>
</tr>
<tr>
<td>---------------</td>
<td>-------------</td>
<td>------</td>
</tr>
<tr>
<td>33-24-157(a) and (c)</td>
<td>HB0094</td>
<td>89</td>
</tr>
<tr>
<td>33-39-104(a)</td>
<td>HB0026</td>
<td>180</td>
</tr>
<tr>
<td>33-45-107(a) and (c)(iii)</td>
<td>HB0146</td>
<td>162</td>
</tr>
<tr>
<td>33-45-108(c)</td>
<td>HB0146</td>
<td>162</td>
</tr>
<tr>
<td>34-1-119</td>
<td>HB0201</td>
<td>100</td>
</tr>
<tr>
<td>34-19-101(a)(iii)</td>
<td>HB0090</td>
<td>79</td>
</tr>
<tr>
<td>34-28-101(a)(ii)(A) and (B)</td>
<td>SF0009</td>
<td>137</td>
</tr>
<tr>
<td>34-28-102</td>
<td>SF0009</td>
<td>137</td>
</tr>
<tr>
<td>34.1-9-515(a), (d) and (e)</td>
<td>HB0003</td>
<td>30</td>
</tr>
<tr>
<td>34.19102(a)(vii)(B), (x), (l) and (lxxiii)</td>
<td>SF0013</td>
<td>8</td>
</tr>
<tr>
<td>34.19105</td>
<td>SF0013</td>
<td>8</td>
</tr>
<tr>
<td>34.19307(f)(ii)</td>
<td>SF0013</td>
<td>8</td>
</tr>
<tr>
<td>34.19311(a)(iii)</td>
<td>SF0013</td>
<td>8</td>
</tr>
<tr>
<td>34.19317(b) and (d)</td>
<td>SF0013</td>
<td>8</td>
</tr>
<tr>
<td>34.19326</td>
<td>SF0013</td>
<td>8</td>
</tr>
<tr>
<td>34.19326(e)</td>
<td>SF0013</td>
<td>8</td>
</tr>
<tr>
<td>34.19408(b)</td>
<td>SF0013</td>
<td>8</td>
</tr>
<tr>
<td>34.19502(c)(iii)</td>
<td>SF0013</td>
<td>8</td>
</tr>
<tr>
<td>34.19503(a)(i) through (iii) and (b)(ii)</td>
<td>SF0013</td>
<td>8</td>
</tr>
<tr>
<td>34.19507(c)</td>
<td>SF0013</td>
<td>8</td>
</tr>
<tr>
<td>34.19515(f)</td>
<td>SF0013</td>
<td>8</td>
</tr>
<tr>
<td>34.19516(b)(iii)(C), (v)(A) and (B)</td>
<td>SF0013</td>
<td>8</td>
</tr>
<tr>
<td>34.19518(a), (b)(intro), (i)(B) and (ii)</td>
<td>SF0013</td>
<td>8</td>
</tr>
<tr>
<td>34.19607(b)(ii)(A)</td>
<td>SF0013</td>
<td>8</td>
</tr>
<tr>
<td>35-2-401(d)</td>
<td>SF0019</td>
<td>48</td>
</tr>
<tr>
<td>35-7-354(d)(ii) and (iii)</td>
<td>SF0160</td>
<td>153</td>
</tr>
<tr>
<td>35-7-362</td>
<td>SF0160</td>
<td>153</td>
</tr>
<tr>
<td>35-7-374(a)(iv)(intro)</td>
<td>SF0160</td>
<td>153</td>
</tr>
<tr>
<td>35-7-1010</td>
<td>SF0031</td>
<td>127</td>
</tr>
<tr>
<td>35-11-213(e), (f), (h)(intro) and (m)(intro)</td>
<td>HB0063</td>
<td>39</td>
</tr>
<tr>
<td>35-11-312(a)</td>
<td>HB0056</td>
<td>181</td>
</tr>
<tr>
<td>35-11-401(e)(vi)</td>
<td>SF0027</td>
<td>44</td>
</tr>
<tr>
<td>35-11-401(j)</td>
<td>HB0055</td>
<td>187</td>
</tr>
</tbody>
</table>
35-11-417(c)(i) and (ii)..............................SF0027.........................44
35-11-1506(a) and (b)(intro)..................SF0026.........................41
35-11-1801(a)(iv) and (v)......................HB0062.........................38
35-20-102(a)(xix).................................SF0115.........................142
35-20-112(a)........................................SF0056.........................147
36-2-104..................................................HB0259..................184
36-2-107(b)(intro) and (iv)..................HB0053.........................56
37-2-403..................................................SF0006.....................62
37-2-404(b)..............................................SF0006.....................62
39-11-109(c)(ii) and (viii)..................HB0249.........................176
39-15-103(a)(i)(F).................................HB0111.........................60
39-15-303(b)(iv)................................SF0061.........................150
39-16-105(a)(viii)(H)(IV)......................HB0064.........................29
39-16-303(b)(iv)................................SF0061.........................150
39-17-101(a)(xii)..................................HB0171.........................165
39-17-104(a)(intro) and (i)...............HB0069.........................49
39-17-111(c)(ii) through (iv)..............HB0069.........................49
39-17-111(c)(iv)..................................HB0110.........................22
39-17-204(a)(intro)..............................HB0069.........................49
39-17-204(a)(i)......................................HB0069.........................49
40-14-120(a)(i) and (iii)..................SF0022.........................124
40-14-140(a)(lx) and (lxxiii)..............SF0022.........................124
40-14-204(a)(v)................................SF0022.........................124
40-14-206(a)(ii).................................SF0022.........................124
40-14-209(a)(i) and (b)(v)................SF0022.........................124
40-14-210..............................................SF0061..................150
40-14-212(b)(i)(intro) and (ii)........SF0022.........................124
40-14-213(a)(iii).................................SF0022.........................124
40-14-222(f)........................................SF0022.........................124
40-14-257(a)(intro)..............................SF0022.........................124
40-14-304(a)(iv)................................SF0022.........................124
<table>
<thead>
<tr>
<th>Law Reference</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>40-14-309(a)(i)</td>
<td>124</td>
</tr>
<tr>
<td>40-14-311(a)(iv) and (b)(ii)</td>
<td>124</td>
</tr>
<tr>
<td>40-14-320(e)</td>
<td>124</td>
</tr>
<tr>
<td>40-14-348(b)(i)(intro) and (b)(ii)</td>
<td>124</td>
</tr>
<tr>
<td>40-14-355(a)(intro)</td>
<td>124</td>
</tr>
<tr>
<td>40-14-604(b), (c)(intro) and (ii)(A)</td>
<td>124</td>
</tr>
<tr>
<td>40-14-604(e)</td>
<td>124</td>
</tr>
<tr>
<td>40-14-633</td>
<td>27</td>
</tr>
<tr>
<td>40-14-634(h)</td>
<td>27</td>
</tr>
<tr>
<td>40-17-101(j)</td>
<td>17</td>
</tr>
<tr>
<td>40-22-102(a)(xiv) and (xvi)(H)</td>
<td>26</td>
</tr>
<tr>
<td>40-22-103(b) through (e)</td>
<td>26</td>
</tr>
<tr>
<td>40-22-104(a)(iv)</td>
<td>26</td>
</tr>
<tr>
<td>40-22-107(a)</td>
<td>26</td>
</tr>
<tr>
<td>40-22-108(a)(v) and (viii)</td>
<td>26</td>
</tr>
<tr>
<td>40-22-111(a)</td>
<td>26</td>
</tr>
<tr>
<td>40-22-111(a)</td>
<td>27</td>
</tr>
<tr>
<td>40-22-111(b)(v)</td>
<td>26</td>
</tr>
<tr>
<td>40-22-112</td>
<td>26</td>
</tr>
<tr>
<td>40-22-116(a)(i), (iv) through (vi)</td>
<td>26</td>
</tr>
<tr>
<td>40-22-117(a)</td>
<td>26</td>
</tr>
<tr>
<td>40-22-118(a)(ii)</td>
<td>26</td>
</tr>
<tr>
<td>40-22-119(a), (b) and (d)</td>
<td>26</td>
</tr>
<tr>
<td>40-22-121</td>
<td>26</td>
</tr>
<tr>
<td>40-22-122(a) and (b)</td>
<td>26</td>
</tr>
<tr>
<td>40-22-128</td>
<td>26</td>
</tr>
<tr>
<td>40-22-129(b)</td>
<td>27</td>
</tr>
<tr>
<td>40-23-102(a)(xiii) and (xiv)</td>
<td>150</td>
</tr>
<tr>
<td>41-3-115(b)</td>
<td>14</td>
</tr>
<tr>
<td>41-10-107(d)</td>
<td>140</td>
</tr>
<tr>
<td>41-10-112(b)</td>
<td>140</td>
</tr>
<tr>
<td>41-13-109(b)</td>
<td>23</td>
</tr>
<tr>
<td>41-13-110(b)</td>
<td>23</td>
</tr>
</tbody>
</table>
42-2-102(a)(ii) through (iv), (vi) and (vii)(intro) ... HB0119 ....................... 193
42-2-103(b)(xiii) and (e)(v) .............................................. HB0119 ....................... 193
42-2-109(b) ........................................................................ HB0119 ....................... 193
42-2-112(a) through (g), (k)(i) and (ii) ......... HB0119 ....................... 193
42-2-202(a)(intro) and (b) ............................................. HB0119 ....................... 193
42-4-103(a)(xxv) ........................................................ SF0048 ....................... 111
99-3-1303(b)(iv) through (vi) ...................... SF0069 ....................... 141
99-3-1404(e)(iv) through (vii) ....................... SF0069 ....................... 141
99-3-1603(d)(iv) through (vii) ....................... SF0069 ....................... 141
99-3-1703(c)(iv) through (vii), (f)(iv) through (vii), (g)(iv) through (vii), (j)(iv) through (vi) and (k)(iv) through (vi) ..... SF0069 ....................... 141
99-3-1704(e)(iv) through (vi) ....................... SF0069 ....................... 141
# TABLE OF LAWS REPEALED

<table>
<thead>
<tr>
<th>WYOMING STATUTES</th>
<th>HB/SF</th>
<th>Laws 2013 Chapter No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>5-2-403</td>
<td>SF0010</td>
<td>6</td>
</tr>
<tr>
<td>6-3-401(a)(i)</td>
<td>HB0036</td>
<td>191</td>
</tr>
<tr>
<td>6-3-402(b) through (f)</td>
<td>HB0036</td>
<td>191</td>
</tr>
<tr>
<td>7-6-103(c)(vii)</td>
<td>HB0190</td>
<td>87</td>
</tr>
<tr>
<td>7-19-106(a)(x)</td>
<td>SF0031</td>
<td>127</td>
</tr>
<tr>
<td>9-5-109(a) through (h)</td>
<td>SF0061</td>
<td>150</td>
</tr>
<tr>
<td>9-8-101 and 9-8-102</td>
<td>HB0042</td>
<td>192</td>
</tr>
<tr>
<td>9-8-201 through 9-8-204</td>
<td>HB0042</td>
<td>192</td>
</tr>
<tr>
<td>11-19-113 through 11-19-117</td>
<td>HB0012</td>
<td>12</td>
</tr>
<tr>
<td>11-19-202 through 11-19-204</td>
<td>HB0012</td>
<td>12</td>
</tr>
<tr>
<td>11-19-206 and 11-19-207</td>
<td>HB0012</td>
<td>12</td>
</tr>
<tr>
<td>11-19-211 through 11-19-213</td>
<td>HB0012</td>
<td>12</td>
</tr>
<tr>
<td>11-19-301 and 11-19-302</td>
<td>HB0012</td>
<td>12</td>
</tr>
<tr>
<td>11-20-203(b)</td>
<td>HB0036</td>
<td>191</td>
</tr>
<tr>
<td>11-20-212(e)</td>
<td>HB0004</td>
<td>13</td>
</tr>
<tr>
<td>11-20-223(e)</td>
<td>HB0004</td>
<td>13</td>
</tr>
<tr>
<td>13-2-801</td>
<td>HB0059</td>
<td>24</td>
</tr>
<tr>
<td>13-2-804(c)</td>
<td>HB0059</td>
<td>24</td>
</tr>
<tr>
<td>13-4-104(c)</td>
<td>HB0059</td>
<td>24</td>
</tr>
<tr>
<td>14-4-101(a)(vi)(H)</td>
<td>HB0119</td>
<td>193</td>
</tr>
<tr>
<td>14-4-114</td>
<td>HB0119</td>
<td>193</td>
</tr>
<tr>
<td>14-6-304(a)(v)</td>
<td>HB0119</td>
<td>193</td>
</tr>
<tr>
<td>14-6-305</td>
<td>HB0119</td>
<td>193</td>
</tr>
<tr>
<td>14-9-106(b)(iii) and (iv)</td>
<td>SF0017</td>
<td>20</td>
</tr>
<tr>
<td>15-3-202(b)(i)</td>
<td>HB0085</td>
<td>104</td>
</tr>
<tr>
<td>16-6-101(a)(i)(B) through (G)</td>
<td>SF0028</td>
<td>134</td>
</tr>
<tr>
<td>16-6-1001(e)</td>
<td>SF0028</td>
<td>134</td>
</tr>
<tr>
<td>18-5-101 through 18-5-107</td>
<td>HB0042</td>
<td>192</td>
</tr>
<tr>
<td>21-2-202(a)(xix)(J), (xxii) through (xxxiii)</td>
<td>SF0104</td>
<td>1</td>
</tr>
</tbody>
</table>
21-2-204(g).................................................................HB0091.................................195
21-16-1308(b)(iv)(C)(I) through (III) .....................HB0054.................................25
21-22-103(d) ................................................................SF0104.................................1
22-12-110(a)(ii) .........................................................HB0009.................................31
22-12-111..................................................................HB0009.................................31
23-1-302(m)(i) ............................................................HB0028.................................54
23-3-105(c) .................................................................HB0029.................................33
24-9-101(g), (k) and (m) ...........................................HB0134.................................99
24-9-103(e) ................................................................HB0134.................................99
26-3-126(c) .................................................................SF0036.................................135
26-9-209(c) ................................................................SF0005.................................123
26-50-101 through 26-50-109 .................................SF0005.................................123
28-1-104 ..................................................................HB0050.................................36
28-5-104 and 28-5-105 ................................................HB0049.................................35
28-5-106(b)(i) through (iii) .......................................HB0057.................................37
31-5-1106(a) and (b) ......................................................HB0152.................................102
31-5-1107(a) and (c) ......................................................HB0152.................................102
31-5-1108(d) .................................................................HB0152.................................102
31-5-1110(a) .................................................................HB0152.................................102
31-7-128(d) ................................................................HB0152.................................102
33-10-104(b) ...............................................................HB0132.................................185
33-10-110(b) through (e) ..........................................HB0132.................................185
33-10-112 ..................................................................HB0132.................................185
33-10-114(c) .................................................................HB0132.................................185
33-10-115 ..................................................................HB0132.................................185
33-29-114 through 33-29-139.................................SF0018.................................11
33-30-204(m)(xiv) ......................................................SF0031.................................127
33-30-216 through 33-30-222 .................................SF0031.................................127
34.1-9-516(b)(v)(C) ......................................................SF0013.................................8
34.1-9-521(a) and (b) ......................................................SF0013.................................8
35-4-701 through 35-4-703 .......................................HB0007.................................190
35-11-213(h)(i), (ii), (m)(i) and (ii) .........................HB0063.................................39
35-11-401(e)(vii) through (ix) .................................SF0027.................................44
<table>
<thead>
<tr>
<th>Table Number</th>
<th>Description</th>
<th>Source Code</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>39-15-104(f)(vi) through (viii)</td>
<td>HB0170</td>
<td>179</td>
<td></td>
</tr>
<tr>
<td>40-14-120(a)(ii)</td>
<td>SF0022</td>
<td>124</td>
<td></td>
</tr>
<tr>
<td>40-14-140(a)(x)</td>
<td>SF0022</td>
<td>124</td>
<td></td>
</tr>
<tr>
<td>40-14-142(a)(xxxii)</td>
<td>SF0022</td>
<td>124</td>
<td></td>
</tr>
<tr>
<td>40-14-213(b)(iii)</td>
<td>SF0022</td>
<td>124</td>
<td></td>
</tr>
<tr>
<td>40-14-222(e)</td>
<td>SF0022</td>
<td>124</td>
<td></td>
</tr>
<tr>
<td>40-14-311(b)(iii)</td>
<td>SF0022</td>
<td>124</td>
<td></td>
</tr>
<tr>
<td>40-14-320(d)</td>
<td>SF0022</td>
<td>124</td>
<td></td>
</tr>
<tr>
<td>40-14-523</td>
<td>SF0022</td>
<td>124</td>
<td></td>
</tr>
<tr>
<td>40-14-640(a)(i) and (xiii)</td>
<td>HB0061</td>
<td>27</td>
<td></td>
</tr>
<tr>
<td>42-2-501(b)(v)</td>
<td>HB0234</td>
<td>183</td>
<td></td>
</tr>
<tr>
<td>42-6-106(a)</td>
<td>SF0060</td>
<td>117</td>
<td></td>
</tr>
</tbody>
</table>
## TABLE OF LAWS RENUMBERED

<table>
<thead>
<tr>
<th>WYOMING STATUTES</th>
<th>HB/SF</th>
<th>Chapter No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>4-10-506(c) through (e) as (d) through (f) ........HB0139...178</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4-10-604(c) as (f)........................................HB0139...178</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6-1-104(a)(xvi) as (xvii).........................HB0216...160</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9-2-1016(b)(xxii) as (xxiii)........HB0248...157</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11-19-201(a)(ii) as (iii)..................HB0012...12</td>
<td></td>
<td></td>
</tr>
<tr>
<td>14-2-309(c)(iii) as (v)..................SF0146...145</td>
<td></td>
<td></td>
</tr>
<tr>
<td>14-9-103(a)(vii) as (viii)................SF0017...20</td>
<td></td>
<td></td>
</tr>
<tr>
<td>14-12-101(a)(v) as (vi)..................HB0153...170</td>
<td></td>
<td></td>
</tr>
<tr>
<td>22-25-102(c)(ii) as (iii)...............HB0187...189</td>
<td></td>
<td></td>
</tr>
<tr>
<td>26-44-103(h) and (j) as (k) and (m)......HB0011...57</td>
<td></td>
<td></td>
</tr>
<tr>
<td>26-44-103(k) as (o)..........................HB0011...57</td>
<td></td>
<td></td>
</tr>
<tr>
<td>27-3-102(a)(xxii) as (xxiv)........SF0073...133</td>
<td></td>
<td></td>
</tr>
<tr>
<td>33-29-144 and 33-29-145 as 33-29-905 and</td>
<td></td>
<td></td>
</tr>
<tr>
<td>33-29-906................................SF0018...11</td>
<td></td>
<td></td>
</tr>
<tr>
<td>33-29-149 as 33-29-910..................SF0018...11</td>
<td></td>
<td></td>
</tr>
<tr>
<td>40-14-120(a)(xxi) as (xxiii)........SF0022...124</td>
<td></td>
<td></td>
</tr>
<tr>
<td>40-14-140(a)(xxi) as (xxiii)........HB0061...27</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## TABLE OF LAWS AMENDED AND RENUMBERED

<table>
<thead>
<tr>
<th>WYOMING STATUTES</th>
<th>HB/SF</th>
<th>Chapter No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>4-10-604(b) as (e)................................HB0139...178</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6-5-212(b) as (c)..................................HB0092...81</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10-3-403 as 9-12-703........................SF0016...138</td>
<td></td>
<td></td>
</tr>
<tr>
<td>22-25-102(c)(i) as (ii)..................HB0187...189</td>
<td></td>
<td></td>
</tr>
<tr>
<td>26-44-101(a)(xi) as (xii)..........HB0011...57</td>
<td></td>
<td></td>
</tr>
<tr>
<td>33-29-140 through 33-29-143 as</td>
<td></td>
<td></td>
</tr>
<tr>
<td>33-29-901 through 33-29-904..............SF0018...11</td>
<td></td>
<td></td>
</tr>
<tr>
<td>33-29-146 through 33-29-148 as</td>
<td></td>
<td></td>
</tr>
<tr>
<td>33-29-907 through 33-29-909..............SF0018...11</td>
<td></td>
<td></td>
</tr>
<tr>
<td>34.1-9-503(a)(iv) as (v)........SF0013...8</td>
<td></td>
<td></td>
</tr>
<tr>
<td>34.1-9-518(c) as (e)................SF0013...8</td>
<td></td>
<td></td>
</tr>
<tr>
<td>40-14-142(a)(lxxvii) as (lxxix)........SF0022...124</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
**TABLE OF LAWS**  
**SESSION LAWS AMENDED or REPEALED**

<table>
<thead>
<tr>
<th>WYOMING STATUTES</th>
<th>HB/SF</th>
<th>Laws 2013 Chapter No.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Amended:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2008 Wyoming Session Laws, Chapter 48, Section 320(e)(ii), as amended by 2009 Wyoming Session Laws, Chapter 159, Section 346 and by 2010 Wyoming Session Laws, Chapter 39, Section 322</td>
<td>SF0106</td>
<td>156</td>
</tr>
<tr>
<td>2011 Wyoming Session Laws, Chapter 184, Section 4(d)(vii)</td>
<td>HB0092</td>
<td>195</td>
</tr>
<tr>
<td>2012 Wyoming Session Laws, Chapter 16, Section 1(c)(viii)(E) and (d)</td>
<td>SF0105</td>
<td>129</td>
</tr>
<tr>
<td>2012 Wyoming Session Laws, Chapter 26, Section 2, Sections 001, 002, 003, 004, by creating a new section 005 and by renumbering 005 as 206, 006, 007, 008, 009, 010, 011, 014, 015, 020, 021, 024, 027, 032, 037, 039, 040, 041, 042, 044, 045, 048a, 048b, 049, 051, 053, 057, 060, 063, 066, 067, 070, by creating a new section 077, 080, 081, 085, 101, 103, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, by creating a new section 142, 151, 157, 160, 167, 205, 211, 220 and 013</td>
<td>HB0001</td>
<td>73</td>
</tr>
<tr>
<td>2012 Wyoming Session Laws, Chapter 26, Section 3, Sections 006, 057 and 067</td>
<td>HB0001</td>
<td>73</td>
</tr>
<tr>
<td>2012 Wyoming Session Laws, Chapter 26, Section 4, Sections 300 by creating new subsections (e) through (h), 301, 304(c), 307(a), 311, 312, 317 by creating a new subsection (f), 319(b) and by creating new subsections (d) and (e), 323(g) and by creating a new subsection (h) and by creating new sections 329 through 340</td>
<td>HB0001</td>
<td>73</td>
</tr>
</tbody>
</table>
2012 Wyoming Session Laws, Chapter 27, Section 1(c)(ii)(intro) and (B) ...........................................SF0106.................................156

2012 Wyoming Session Laws, Chapter 27, Section 2(b)(iii)(intro) and by creating new subparagraphs (F) and (G) and (vi)(C) and (c) by creating a new paragraph (iii) and re-numbering paragraphs (iii) through (vi) as (iv) through (vii) ................................................................SF0106.................................156

2013 Wyoming Session Laws, Chapter 69, Section 1(a)(intro) and (ii) (intro) .....................SF0061.................................150

Repealed:

2012 Wyoming Session Laws, Chapter 16, Section 2(c) ........................................................SF0105.................................129

2012 Wyoming Session Laws, Chapter 27, Section 1(c)(ii)(A) ..................................................SF0106.................................156

2012 Wyoming Session Laws, Chapter 27, Section 5(a)(ii) ........................................................SF0106.................................156