

HOUSE BILL NO. HB0205

Revisor's bill.

Sponsored by: Management Council

A BILL

for

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

6

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

8

9 **Section 1.** W.S. 16-3-103(j) (ii), 16-4-102 (a) (xx),
10 16-4-203 (f), 16-10-107 (c), 18-3-516 (b) (i), 21-3-111 (a) (xx),
11 21-13-310 (a) (xiv) and (xv), 21-16-1304 (h) (v),
12 21-16-1305 (e) (v), 21-20-108 (a) (ix), 33-28-302 (h) (ii),
13 34.1-2.A-103 (a) (xv), 35-8-314 (a) and 39-14-801 (e) (v) (B) are
14 amended to read:

15

1 **16-3-103. Adoption, amendment and repeal of rules;**
2 **notice; hearing; emergency rules; proceedings to contest;**
3 **review and approval by governor.**

4
5 (j) Each state agency shall adopt as much of the
6 uniform rules promulgated pursuant to the following
7 provisions as is consistent with the specific and distinct
8 requirements of the agency and state or federal law
9 governing or applicable to the agency:

10
11 (ii) W.S. ~~16-3-204(e)~~ 16-4-204(e).

12
13 **16-4-102. Definitions.**

14
15 (a) As used in this act:

16
17 (xx) "This act" means W.S. 16-4-101 through
18 ~~16-4-124~~ 16-4-125.

19
20 **16-4-203. Right of inspection; grounds for denial;**
21 **access of news media; order permitting or restricting**
22 **disclosure; exceptions.**

1 (f) Any person denied the right to inspect any record
2 covered by this act may apply to the district court of the
3 district wherein the record is found for ~~any~~an order
4 directing the custodian of the record to show cause why he
5 should not permit the inspection of the record.

6
7 **16-10-107. Surface water drainage utility board.**

8
9 (c) All meetings, records and accounts of the surface
10 water drainage utility board shall be managed and conducted
11 in accordance with the Public Records Act, W.S. 16-4-201
12 through 16-4-205, the Uniform Municipal Fiscal Procedures
13 Act, W.S. 16-4-101 through ~~16-4-124~~16-4-125, and the
14 Public Meetings Act, W.S. 16-4-401 through 16-4-408. The
15 salaries, if any, of the members of the surface water
16 drainage utility board shall be fixed by the board of
17 county commissioners and by the city or town council, as
18 applicable.

19
20 **18-3-516. Publication of proceedings; publication of**
21 **names, salaries and wages of certain officials and**
22 **employees.**

1 (b) Each board of county commissioners shall post on
2 the county's official website in the manner provided in
3 subsection (f) of this section and publish separate from
4 the minutes of the proceedings:

5
6 (i) Within sixty (60) days after the end of each
7 fiscal year, the name, position and gross monthly salary of
8 each full-time employee and each elected official. A brief
9 statement shall accompany the salary publication specifying
10 that all salaries are listed as gross monthly salaries or
11 actual monthly wages, not including any fringe benefits
12 such as health insurance costs, life insurance benefits and
13 pension plans. The statement shall also indicate that the
14 salaries or wages do not include any overtime that the
15 employee may earn which would be paid by the county. ~~and~~

16
17 **21-3-111. Powers of boards of trustees.**

18
19 (a) The board of trustees in each school district
20 within the state may:

21
22 (xx) Enter into school building construction and
23 renovation project agreements with the ~~school facilities~~

1 ~~commission~~ department as authorized under W.S.
2 ~~21-15-114(a)(viii)~~ 21-15-123(f)(v);

3
4 **21-13-310. Annual computation of district revenues.**

5
6 (a) To ensure revenues available to each district are
7 uniformly sufficient to enable compliance with the uniform
8 standards for educational programs prescribed under W.S.
9 21-9-101 and 21-9-102 and to secure state board
10 accreditation of educational programs under W.S.
11 21-2-304(a)(ii), the revenues specified under this
12 subsection shall be deemed state revenues and shall be
13 considered in determining the amount to be distributed to
14 each district under W.S. 21-13-311. A district shall make
15 an annual computation of the following revenues:

16
17 (xiv) Except as provided under W.S.
18 ~~21-15-114(a)(*)~~ 21-15-123(f)(vi), any amount received by
19 the district during the preceding school year from the sale
20 of real or personal property which was not owned by the
21 district prior to July 1, 1997;

1 (xv) All other revenues received or collected by
2 the district during the previous school year, but excluding
3 any amount received from private contributions and gifts,
4 excluding any revenues dedicated by law to the payment of
5 bonded indebtedness, and any revenues from the disposition
6 of school buildings and land pursuant to W.S.
7 ~~21-15-114(a)(x)~~ 21-15-123(f)(vi), and excluding fees or
8 other charges imposed by the district for goods or
9 services, such as rental fees and the price paid for
10 admission into any place for recreation, entertainment or
11 an athletic event. Upon application of a district, the
12 department shall exclude from this paragraph revenue
13 received by the district if the department finds that the
14 revenue could not be used by the district to provide
15 educational services to students.

16

17 **21-16-1304. Hathaway opportunity, performance and**
18 **honor scholarships.**

19

20 (h) Notwithstanding subparagraphs (a)(i)(B), (ii)(B)
21 and (iii)(B) of this section, the applicable scholarship
22 amount awarded to any eligible student may be available to
23 that student, upon election, for enrollment in up to six

1 (6) semester hours during any summer academic term or other
2 academic term offered by an eligible institution outside of
3 the regular fall or spring semester, subject to the
4 following:

5
6 (v) The student's hours of enrollment under this
7 subsection shall be used to determine the state's
8 obligation to reimburse the eligible institution for the
9 student's scholarship as applied under this subsection,
10 subject to W.S. ~~21-16-308(a)(v)~~ 21-16-1308(a)(v) and rules
11 and regulations of the department.

12
13 **21-16-1305. Hathaway provisional opportunity**
14 **scholarships.**

15
16 (e) Notwithstanding subparagraph (a)(i)(B) of this
17 section, the scholarship amount awarded to any eligible
18 student may be available to that student, upon election,
19 for enrollment in up to six (6) semester hours during any
20 summer academic term or other academic term offered by an
21 eligible institution outside of the regular fall or spring
22 semester, subject to the following:

1 (v) The student's hours of enrollment under this
2 subsection shall be used to determine the state's
3 obligation to reimburse the eligible institution for the
4 student's scholarship as applied under this subsection,
5 subject to W.S. ~~21-16-308(a)(v)~~ 21-16-1308(a)(v) and rules
6 and regulations of the department.

7
8 **21-20-108. Powers and duties of board of cooperative**
9 **educational services; property; contracts; gifts, grants,**
10 **bequests or devises; employment and discharge of personnel;**
11 **expenses; bonding of employees.**

12
13 (a) Each board of trustees of cooperative educational
14 services may:

15
16 (ix) Provide insurance under the state
17 employees' and officials' group insurance plan pursuant to
18 W.S. 9-3-201(e), for board employees meeting the definition
19 of employee under W.S. 9-3-203(a)(iv), as provided by W.S.
20 9-3-202 through 9-3-218. Each participating board of
21 cooperative educational services shall report to the
22 department of administration and information as specified
23 by W.S. ~~9-3-205(e)~~ 9-3-201(e) and make payments for

1 employer and employee contributions as provided by W.S.
2 9-3-210 and 9-3-211. The amount of contributions paid
3 under W.S. 9-3-211 for each employee electing coverage
4 shall be deducted from the employee's monthly salary in
5 accordance with W.S. 9-3-211. Nothing in this paragraph
6 shall be construed to limit the board's authority to
7 provide insurance for its employees as otherwise provided
8 by law.

9
10 **33-28-302. Relationships between licensees and the**
11 **public.**

12
13 (h) If a real estate company has more than one (1)
14 licensee, the responsible broker and any licensee
15 associated with or engaged by that responsible broker may
16 be designated to work with the seller or the buyer as a
17 designated licensee. For an in-house real estate
18 transaction, the designated licensee shall be:

19
20 (ii) An associate broker; ~~or~~

21
22 **34.1-2.A-103. Definitions and index of definitions.**

1 (a) In this article unless the context otherwise
2 requires:

3
4 (xv) "Lessee in the ordinary course of business"
5 means a person who in good faith and without knowledge that
6 the lease to him is in violation of the ownership rights or
7 security interest or leasehold interest of a third party in
8 the goods leases in ordinary course from a person in the
9 business of selling or leasing goods of that kind but does
10 not include a pawnbroker. "Leasing" may be for cash or by
11 exchange of other property or on secured or unsecured
12 credit and includes receiving goods or documents of title
13 under a pre-existing lease contract but does not include a
14 transfer in bulk or as security for or in total or partial
15 satisfaction of a money debt;

16
17 **35-8-314. Administration of finances; assessment and**
18 **levy of taxes.**

19
20 (a) The board of trustees of special cemetery
21 districts shall administer the finances of such districts
22 according to the provisions of the Uniform Municipal Fiscal
23 Procedures Act, W.S. 16-4-101 through ~~16-4-124~~ 16-4-125,

1 and file a report as provided by W.S. 9-1-507. The assessor
2 shall at the time of making the annual assessment of his
3 district also assess the property of each special cemetery
4 district in his county and return to the county assessor at
5 the time of returning the assessment schedules, separate
6 schedules listing the property of each such district
7 assessed by him. The separate schedules shall be compiled
8 by the county assessor, footed and returned to the board of
9 county commissioners as provided for other assessment
10 schedules.

11
12 **39-14-801. Severance tax distributions; distribution**
13 **account created; formula.**

14
15 (e) Deposits into the account created by subsection
16 (a) of this section shall be distributed as follows,
17 subject to subsections (b) through (d) of this section:

18
19 (v) To counties, seventy-eight hundredths
20 percent (0.78%), subject to the following formula:

21
22 (B) Fifty percent (50%) of the funds
23 distributed under this ~~subsection~~paragraph shall be

1 distributed to the counties based upon the inverse of the
2 assessed valuation of each county as computed under
3 subparagraph (vii) (C) of this subsection.

4

5 **Section 2.** Any other act adopted by the Wyoming
6 legislature during the same session in which this act is
7 adopted shall be given precedence and shall prevail over
8 the amendments in this act to the extent that such acts are
9 in conflict with this act.

10

11 **Section 3.** This act is effective immediately upon
12 completion of all acts necessary for a bill to become law
13 as provided by Article 4, Section 8 of the Wyoming
14 Constitution.

15

16 (END)