

HOUSE BILL 0019.

HOUSE BILL 0019

T

HB0019

AN ACT to amend W.S. 1-39-103(a)(iv) by creating a new subparagraph (D) and 1-42-102(a)(v) relating to claims against individuals engaged in search and rescue activities; providing coverage under the local government insurance program for claims brought under the Wyoming Governmental Claims Act or federal law; conforming related statutes; and providing for an effective date.

Ray Harrison
Introduced by:

HOUSE ACTION ON HOUSE BILL

1/12 ☐ Introduced
Aye ___ No ___ Ex ___ Ab ___
☐ Read First Time and Ref. to Committee No. 8
☐ Failed Introduction
Aye ___ No ___ Ex ___ Ab ___
1/22 Returned from Committee No. 8
with Recommendation:
☒ Do Pass; ☐ Amend & Do Pass; ☐ Do Not Pass;
☐ W/O Recomm; ☐ Re-Refer to Committee No. ___
1/ Referred to Committee No. ___
Returned from Committee No. ___
with Recommendation:
☐ Do Pass; ☐ Amend & Do Pass; ☐ Do Not Pass;
☐ W/O Recomm; ☐ Re-Refer to Committee No. ___
1/25 Considered in Comm. of Whole
☐ Amended
☒ Recommended Do Pass
☐ Failed Comm. of Whole
☐ Indefinitely Postponed
☐ Other: ___
1/26 Read Second Time
☐ Amended
☒ Do Pass
☐ Do Not Pass
☐ Accelerated to 3rd Rdg.
1/27 Read Third Time
☐ Amended
☒ Passed ☐ Failed
Aye 57 No 3 Ex ___ Ab ___
☐ Held for Reconsideration
___ / ___ Motion to Reconsider
☐ Passed ☐ Failed
Aye ___ No ___ Ex ___ Ab ___
___ / ___ Third Reading Vote
(On Reconsideration)
☐ Passed ☐ Failed
Aye ___ No ___ Ex ___ Ab ___
1/27 Sent to Senate (No Amendments)
Sent to LSC for Engrossing
ENGROSSED
___ / ___ Sent to Senate

(HOUSE ACTION CONT'D)

1/ Received from Senate with Request to Concur in Amendments.
2/17 ☒ House Concurred in Senate Amendments.
☐ House Did not Concur in Senate Amendments.
___ / ___ JCC# ___
House Members ___ Senate Members ___
___ Ch. ___ Ch.
___ / ___ ☐ Request for New Committee.
___ / ___ ☐ House Did Not Adopt JCC# ___
___ / ___ ☐ House Adopted JCC# ___
☐ Senate Adopted
☐ Senate Did not Adopt
___ / ___ JCC# ___
House Members ___ Senate Members ___
___ Ch. ___ Ch.
___ / ___ ☐ Request for New Committee.
___ / ___ ☐ House Did Not Adopt JCC# ___
___ / ___ ☐ House Adopted JCC# ___
☐ Senate Adopted
☐ Senate Did not Adopt
___ / ___ JCC# ___
House Members ___ Senate Members ___
___ Ch. ___ Ch.
___ / ___ ☐ Request for New Committee.
___ / ___ ☐ House Did Not Adopt JCC# ___
___ / ___ ☐ House Adopted JCC# ___
☐ Senate Adopted
☐ Senate Did not Adopt
2/17 Sent for Enrolling
2/17 Received from LSC
HEA No. 36
2/17 Signed by Speaker
2/18 Signed by President
2/19 Approved by Governor
Chapter No. 65

(SEE REVERSE SIDE OF BILL JACKET FOR SUMMARY OF SENATE ACTION)

SENATE ACTION ON HOUSE BILL

NOTES: ADDITIONAL HOUSE / SENATE ACTION

1/28 Received from House
1/28 Read First Time and Ref. to Committee No. 7
2/11 Returned from Committee No. 1
 with Recommendation:
☐ Do Pass; ☒ Amend & Do Pass; ☐ Do Not Pass;
☐ W/O Recomm; ☐ Re-Refer to Committee No. _____
1/ Re-referred to Committee No. _____
1/ Returned from Committee No. _____
 with Recommendation:
☐ Do Pass; ☐ Amend & Do Pass; ☐ Do Not Pass;
☐ W/O Recomm; ☐ Re-Refer to Committee No. _____
2/12 Considered in Comm. of Whole
☒ Amended
☒ Recommended Do Pass
☐ Failed Comm. of Whole
☐ Indefinitely Postponed
☐ Other: _____
2/15 Read Second Time
☐ Amended
☒ Do Pass
☐ Do Not Pass
☐ Accelerated to 3rd Rdg.
2/16 Read Third Time
☐ Amended
☒ Passed ☐ Failed
 Aye 29 No 0 Ex 1 Ab 0
☐ Held for Reconsideration
 — / — Motion to Reconsider
☐ Passed ☐ Failed
 Aye ___ No ___ Ex ___ Ab ___
 — / — Third Reading Vote
 (On Reconsideration)
☐ Passed ☐ Failed
 Aye ___ No ___ Ex ___ Ab ___
2/16 Sent to House
1/ Sent to LSO for ENROLLING

(SEE REVERSE SIDE OF BILL JACKET FOR SUMMARY OF HOUSE ACTION)

SENATE ROLL CALL - FIFTY-SECOND WYOMING LEGISLATURE

Date 2-16-93 Bill # H3 19 Intro 3rd Rdg X Concur Rules/Susp

Other Action: JCC#

Moved by: Seconded by:

	Ayes	Noes	Excused	Absent
ANDERSON, S.	✓			
APPLEGATE	✓			
CAMERON	✓			
CATHCART	✓			
COE	✓			
CUBIN	✓			
D				
EDDINS	✓			
ENZI	✓			
GERINGER	✓			
GILBERTZ	✓			
GRIEVE	✓			
HARRIS	✓			
KINNEY	✓			
KINNISON	✓			
KUNZ	✓			
LALONDE	✓			
LUMMIS	✓			
MALDONADO	✓			
MAXFIELD	✓			
MILLER	✓			
PECK	✓			
PHILLIPS	✓			
PREVEDEL	✓			
RANKINE	✓			
SCOTT	✓			
TRENT <i>Exc.</i>			✓	
TWIFORD	✓			
VINICH	✓			
ZIMMERMAN	✓			
MR. PRESIDENT	✓			

PRESENT AYES 29
 NOES
 EXCUSED 1
 ABSENT
 TOTAL 30

Passed X

Failed

HOUSE ROLL CALL - FIFTY-SECOND WYOMING LEGISLATURE

Date 12/1/93 Bill # 19 Intro 3rd Rdg Concur _____ Rules/Susp _____

Other Action: _____ JCC# _____

Moved by: _____ Seconded by: _____

Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent	
				ANDERSON, R.					NELSON
				BADGETT					PARK
				BAKER					PASENEAUX
				BARKER					PERKINS
				BATY					PHILP
				BEBOUT					REED
				BENSEL		✓			RYCKMAN
				BETTS					SADLER
✓				BLACKWELL					SARCLETTI
				BOSWELL					SESSIONS
				BOWRON					SHIPPY
				CASE					SHREVE
				CHAMBERLAIN					SIMONS
				DEVIN					STAFFORD
				DEWITT					STARK
				DIERCKS		✓			SULLIVAN
				ERB					TEMPEST
				GAMS					TIPTON
				HAGEMAN					TOMASSI
				HANES					VASEY
				HANSEN					WALLIS
				HARRISON					WILLFORD
				HINCHEY					WOLFLEY
				HINES					WOOLDRIDGE
				JOHNSON					WRIGHT
				LAW					WYATT
				MACMILLAN					MR. SPEAKER
				MARTON					
				MCGRAW					
				MCGREW					
				MOCKLER					
				MOORE					
				MORROW					
				NAGEL					

AYES 57
 NOES 3
 EXCUSED _____
 ABSENT _____
 TOTAL 60
 LESS _____

PRESENT _____

Passed	✓
Failed	_____

HOUSE ROLL CALL - FIFTY-SECOND WYOMING LEGISLATURE

Date 2/17/99 Bill # 9/13/19 Intro 3rd Rdg Concur ✓ Rules/Susp

Other Action: _____ JCC# _____

Moved by: Harrison Seconded by: _____

Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent		
✓				ANDERSON, R.	✓				NELSON	
✓				BADGETT	✓				PARK	
✓				BAKER	✓				PASENEAUX	
✓				BARKER	✓				PERKINS	
✓				BATY	✓				PHILP	
✓				BEBOUT	✓				REED	
✓				BENSEL	✓				RYCKMAN	
✓				BETTS	✓				SADLER	
✓				BLACKWELL	✓				SARCLETTI	
✓				BOSWELL	✓				SESSIONS	
✓				BOWRON	✓				SHIPPY	
✓				CASE	✓				SHREVE	
				CHAMBERLAIN	✓				SIMONS	
✓				DEVIN			✓		STAFFORD	
✓				DEWITT	✓				STARK	
✓				DIERCKS	✓				SULLIVAN	
✓				ERB	✓				TEMPEST	
✓				GAMS	✓				TIPTON	
✓				HAGEMAN	✓				TOMASSI	
✓				HANES	✓				VASEY	
✓				HANSEN	✓				WALLIS	
✓				HARRISON	✓				WILLFORD	
✓				HINCHEY	✓				WOLFLEY	
✓				HINES	✓				WOOLDRIDGE	
✓				JOHNSON	✓				WRIGHT	
✓				LAW	✓				WYATT	
✓				MACMILLAN	✓				MR. SPEAKER	
✓				MARTON	AYES <u>59</u> NOES _____ EXCUSED <u>1</u> ABSENT _____ TOTAL <u>60</u> LESS _____					PRESENT _____ <div>Passed <u>✓</u> Failed _____</div>
✓				MCGRAW						
✓				MCGREW						
✓				MOCKLER						
✓				MOORE						
✓				MORROW						
✓				NAGEL						

~~Page 2-line 4~~

Delete "OPERATION" insert "OPERATIONS".

~~Page 2-line 5~~

After "(iii)" insert "AND THE PROVISIONS OF
W.S. 1-39-112 SHALL APPLY FOR PURPOSES OF
DAMAGES RESULTING FROM BODILY INJURY,
WRONGFUL DEATH OR PROPERTY DAMAGE CAUSED BY
THEIR NEGLIGENCE WHILE ACTING WITHIN THE
SCOPE OF THEIR DUTIES". GERINGER, CHAIRMAN

MS

House of Intro				Second House			
To Com. No. _____				To Com No. _____			
_____	Stand Report	Do _____	Amd _____ Not _____	_____	Stand Report	Do _____	Amd _____ Not _____
_____	Com Whole	Do _____	Amd _____ Not _____	_____	Com Whole	Do _____	Amd _____ Not _____
_____	2nd Reading	Amd _____		_____	2nd Reading	Amd _____	
_____	3rd Reading	Amd _____	Pass _____ Fail _____	_____	3rd Reading	Amd _____	Pass _____ Fail _____

1993

STATE OF WYOMING

93LSO-0037.ENG2

HOUSE BILL NO. 0019

Search & rescue personnel-liability.

Sponsored by: Representative(s) HARRISON

A BILL

for

1 AN ACT to amend W.S. 1-39-103(a)(iv) by creating a new
2 subparagraph (D) and 1-42-102(a)(v) relating to claims
3 against individuals engaged in search and rescue activi-
4 ties; providing coverage under the local government insur-
5 ance program for claims brought under the Wyoming Govern-
6 mental Claims Act or federal law; conforming related stat-
7 utes; and providing for an effective date.

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

9 Section 1. W.S. 1-39-103(a)(iv) by creating a new
10 subparagraph (D) and 1-42-102(a)(v) are amended to read:

11 1-39-103. Definitions.

1 (a) As used in this act:

2 (iv) "Public employee":

3 (D) INCLUDES INDIVIDUALS ENGAGED IN SEARCH
4 AND RESCUE OPERATIONS UNDER THE COORDINATION OF A COUNTY
5 SHERIFF PURSUANT TO W.S. 18-3-609(a)(iii) AND THE PROVI-
6 SIONS OF W.S. 1-39-112 SHALL APPLY FOR PURPOSES OF DAMAGES
7 RESULTING FROM BODILY INJURY, WRONGFUL DEATH OR PROPERTY
8 DAMAGE CAUSED BY THEIR NEGLIGENCE WHILE ACTING WITHIN THE
9 SCOPE OF THEIR DUTIES.

10 1-42-102. Definitions.

11 (a) As used in this act:

12 (v) "Public employee" means any officer,
13 employee or servant of a local government including
14 elected or appointed officials and persons acting on
15 behalf or in service of the local government in any offi-
16 cial capacity, whether with or without compensation, but
17 INCLUDING INDIVIDUALS ENGAGED IN SEARCH AND RESCUE OPERA-
18 TIONS UNDER THE COORDINATION OF A COUNTY SHERIFF PURSUANT
19 TO W.S. 18-3-609(a)(iii). The term does not include an
20 independent contractor, peace officer or a judicial offi-
21 cer exercising the authority vested in him;

1 Section 2. This act is effective immediately upon
2 completion of all acts necessary for a bill to become law
3 as provided by Article 4, Section 8 of the Wyoming Consti-
4 tution.

5 (END)

House of Intro				Second House					
To Com. No. _____				To Com No. _____					
_____	Stand Report	Do _____	Amd _____	Not _____	_____	Stand Report	Do _____	Amd _____	Not _____
_____	Com Whole	Do _____	Amd _____	Not _____	_____	Com Whole	Do _____	Amd _____	Not _____
_____	2nd Reading	Amd _____			_____	2nd Reading	Amd _____		
_____	3rd Reading	Amd _____	Pass _____	Fail _____	_____	3rd Reading	Amd _____	Pass _____	Fail _____

INTRODUCED

1993

STATE OF WYOMING

93LSO-0037.01

HOUSE BILL NO. 0019

Search & rescue personnel-liability.

Sponsored by: Representative(s) HARRISON

A BILL

for

1 AN ACT to amend W.S. 1-39-103(a)(iv) by creating a new
 2 subparagraph (D) and 1-42-102(a)(v) relating to claims
 3 against individuals engaged in search and rescue activi-
 4 ties; providing coverage under the local government insur-
 5 ance program for claims brought under the Wyoming Govern-
 6 mental Claims Act or federal law; conforming related stat-
 7 utes; and providing for an effective date.

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

9 Section 1. W.S. 1-39-103(a)(iv) by creating a new
 10 subparagraph (D) and 1-42-102(a)(v) are amended to read:

11 1-39-103. Definitions.

1 (a) As used in this act:

2 (iv) "Public employee":

3 (D) INCLUDES INDIVIDUALS ENGAGED IN SEARCH
4 AND RESCUE OPERATION UNDER THE COORDINATION OF A COUNTY
5 SHERIFF PURSUANT TO W.S. 18-3-609(a)(iii).

6 1-42-102. Definitions.

7 (a) As used in this act:

8 (v) "Public employee" means any officer,
9 employee or servant of a local government including
10 elected or appointed officials and persons acting on
11 behalf or in service of the local government in any offi-
12 cial capacity, whether with or without compensation, but
13 INCLUDING INDIVIDUALS ENGAGED IN SEARCH AND RESCUE OPERA-
14 TIONS UNDER THE COORDINATION OF A COUNTY SHERIFF PURSUANT
15 TO W.S. 18-3-609(a)(iii). The term does not include an
16 independent contractor, peace officer or a judicial offi-
17 cer exercising the authority vested in him;

1 Section 2. This act is effective immediately upon
2 completion of all acts necessary for a bill to become law
3 as provided by Article 4, Section 8 of the Wyoming Consti-
4 tution.

5 (END)

FISCAL NOTE

<u>Anticipated REVENUE to:</u>	<u>FY 1994</u>	<u>FY 1995</u>	<u>FY 1996</u>
_____	_____	_____	_____
_____	_____	_____	_____
TOTAL ESTIMATED REVENUE	_____	_____	_____

<u>Anticipated COST to:</u>	<u>FY 1994</u>	<u>FY 1995</u>	<u>FY 1996</u>
_____	_____	_____	_____
_____	_____	_____	_____
TOTAL ESTIMATED COST	_____	_____	_____

<u>Anticipated SAVINGS to:</u>	<u>FY 1994</u>	<u>FY 1995</u>	<u>FY 1996</u>
_____	_____	_____	_____
_____	_____	_____	_____
TOTAL ESTIMATED SAVINGS	_____	_____	_____

<u>Anticipated Change in Personnel:</u>	<u>FY 1994</u>	<u>FY 1995</u>	<u>FY 1996</u>
Full-Time	_____	_____	_____
Part-Time	_____	_____	_____
Temporary	_____	_____	_____
Time-Limited, Other	_____	_____	_____
TOTAL PERSONNEL IMPACT	_____	_____	_____

Unable to determine at present time due to unknown caseload.

THE LEGISLATURE OF THE STATE OF WYOMING

House of Representatives

Cheyenne, January 22, 1993, 19.....

Mr. Speaker:

Your Committee No. 8 on Transportation & Highways
to whom was referred HB No. 0019
respectfully reports same back to the House with the recommendation that it

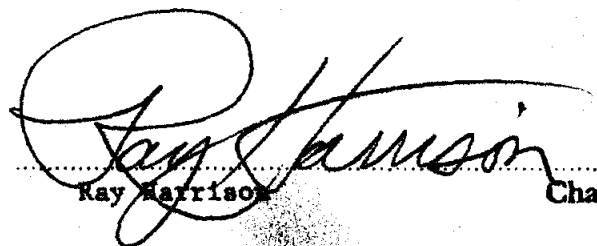
DO PASS

AYESNOESEXCUSED

Harrison
Anderson
Boswell
Johnson
Reed
Sadler
Shippy
Shreve
Wooldridge

0

0



Ray Harrison

Chairman

THE LEGISLATURE OF THE STATE OF WYOMING

Senate

Cheyenne, February 10, 1993

Mr. President:

Your Committee No. 1 on JUDICIARY

to whom was referred House Bill No. 0019

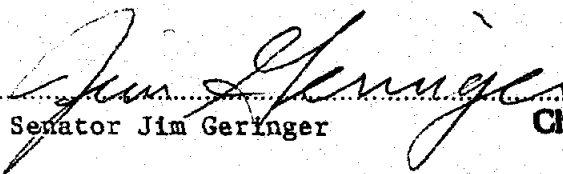
respectfully reports same back to the Senate with the recommendation that

it DO PASS with the following amendments: see SCHEDULE A

HB00195501/

MQ

AYES: SEN. GERINGER
SEN. KINNEY
SEN. LUMMIS
SEN. MILLER
SEN. PHILLIPS


Senator Jim Geringer Chairman

SCHEDULE A

HB0019-Standing Committee Amendment

Page 2-line 4 Delete "OPERATION" insert "OPERATIONS".

Page 2-line 5 After "(iii) insert "AND FOR PURPOSES OF DAMAGES
RESULTING FROM BODILY INJURY, WRONGFUL DEATH OR
PROPERTY DAMAGE CAUSED BY THEIR NEGLIGENCE WHILE
ACTING WITHIN THE SCOPE OF THEIR DUTIES, THESE
INDIVIDUALS SHALL COME WITHIN THE PROVISIONS OF
W.S. 1-39-112".

Schedule A

Page 2-line 4 Delete "OPERATION" insert "OPERATIONS".

Page 2-line 5 After "(iii)" insert "AND THE PROVISIONS OF
W.S. 1-39-112 SHALL APPLY FOR PURPOSES OF
DAMAGES RESULTING FROM BODILY INJURY,
WRONGFUL DEATH OR PROPERTY DAMAGE CAUSED BY
THEIR NEGLIGENCE WHILE ACTING WITHIN THE
SCOPE OF THEIR DUTIES". GERINGER, CHAIRMAN