

SENATE FILE NO. SF0050

State miner's health coverage.

Sponsored by: Joint Appropriations Interim Committee

A BILL

for

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

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

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

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13 **30-6-104. Requirements for obtaining benefits.**

14

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

17

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

3

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

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

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

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18 **Section 2.** W.S. 30-6-101(a)(i) and (iii) and
19 30-6-102(b)(i), (c), (d), by creating a new subsection (e)
20 and by amending and renumbering (e) as (f) are amended to
21 read:

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23 **30-6-101. State miner's hospital board.**

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

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

10
11 (iii) One (1) member resident of ~~the~~ Campbell
12 County ~~Memorial Hospital Board~~ appointed by a majority vote
13 of the county commissioners. ~~or~~ In making this appointment
14 the county commissioners shall appoint a ~~designee if the a~~
15 member of the Campbell County Memorial Hospital Board if a
16 member ~~cannot~~ of that board is willing and able to serve.

17
18 **30-6-102. Account created; expenditures; report.**

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20 (b) The board shall:

21
22 (i) Serve disabled or incapacitated miners in
23 this state with ~~emphasis on~~ pulmonary/respiratory, hearing

1 loss, cardiac and musculoskeletal conditions of miners due
2 to labor in the mining industry;

3
4 (c) Each biennium the board shall, ~~after consultation~~
5 ~~with the legislative oversight committee created pursuant~~
6 ~~to W.S. 30-6-103,~~ recommend expenditures of any monies in
7 the account created by subsection (a) of this section for
8 purposes of addressing miner's health issues based upon the
9 plan prepared by the board under subsection (b) of this
10 section. The recommendations shall be reviewed by the joint
11 appropriations interim committee and any recommendations
12 from the committee shall be included in the budget for
13 appropriation. Any recommendations shall require
14 legislative appropriation to become effective.

15
16 (d) Not later than December 1 of each year, the board
17 shall report to the governor, ~~the legislative oversight~~
18 ~~committee created pursuant to W.S. 30-6-103~~ and the joint
19 appropriations interim committee on the activities of the
20 board including any recommendations made for expenditure of
21 monies from the account created by subsection (a) of this
22 section to address miner's health issues in this state.

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

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

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

13
14 (ii) "Miner" means a current resident of Wyoming
15 who has worked in a mine in this state or a contiguous
16 state who is or was employed at a ~~coal or other~~ mine or at
17 a processing or conversion facility contiguous to the mine
18 and dependent upon the output of that mine as feedstock.
19 "Miner" shall include ~~the operator of~~ persons providing
20 labor or services at the mine or ~~plant if the operator~~
21 ~~works~~ qualifying processing or conversion facility on a
22 continuing ~~or irregular~~ and regular basis whether employed
23 by the mine owner or operator or hired on a contract basis.
24 "Miner" shall not include persons providing labor or

1 services at the mine or qualifying processing or conversion
2 facility on an occasional or incidental basis as defined by
3 board rule;

4
5 (iii) "Mining" means coal mining, metal ore
6 mining and nonmetallic mineral mining and quarrying.
7 "Mining" includes coal, trona, bentonite, gypsum, sand and
8 gravel and other stone and uranium mining; ~~:-~~

9
10 (iv) "Domicile" means that place where a person
11 has his true, fixed and permanent home to which whenever
12 the person is temporarily absent the person has the
13 intention of returning. To prove domicile in Wyoming under
14 this act a person shall be able to establish that he:

15
16 (A) Physically resides in Wyoming;

17
18 (B) Has made his permanent home in Wyoming;

19
20 (C) Is not residing in Wyoming for a
21 special or temporary purpose; and

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

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

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

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

(END)