

ORIGINAL HOUSE
BILL NO. HB0205

ENROLLED ACT NO. 91, HOUSE OF REPRESENTATIVES

SIXTY-THIRD LEGISLATURE OF THE STATE OF WYOMING
2015 GENERAL SESSION

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

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

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

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

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

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

16-4-102. Definitions.

(a) As used in this act:

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

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

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

16-10-107. Surface water drainage utility board.

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

18-3-516. Publication of proceedings; publication of names, salaries and wages of certain officials and employees.

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

(i) Within sixty (60) days after the end of each fiscal year, the name, position and gross monthly salary of each full-time employee and each elected official. A brief

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statement shall accompany the salary publication specifying that all salaries are listed as gross monthly salaries or actual monthly wages, not including any fringe benefits such as health insurance costs, life insurance benefits and pension plans. The statement shall also indicate that the salaries or wages do not include any overtime that the employee may earn which would be paid by the county. ~~;~~ ~~and~~

21-3-111. Powers of boards of trustees.

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

(xx) Enter into school building construction and renovation project agreements with the ~~school facilities commission~~ ~~department~~ as authorized under W.S. ~~21-15-114(a)(viii)~~ 21-15-123(f)(v);

(xxi) Request the fingerprints of any employee initially hired by a school district on or after July 1, 1996, who may have access to minors in the course of the employee's employment, as provided by W.S. 7-19-106(a)(xxvi) and ~~7-19-210(a)(iii)~~ 7-19-201(a)(iii). The school district shall pay for the costs associated with the request.

21-13-310. Annual computation of district revenues.

(a) To ensure revenues available to each district are uniformly sufficient to enable compliance with the uniform standards for educational programs prescribed under W.S. 21-9-101 and 21-9-102 and to secure state board accreditation of educational programs under W.S. 21-2-304(a)(ii), the revenues specified under this subsection shall be deemed state revenues and shall be

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considered in determining the amount to be distributed to each district under W.S. 21-13-311. A district shall make an annual computation of the following revenues:

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

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

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

(h) Notwithstanding subparagraphs (a)(i)(B), (ii)(B) and (iii)(B) of this section, the applicable scholarship amount awarded to any eligible student may be available to that student, upon election, for enrollment in up to six (6) semester hours during any summer academic term or other academic term offered by an eligible institution outside of

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the regular fall or spring semester, subject to the following:

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

21-16-1305. Hathaway provisional opportunity scholarships.

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

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

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

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

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(ix) Provide insurance under the state employees' and officials' group insurance plan pursuant to W.S. 9-3-201(e), for board employees meeting the definition of employee under W.S. 9-3-203(a)(iv), as provided by W.S. 9-3-202 through 9-3-218. Each participating board of cooperative educational services shall report to the department of administration and information as specified by W.S. ~~9-3-205(e)~~ 9-3-201(e) and make payments for employer and employee contributions as provided by W.S. 9-3-210 and 9-3-211. The amount of contributions paid under W.S. 9-3-211 for each employee electing coverage shall be deducted from the employee's monthly salary in accordance with W.S. 9-3-211. Nothing in this paragraph shall be construed to limit the board's authority to provide insurance for its employees as otherwise provided by law.

33-28-302. Relationships between licensees and the public.

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

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

34.1-2.A-103. Definitions and index of definitions.

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

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

35-8-314. Administration of finances; assessment and levy of taxes.

(a) The board of trustees of special cemetery districts shall administer the finances of such districts according to the provisions of the Uniform Municipal Fiscal Procedures Act, W.S. 16-4-101 through ~~16-4-124~~16-4-125, and file a report as provided by W.S. 9-1-507. The assessor shall at the time of making the annual assessment of his district also assess the property of each special cemetery district in his county and return to the county assessor at the time of returning the assessment schedules, separate schedules listing the property of each such district assessed by him. The separate schedules shall be compiled by the county assessor, footed and returned to the board of county commissioners as provided for other assessment schedules.

39-14-801. Severance tax distributions; distribution account created; formula.

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

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

(B) Fifty percent (50%) of the funds distributed under this ~~subsection~~paragraph shall be distributed to the counties based upon the inverse of the assessed valuation of each county as computed under subparagraph (vii)(C) of this subsection.

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

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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.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk