

SENATE FILE NO. SF0028

Revisor's bill.

Sponsored by: Management Council

A BILL

for

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

6

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

8

9 **Section 1.** W.S. 1-1-125(a)(iii), 5-3-206(a)(x),
10 9-3-426(c)(intro), 14-2-501(b)(v), 14-6-102 Article VI(b),
11 15-5-202(d), 15-5-419(b), 21-13-309(m)(vi)(intro),
12 21-16-703(b)(iii), 31-2-107(d), 31-2-218(a),
13 35-25-102(a)(v), 35-25-104, 35-25-105(c), 35-25-106(a),
14 35-25-108(a)(i) and 42-2-401(a)(ii) are amended to read:

15

1 **1-1-125. Immunity for volunteers; volunteer**
2 **firefighters.**

3
4 (a) As used in this section:

5
6 (iii) "Volunteer" means an officer, director,
7 trustee or other person who performs services for a
8 nonprofit organization but does not receive compensation,
9 either directly or indirectly, for those services, or a
10 volunteer firefighter who performs services for a volunteer
11 fire department under W.S. ~~35-9-601(h)~~ 35-9-616(a)(ix)
12 whether or not he receives compensation or a pension.

13
14 **5-3-206. Fees.**

15
16 (a) For all civil matters filed or commenced, the
17 clerk of each district court shall charge the following
18 fees:

19
20 (x) For docketing and in payment of clerk's fee
21 after docketing incident to any appeal or bill of exception
22 from a ~~justice's~~ circuit court, forty dollars (\$40.00), and
23 for docketing any transcript of judgment from ~~justice's~~

1 circuit court upon the judgment and execution dockets,
2 thirty dollars (\$30.00), which amount shall be paid by
3 appellant, or by judgment holder to the clerk at time of
4 docketing. Ten dollars (\$10.00) of any fee imposed under
5 this paragraph shall be for court automation, ten dollars
6 (\$10.00) shall be for indigent civil legal services and
7 both shall be remitted as provided in W.S. 5-3-205.

8

9 **9-3-426. Benefits, allowances and contents of account**
10 **exempt from taxation and not subject to execution or**
11 **attachment; assignment limited; qualified domestic**
12 **relations order; system assets.**

13

14 (c) The retirement system including the Wyoming state
15 highway patrol, game and fish warden and criminal
16 investigator retirement program, any paid firemen's pension
17 plan established under the firemen's pension account
18 created by W.S. 15-5-202 and any plan through the volunteer
19 ~~firemen's~~ firefighter and EMT pension ~~fund~~ account
20 established under W.S. ~~35-9-602~~ 35-9-617, shall pay
21 retirement benefits in accordance with any qualified
22 domestic relations order for the payment of a specified
23 percentage of a member's benefits or account to an

1 alternate payee, for a specified number of payments or
2 period of time and from a specified retirement plan. Upon
3 request of the alternate payee, a lump sum refund of the
4 alternate payee's percentage of the member's account shall
5 be paid pursuant to the qualified domestic relations order.
6 Acceptance by the alternate payee of the lump sum refund
7 terminates his right to any further payment or benefit
8 provided by the retirement system. Notwithstanding any
9 other provision of law, the retirement system is exempt
10 from the qualified order unless:

11

12 **14-2-501. Establishment of parent-child relationship.**

13

14 (b) The father-child relationship is established
15 between a man and a child by:

16

17 (v) The man's having consented to assisted
18 reproduction by his wife under article ~~8~~9 of this act
19 which resulted in the birth of the child.

20

21 **14-6-102. Interstate Compact for Juveniles; compact**
22 **provisions generally.**

23

1

ARTICLE VI

2

RULEMAKING FUNCTIONS OF THE INTERSTATE COMMISSION

3

4 (b) Rulemaking shall occur pursuant to the criteria
5 set forth in this article and the bylaws and rules adopted
6 pursuant thereto. The rulemaking shall substantially
7 conform to the principles of the "Model State
8 Administrative Procedures Act," 1981 Act, Uniform Laws
9 Annotated, Vol. 15, p.1 (2000), or another administrative
10 procedures act, as the interstate commission deems
11 appropriate consistent with due process requirements under
12 the ~~Unites~~United States Constitution as now or hereafter
13 interpreted by the United States Supreme Court. All rules
14 and amendments shall become binding as of the date
15 specified, as published with the final version of the rule
16 as approved by the commission.

17

18 **15-5-202. Pension account; creation; administration;**
19 **donations; investment; dual participation prohibited.**

20

21 (d) No paid fireman shall participate as a member of
22 the firemen's pension account established under this
23 article and as a member of the volunteer ~~firemen's~~

1 firefighter and EMT pension account established under W.S.
2 ~~35-9-601~~ 35-9-616 through ~~35-9-615~~ 35-9-628 if
3 participation is based upon covered service with the same
4 fire department.

5

6 **15-5-419. Dual membership prohibited.**

7

8 (b) No paid employee shall participate as a member of
9 the firemen's pension system established under this article
10 and as a member of the volunteer ~~firemen's~~ firefighter and
11 EMT pension ~~fund~~ account established under W.S. ~~35-9-601~~
12 35-9-616 through ~~35-9-615~~ 35-9-628 if participation is
13 based upon covered service with the same fire department.

14

15 **21-13-309. Determination of amount to be included in**
16 **foundation program for each district.**

17

18 (m) In determining the amount to be included in the
19 foundation program for each district, the state
20 superintendent shall:

21

22 (vi) Except for charter schools established
23 under W.S. 21-3-301 through 21-3-314 and alternative

1 schools approved under subdivision (v)(B)(IV) of this
2 subsection, any alteration of the configuration of grades
3 within a district, school or school facility which differs
4 from the configuration of grades during the immediately
5 preceding school year as reported under paragraph (iv) of
6 this subsection shall be considered a reconfiguration and
7 shall be documented by the district and reported to the
8 state superintendent and the director of the state
9 construction department. Following review and evaluation,
10 the ~~director of the department of education~~ state
11 superintendent and the director of the state construction
12 department shall, each acting independently, approve or
13 deny the reconfiguration for purposes of application to the
14 education resource block grant model and the determination
15 of school facility needs and remedies. The following shall
16 apply:

17

18 **21-16-703. Wyoming higher education assistance**
19 **authority; creation; termination; board of directors;**
20 **composition; compensation; meetings; surety bonds; personal**
21 **liability; fiscal control.**

22

1 (b) The board of directors of the authority is
2 created and shall consist of nine (9) directors as follows:

3
4 (iii) Seven (7) directors appointed by the
5 governor with the advice and consent of the senate, not
6 more than seventy-five percent (75%) of whom shall be of
7 the same political party.

8
9 **31-2-107. Titles for damaged vehicles; return of**
10 **certificate of title and registration for damaged vehicle;**
11 **replacement title and registration.**

12
13 (d) This section shall not apply to motor vehicles
14 with more than eight (8) years of service except any
15 vehicle that was previously issued a title from any state
16 that bore any word or symbol signifying that the vehicle
17 was "salvage", "unrebuildable", "parts only", "scrap",
18 "junk", "nonrepairable", "reconstructed", "rebuilt" or any
19 other symbol or word of like kind, or that it has been
20 damaged by flood, shall obtain a Wyoming title with the
21 prior brand or any other information concerning the motor
22 vehicle status, carried forward on any subsequent Wyoming
23 title ~~irregardless~~regardless of years of service.

1

2 **31-2-218. Firefighter's license plates.**

3

4 (a) A firefighter employed by a city, county, state
5 or duly created fire protection district, a volunteer
6 firefighter as defined by W.S. ~~35-9-601~~ 35-9-616(a)(x) or a
7 firefighter retired from his department with at least ten
8 (10) years of service may apply for distinctive license
9 plates for any motor vehicle that is not a commercial
10 vehicle or multipurpose vehicle owned or leased by him upon
11 registration of the vehicle. If the firefighter became a
12 member of a bona fide fire department after January 1,
13 1995, he shall have a minimum of one (1) year service with
14 the fire department and be firefighter one certified or
15 engine boss wildfire certified in order to apply for the
16 license plate. The fire chief or his designated assistant
17 shall sign a written statement that the applicant is
18 eligible to obtain the license plate. A written statement
19 of eligibility for a retired firefighter shall be signed
20 only by the fire chief. License plates issued under this
21 section shall be displayed upon the vehicle for which they
22 are issued. The license plates shall bear a distinctive

1 symbol and letters identifying the registrant as a
2 firefighter.

3

4 **35-25-102. Definitions.**

5

6 (a) As used in this act:

7

8 (v) "State plan" means the state plan required
9 by ~~Public Law 105-33-42~~ U.S.C. 1397aa et seq. to be
10 submitted by the state to the United States secretary of
11 health and human services to receive federal funding for a
12 child health insurance program;

13

14 **35-25-104. Private insurance program benefits.**

15

16 A child eligible for services under this act shall receive
17 benefits developed by the health benefits committee
18 established under W.S. 35-25-105 that include cost sharing
19 factors, not to exceed the maximum allowable under ~~Public~~
20 ~~Law 105-33-42~~ U.S.C. 1397aa et seq., exclusions and
21 limitations. The benefit package shall include, at a
22 minimum, inpatient and outpatient hospital services,
23 physician services, laboratory and x-ray services,

1 well-baby and well-child care including age appropriate
2 immunizations and the additional services of prescription
3 drug coverage, vision coverage and dental coverage which
4 will include preventive and basic services developed by the
5 health benefits committee.

6

7 **35-25-105. Health benefits plan committee.**

8

9 (c) The committee shall develop a package of benefits
10 as allowed by ~~section 2103(a)(4) of Public Law 105-33-42~~
11 U.S.C. 1397cc(a)(4), including cost sharing factors,
12 exclusions and limitations.

13

14 **35-25-106. Private health insurance plan request for**
15 **proposals.**

16

17 (a) The department shall publish notice of a request
18 for proposals from qualified insurers to provide a health
19 insurance plan for children insured under W.S. 35-25-103 of
20 this act. The department shall award the contract for this
21 service to an insurer based on price, the provision of
22 benchmark services determined pursuant to W.S.
23 35-25-105(c), and other factors listed in the department's

1 request. The contract for health insurance awarded under
2 this section shall contain provisions with respect to
3 exclusions from coverage for preexisting conditions that
4 are no more restrictive than those described in ~~section~~
5 ~~2102 (b) (1) (B) (ii) of Public Law 105-33-42 U.S.C.~~
6 1397bb(b) (1) (B) (ii). The contract shall include provisions
7 for changes in terms and conditions and for rebidding in
8 case major changes are needed. The department shall have
9 the right to rebid the contract after two (2) years.

10
11 **35-25-108. Implementation; duties; restrictions on**
12 **the department of health.**

13
14 (a) The department shall:

15
16 (i) Administer this act within the fiscal
17 constraints of ~~Public Law 105-33-42 U.S.C. 1397aa et seq.~~
18 and subsequent federal enactments governing this program
19 and the state budget as enacted by the legislature;

20
21 **42-2-401. Definitions.**

22
23 (a) For purposes of this article:

1

2

(ii) "Income" means "income" as defined under ~~42~~

3

~~U.S.C. 1396p(e)(2)~~ 42 U.S.C. 1396p(h)(2);

4

5

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.

10

11

Section 3. This act is effective July 1, 2017.

12

13

(END)