

SF0104

Wyoming chancery court.

Sponsored By: Senator(s) Perkins, Driskill, Nethercott and Rothfuss
and Representative(s) Greear, Harshman, Lindholm and
Olsen

AN ACT relating to courts; creating a chancery court; providing for jurisdiction; providing for funding of the chancery court; providing for adoption of rules for the chancery court; providing for the terms and appointment of chancery court judges; providing for the salary and expenses of chancery court personnel; authorizing positions; providing appropriations; and providing for an effective date.

1/16/2019 Bill Number Assigned
1/17/2019 S Received for Introduction
1/17/2019 S Introduced and Referred to S01 - Judiciary
1/28/2019 S01 - Judiciary:Recommend Amend and Do Pass 5-0-0-0-0

ROLL CALL

Ayes: Senator(s) Anselmi-Dalton, Boner, Kost, Nethercott, Von Flatern
Ayes 5 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

1/28/2019 Rerefer to S02 - Appropriations
1/31/2019 S02 - Appropriations:Recommend Amend and Do Pass 5-0-0-0-0

ROLL CALL

Ayes: Senator(s) Agar, Bebout, Gierau, Hicks, Kinskey
Ayes 5 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

1/31/2019 S Placed on General File

SF0104SS001/ADOPTED

Page 2-line 7 Delete "section 10" and insert "section 1".
Page 8-line 9 After "5-13-109." delete "Appointment" and insert
"Initial appointment; appointments".
Page 8-after line 9 Insert:
"(a) Prior to March 1, 2022, the supreme court shall assign the duties of
chancery court judge to be performed by a person who meets the qualifications
set forth in W.S. 5-13-108. The assignment shall be made to:
(i) A retired supreme court justice;
(ii) A retired district court judge; or
(iii) A member of a panel of up to five (5) active district court
judges selected by the supreme court to serve as chancery court judge on an ad
hoc basis."
Page 8-line 11 Delete "Vacancies occurring in" and insert
"(b) Beginning March 1, 2022".
Page 8-line 12 After "court" insert "and any vacancies therein".
Page 19-line 16 After "district courts" insert "., chancery courts".
Page 21-line 19 Delete "six hundred thousand dollars".
Page 21-line 20 Delete "(\$600,000.00)" and insert "three million four
hundred fifty thousand dollars (\$3,450,000.00)".
Page 22-after line 17 Insert:
"(c) To enable the initiation of the chancery court, there are authorized
no more than five (5) at-will employee contract positions, which may include
information technology and consultant positions, for the period beginning on
the effective date of this act and ending June 30, 2020.". NETHERCOTT, CHAIRMAN

SF0104SS002/ADOPTED

Page 1-line 6 Delete "judges; providing an appropriation" and insert "personnel; authorizing positions; providing appropriations;".

Page 21-line 19 Delete the first Senate standing committee amendment (SF0104SS001/A) to this line; delete "six hundred thousand dollars".

Page 21-line 20 Delete the first Senate standing committee amendment (SF0104SS001/A) to this line; delete "(\$600,000.00)" and insert "one million five hundred thousand dollars (\$1,500,000.00)".

Page 22-line 8 After "2020." delete balance of the line.

Page 22-lines 9 through 18 Delete entirely including the first Senate standing committee amendment (SF0104SS001/A) to these lines and insert:

"(b) Two (2) at-will employee contract positions are authorized to the supreme court for chancery court personnel to implement this act. These positions shall be authorized for the period beginning with the effective date of this act and ending June 30, 2020.

(c) To enable the initiation of the chancery court, three (3) full time equivalent positions are authorized to the supreme court for information technology and other positions as determined by the court necessary to implement the provisions of this act. These positions are authorized beginning with the effective date of this act and ending June 30, 2020.

(d) From the funds appropriated in subsection (a) of this section, not more than seven hundred thousand dollars (\$700,000.00) shall be expended for salaries and benefits for the positions authorized in this section.

(e) No positions authorized in this section and no funding provided in this section shall be included in the supreme court's standard 2021-2022 biennial budget. The supreme court may include in an exception budget request for the 2021-2022 biennium such funds and positions as it determines necessary to support the chancery court provided by this act.". BEBOUT, CHAIRMAN

SF0104SW001/ADOPTED

Page 8-line 9 Delete the first Senate standing committee amendment (SF0104SS001/A) to this line; delete "Appointment" and insert "Temporary assignment to fill vacancies; appointments".

Page 8-after line 9 Delete the first Senate standing committee amendment (SF0104SS001/A) to this line and insert:

"(a) Prior to the appointment of a chancery court judge under subsection (b) of this section or in the event a chancery court judge appointed under W.S. 5-13-107 dies, becomes unable or unwilling to perform the duties of his office, the supreme court may temporarily assign the duties of chancery court judge to be performed by a person who meets the qualifications set forth in W.S. 5-13-108. Any assignment shall be made to:

(i) A retired supreme court justice;

(ii) A retired district court justice; or

(iii) A member of a panel of up to five (5) active district court judges selected by the supreme court to serve as chancery court judge on ad hoc basis.".

Page 8-line 11 In the first Senate standing committee amendment (SF0104SS001/A) to this line, after "2022" insert ",",.

Page 8-line 12 After "by" delete balance of line.

Page 8-line 13 Delete line entirely and insert "W.S. 5-13-107.". PERKINS, NETHERCOTT

2/4/2019 S COW:Passed

SF0104S2001/ADOPTED

Page 7-line 8 Before "year" delete "such" and insert "the"; delete
"He shall, at such" and insert "At the".
Page 7-line 9 After "election," insert "he shall".
Page 9-line 7 Delete "such" and insert "the". SCOTT

SF0104S2002/ADOPTED

Page 5-after line 1 Insert:
"(vii) The streamlined and expeditious completion of discovery."
Page 6-after line 14 Insert:
"(h) As used in subsection (a) of this section, "effective and expeditious
resolution of disputes between parties" means the resolution of a majority of
the actions filed in the chancery court within one hundred fifty (150) days of
the filing of the action."
Page 12-line 1 After "secrets;" insert "or".
Page 12-line 3 Delete entirely.
Page 12-line 5 Delete "(F)" and insert "(E)".
Page 13-lines 2 through 5 Delete entirely and renumber as necessary.
PERKINS

SF0104S2003/ADOPTED

Page 5-line 11 Delete "one thousand dollars (\$1,000.00)" and insert
"five hundred dollars (\$500.00)". SCOTT

2/5/2019 S 2nd Reading:Passed

2/6/2019 S 3rd Reading:Passed 26-3-1-0-0

ROLL CALL

Ayes: Senator(s) Agar, Anderson, Anselmi-Dalton, Baldwin, Bebout, Biteman,
Boner, Bouchard, Case, Coe, Dockstader, Gierau, Hicks, Kinskey, Kost, Landen,
Moniz, Nethercott, Pappas, Perkins, Rothfuss, Schuler, Scott, Steinmetz, Von
Flatern, Wasserburger

Nays: Senator(s) Ellis, Hutchings, James

Excused: Senator Driskill

Ayes 26 **Nays** 3 **Excused** 1 **Absent** 0 **Conflicts** 0

2/8/2019 H Received for Introduction

2/11/2019 H Introduced and Referred to H09 - Minerals

2/15/2019 H09 - Minerals:Recommend Amend and Do Pass 9-0-0-0-0

ROLL CALL

Ayes: Representative(s) Burkhart, Crank, Duncan, Eyre, Furphy, Greear,
Henderson, Loucks, MacGuire

Ayes 9 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

2/15/2019 Rerefer to H02 - Appropriations

2/20/2019 H02 - Appropriations:Recommend Do Pass 7-0-0-0-0

ROLL CALL

Ayes: Representative(s) Kinner, Larsen, Nicholas, Olsen, Schwartz, Sommers,
Walters

Ayes 7 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

2/20/2019 H Placed on General File

SF0104HS001/ADOPTED**(TO ENGROSSED COPY)**

Page 3-line 14 Delete "based on caseload studies".
 Page 14-line 16 After "by the" insert "Wyoming".
 Page 20-line 19 After "salary" delete balance of line and insert "equal to the judges of the district courts.".
 Page 22-line 11 Delete "September" and insert "January".
 Page 22-line 12 Delete "2019" and insert "2020".
 Page 24-line 4 Delete entirely and insert "(e) The positions authorized in this section and the". GREEAR, CHAIRMAN

2/21/2019 H COW:Passed
 2/22/2019 H 2nd Reading:Laid Back
 2/25/2019 H 2nd Reading:Passed

SF0104H3001/FAILED**(TO ENGROSSED COPY)**

Page 3-line 13 Delete "and" and insert "shall be selected from among the first, fourth, seventh and ninth judicial districts. The". ZWONITZER

2/26/2019 H 3rd Reading:Passed 55-4-1-0-0

ROLL CALL

Ayes: Representative(s) Barlow, Blackburn, Blake, Brown, Burkhart, Burlingame, Clausen, Clem, Clifford, Connolly, Crank, Duncan, Eklund, Eyre, Flitner, Freeman, Furphy, Gray, Greear, Haley, Hallinan, Harshman, Henderson, Hunt, Jennings, Kinner, Kirkbride, Larsen, Laursen, Lindholm, Loucks, MacGuire, Miller, Newsome, Nicholas, Obermueller, Olsen, Paxton, Pelkey, Piiparinen, Pownall, Roscoe, Salazar, Schwartz, Simpson, Sommers, Stith, Styvar, Sweeney, Tass, Walters, Washut, Western, Wilson, Zwonitzer

Nays: Representative(s) Dayton-Selman, Edwards, Winter, Yin

Excused: Representative Northrup

Ayes 55 **Nays** 4 **Excused** 1 **Absent** 0 **Conflicts** 0

2/27/2019 S Received for Concurrence
 2/27/2019 S Concur:Passed 28-0-2-0-0

ROLL CALL

Ayes: Senator(s) Anderson, Anselmi-Dalton, Baldwin, Bebout, Biteman, Boner, Bouchard, Case, Coe, Dockstader, Driskill, Ellis, Gierau, Hicks, Hutchings, James, Kinskey, Kost, Landen, Moniz, Pappas, Perkins, Rothfuss, Schuler, Scott, Steinmetz, Von Flatern, Wasserburger

Excused: Senator(s) Agar, Nethercott

Ayes 28 **Nays** 0 **Excused** 2 **Absent** 0 **Conflicts** 0

2/27/2019 Assigned Number SEA No. 0076
 2/27/2019 S President Signed SEA No. 0076
 2/27/2019 H Speaker Signed SEA No. 0076
 3/15/2019 Governor Signed SEA No. 0076
 3/15/2019 Assigned Chapter Number 200

Chapter No. 200 Session Laws of Wyoming 2019