

Enzi

DRE

91 LSO -0656

HOUSE BILL

0285.

HOUSE BILL 0285.

HB0285FT02

AN ACT to create W.S. 37-9-1101 relating to railroads; providing immunity for railroad operators from damages caused by death or injury of persons unlawfully riding railroad; providing an exception; and providing for an effective date.

Introduced by:

Michael B. Enzi
 John J. ...
 ...
 ...

DATE	ACTION	DATE	ACTION
JAN 17 1991	READ FIRST TIME	FEB 25 1991	READ SECOND TIME
	REFERRED TO COM. NO. 1		DO PASS
JAN 29 1991	RETURNED	FEB 25 1991	RULES SUSPENDED
	Recommended Amended and Do Pass 5 AYES 4 NOES		READ THIRD TIME
FEB 4 1991	CONSIDERED IN COM. OF WHOLE		PASSED
	Standing Com. Amendment HB 285 HSI/A		AYES 34 NOES 6 EXCUSED 0 ABSENT 0
	Adopted		SENT TO SENATE
	Recommended do pass	FEB 26 1991	RECEIVED FROM SENATE
FEB 5 1991	READ SECOND TIME Rules Susp.		SENT TO LSO FOR ENROLLING
FEB 5 1991	READ THIRD TIME		RECEIVED FROM LSO ENROLLED
	UNDER SUSPENSION OF RULES		FILE NO. 116
	SENT TO LSO	FEB 27 1991	SIGNED BY SPEAKER
	Consent List		SIGNED BY PRESIDENT
	Approved 58 Ayes 62 Nays		APPROVED BY GOVERNOR
	2-5-91 ENGROSSED	03-04-91	CHAPTER NO. 200 SESSION LAWS OF WYOMING
	2-6-91 Sent to Senate		
FEB 6 1991	Received from House		
	Read first time		
	Referred to Com. No. 8		
	Delivered to Com. No. 8		
FEB 18 1991	STANDING COMM. REPORT		
	RECOMMENDED DO PASS		
FEB 22 1991	CONSIDERED IN COM. OF WHOLE		
	DO PASS		

CONTINUED ON BACK

Under Suspension of Rules

HB 285 pre Date 2-25-91

SENATE ROLL CALL

FIFTY-FIRST WYOMING LEGISLATURE

	Ayes	Noes	Excused	Absent
APPLEGATE	✓			
BURKE	✓			
BYRD	✓			
CAMERON	✓			
COE	✓			
DIXON	✓			
EDDINS	✓			
FANOS	✓			
GERINGER	✓			
GRIEVE	✓			
GUICE	✓			
HEALY	✓			
HERBST	✓			
HOWARD	✓			
KINNEY		✓		
KINNISON		✓		
LALONDE	✓			
MADER	✓			
MALDONADO		✓		
PECK	✓			
PERRY	✓			
PREVEDEL	✓			
REESE		✓		
SCOTT	✓			
TRICE	✓			
TWIFORD		✓		
VINICH		✓		
YORDY	✓			
ZIMMER	✓			
ZIMMERMAN	✓			
MR. PRESIDENT		✓		

PRESENT _____ AYES 24
 NOES 6
 EXCUSED _____
 ABSENT _____
 TOTAL 30

Sup of Rules & Consistent Rules
 # 96B285 *Chuck Redding* Date 7/5/91

HOUSE ROLL CALL

FIFTY-FIRST WYOMING LEGISLATURE

Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent	
	✓			ALDEN	✓				MICHELI
✓				ANDERSON	✓				MILLER
✓				ARNOLD	✓				O'TOOLE
✓				BEBOUT	✓				PERKINS, D.
✓				BENSEL		✓			PERKINS, J.
✓				BLACKWELL	✓				PHELAN
✓				BODINE	✓				PLANT
✓				BOWRON	✓				RANKINE
✓				BUDD		✓			RATLIFF
✓				CALL	✓				ROHRBACH
✓				CHAMBERLAIN	✓				RYCKMAN
				GROSS	✓				SCHWOPE
✓				CUBIN	✓				SHREVE
✓				DEWITT	✓				SIMONS
✓				DUNNUCK		✓			SULLIVAN
✓				ENZI	✓				TEMPEST
✓				GAMS	✓				TIBBS
✓				GARCIA	✓				TIPPETS
✓	✓			GOODENOUGH	✓				TIPTON
✓				GRANT	✓				TYSDAL
✓				HACKER	✓				VASEY
✓				HAGEMAN	✓				VLASTOS
✓				HANSEN	✓				WALLIS
✓				HARRIS	✓				WATSON
✓				HARRISON, F.	✓				WOLD
✓				HARRISON, R.	✓				WOLFLEY
✓				HINCHEY	✓				WRIGHT
✓				HINES	✓				ZUMBRUNNEN
✓	✓			HONAKER	✓				MR. SPEAKER
✓				HUMPHREY					
✓				KUNZ					
✓				LAW					
✓				LUMMIS					
✓				MACMILLAN, P.					
✓				MARTON					
✓				MCMILLAN, B.					

AYES 58

PRESENT _____

NOES 6

EXCUSED _____

ABSENT _____

TOTAL 64

LESS _____

7613 82 A 181, 156. 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

913178, 181, 272, 337, 347

Date

HOUSE ROLL CALL

FIFTY-FIRST WYOMING LEGISLATURE

Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent		
✓				ALDEN	✓			✗	MICHELI	
✓				ANDERSON	✓				MILLER	
✓				ARNOLD	✓				O'TOOLE	
✓				BEBOUT	✓				PERKINS, D.	
✓				BENSEL	✓				PERKINS, J.	
✓				BLACKWELL	✓				PHELAN	
✓				BODINE	✓				PLANT	
✓				BOWRON	✓				RANKINE	
✓				BUDD	✓				RATLIFF	
✓				CALL	✓				ROHRBACH	
✓				CHAMBERLAIN	✓				RYCKMAN	
				CROSS	✓				SCHWOPE	
✓				CUBIN	✓				SHREVE	
✓				DEWITT	✓				SIMONS	
✓				DUNNUCK	✓				SULLIVAN	
✓				ENZI	✓				TEMPEST	
✓				GAMS	✓				TIBBS	
✓				GARCIA	✓				TIPPETS	
	✓			GOODENOUGH	✓				TIPTON	
✓				GRANT	✓				TYSDAL	
✓				HACKER	✓				VASEY	
✓				HAGEMAN	✓				VLASTOS	
✓				HANSEN	✓				WALLIS	
✓				HARRIS	✓				WATSON	
✓				HARRISON, F.	✓				WOLD	
✓				HARRISON, R.	✓				WOLFLEY	
✓				HINCHEY	✓				WRIGHT	
✓				HINES	✓				ZUMBRUNNEN	
✓				HONAKER	✓				MR. SPEAKER	
✓				HUMPHREY	AYES <u>63</u> NOES <u>1</u> EXCUSED _____ ABSENT _____ TOTAL <u>64</u> LESS _____					PRESENT _____
✓				KUNZ						
✓				LAW						
✓				LUMMIS						
✓				MACMILLAN, P.						
✓				MARTON						
✓				MCMILLAN, B.						

#

HAB

Date

J-25-91

H8 101, H4 159, 197A 226 234 273

SENATE ROLL CALL

FIFTY-FIRST WYOMING LEGISLATURE

249 285 300 307 320 326 396 397

	Ayes	Noes	Excused	Absent
APPLEGATE	✓			
BURKE	✓			
BYRD	✓			
CAMERON	✓			
COE	✓			
DIXON	✓			
EDDINS	✓			
FANOS		✓		
GERINGER	✓			
GRIEVE	✓			
GUICE	✓			
HEALY	✓			
HERBST	✓			
HOWARD	✓			
KINNEY	✓			
KINNISON	✓			
LALONDE	✓			
MADER	✓			
MALDONADO	✓			
PECK	✓			
PERRY	✓			
PREVEDEL		✓		
REESE		✓		
SCOTT	✓			
WILSON				
TWIFORD	✓			
VINICH		✓		
YORDY	✓			
ZIMMER		✓		
ZIMMERMAN	✓			
MR. PRESIDENT	✓			

PRESENT

AYES

25

NOES

5

EXCUSED

ABSENT

TOTAL

30

71 B, 82 A, 181, 152, 166, 248, 809, 370, 885,
 298, 302, 303, 315, Date 329, 326, 331, 01/5/91
 332, 334, HOUSE ROLL CALL 378, 396, 397,
 908 34- FIFTY-FIRST WYOMING LEGISLATURE

Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent	
	✓			ALDEN	✓				MICHEL
✓				ANDERSON	✓				MILLER
✓				ARNOLD	✓				O'TOOLE
✓				BEBOUT	✓				PERKINS, D.
✓				BENSEL		✓			PERKINS, J.
	✓			BLACKWELL	✓				PHELAN
✓				BODINE	✓				PLANT
✓				BOWRON	✓				RANKINE
✓				BUDD		✓			RATLIFF
	✓			CALL		✓			ROHRBACH
✓				CHAMBERLAIN		✓			RYCKMAN
				CHAMBERLAIN	✓				SCHWOPE
✓				CUBIN	✓				SHREVE
✓				DEWITT	✓				SIMONS
✓				DUNNUCK	✓				SULLIVAN
✓				ENZI	✓				TEMPEST
✓				GAMS	✓				TIBBS
✓				GARCIA		✓			TIPPETS
	✓			GOODENOUGH	✓				TIPTON
✓				GRANT		✓			TYSDAL
✓				HACKER	✓				VASEY
✓				HAGEMAN	✓				VLASTOS
✓				HANSEN	✓				WALLIS
	✓			HARRIS	✓				WATSON
✓				HARRISON, F.	✓				WOLD
✓				HARRISON, R.	✓				WOLFLEY
✓				HINCHEY	✓				WRIGHT
	✓			HINES		✓			ZUMBRUNNEN
	✓			HONAKER	✓				MR. SPEAKER
✓				HUMPHREY					
✓				KUNZ					
✓				LAW					
✓				LUMMIS					
✓				MACMILLAN, P.					
✓				MARTON					
✓				MCMILLAN, B.					

AYES 50
 NOES 14
 EXCUSED
 ABSENT
 TOTAL 64
 LESS

PRESENT

HB0285S31 FE TO ENGROSSED COPY

J-25-91

Page 1-line 3 After "of" insert "specified".

Page 2-line 7 After "37-12-104," insert "unless that person is covered by the Federal Employers' Liability Act,". KINNISON, MALDONADO

THE LEGISLATURE OF THE STATE OF WYOMING

Senate

Cheyenne, February 18, 19 91

Mr. President:

Your Committee No. 8 on Transportation & Highways
to whom was referred HB No. 0285 ENGROSSED

respectfully reports same back to the Senate with the recommendation that

it DO PASS.

AYES: Grieve, Byrd, Maldonado, Twiford, Kinnison



ROBERT GRIEVE

Chairman

THE LEGISLATURE OF THE STATE OF WYOMING

House of Representatives

HB 0285 HSI/

Cheyenne, January 25....., 19 91

Mr. Speaker:

Your Committee No. 1 on JUDICIARY

to whom was referred House Bill No. 0285

respectfully reports same back to the House with the recommendation that it

DO PASS with the following amendment:

Page 1 - line 4 After ";" insert "providing an exception;".

Page 2 - line 1 After "." insert "Except in cases of attractive nuisance,".

AYES

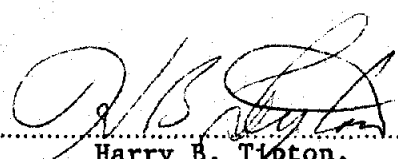
Anderson
Call
Harrison, Ray
Miller
Rohrbach

NOES

Goodenough
Harrison, Fred
Honaker
Tipton

EXCUSED

0



Harry B. Tipton,

Chairman

DM

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

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

ENGROSSED

1991

STATE OF WYOMING

91LSO-0656.ENG

HOUSE BILL NO. 0285

Unlawfully riding on railroad.

Sponsored by: Representative(s) ENZI, F. HARRISON, HINES and
WALLIS and Senator(s) PERRY and MADER

A BILL

for

1 AN ACT to create W.S. 37-9-1101 relating to railroads;
2 providing immunity for railroad operators from damages
3 caused by death or injury of persons unlawfully riding
4 railroad; providing an exception; and providing for an
5 effective date.

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

7 Section 1. W.S. 37-9-1101 is created to read:

8 ARTICLE 11

9 LIABILITY FOR INJURY OR DEATH OF PERSONS

10 UNLAWFULLY RIDING ON RAILROAD

1 37-9-1101. Injury or death of persons unlawfully rid-
2 ing on railroads; immunities. Except in cases of attrac-
3 tive nuisance, no person owning, operating, loading or
4 unloading a railroad car or train shall be liable for any
5 damages for the accidental death or injury of a person
6 occurring while the person was riding the railroad car or
7 train in violation of W.S. 37-12-104, or while the person
8 was boarding or unboarding from the railroad car or train
9 without the consent of the owner or operator of the rail-
10 road car or train.

11 Section 2. 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 Consti-
14 tution.

15 (END)

HB 285

1 HB0285HS1/A

2 ✓ Page 1-line 4

After ";" insert "providing an exception;".

3 ✓ Page 2-line 1

After ".~~Q~~" insert "Except in cases of X
attractive nuisance,". TIPTON, CHAIRMAN

nn

Adopted

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

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

INTRODUCED

1991

STATE OF WYOMING

91LSO-0656.01

HOUSE BILL NO. 0285

Unlawfully riding on railroad.

Sponsored by: Representative(s) ENZI, F. HARRISON, HINES and
WALLIS

A BILL

for

1 AN ACT to create W.S. 37-9-1101 relating to railroads;
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7 ARTICLE 11

8 LIABILITY FOR INJURY OR DEATH OF PERSONS

9 UNLAWFULLY RIDING ON RAILROAD

10 37-9-1101. Injury or death of persons unlawfully rid-

**NO SIGNIFICANT FISCAL OR
PERSONNEL IMPACT AT STATE LEVEL**

HB 285

1 ing on railroads; immunities. No person owning, operating,
2 loading or unloading a railroad car or train shall be lia-
3 ble for any damages for the accidental death or injury of
4 a person occurring while the person was riding the rail-
5 road car or train in violation of W.S. 37-12-104, or while
6 the person was boarding or unboarding from the railroad
7 car or train without the consent of the owner or operator
8 of the railroad car or train.

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

13 (END)