

of Wyoming or owned and operated by a joint powers entity whose individual member entities are authorized by law to provide utility service and are formed pursuant to the Wyoming Joint Powers Act, W.S. 16-1-102 through 16-1-110, and comprised of two (2) or more municipalities, except as to that portion of a municipality owned and operated public utility or joint powers entity owned and operated public utility, if any, as may extend services outside the corporate limits of a municipality and except that if any municipal or joint powers utility owns an undivided interest in a facility for the production of electricity which is also partly owned by an agency subject to the jurisdiction of the public service commission, the sale of electricity in excess of the participating municipalities' or joint powers entities' need is subject to this act;

Section 2. This act is effective July 1, 2018.

Approved March 12, 2018.

Chapter 56

FIRST JUDICIAL DISTRICT-NUMBER OF DISTRICT JUDGES

Original Senate File No. 90

AN ACT relating to the judiciary; providing for an additional district court judge in the first judicial district; repealing prior authorization and chief justice certification for an additional district court judge; providing an appropriation; authorizing additional positions; and providing for an effective date.

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

Section 1. W.S. 5-3-102(a) is amended to read:

5-3-102. Number of judges; distribution among districts; concurrent jurisdiction; judicial conference to adopt rules.

(a) There shall be two (2) judges of the district court in the second, fourth, fifth and eighth judicial districts, ~~and three (3) judges of the district court in the first, third, sixth, seventh and ninth judicial districts~~ and four (4) judges of the district court in the first judicial district. In the second judicial district, one (1) judge shall reside in Albany county and one (1) shall reside in Carbon county. In the third judicial district two (2) judges shall reside in Sweetwater county. In the fourth judicial district, one (1) judge shall reside in Sheridan county and one (1) shall reside in Johnson county. In the ninth judicial district one (1) judge shall reside in Fremont county, one (1) judge shall reside in Teton county and one (1) judge shall reside in Sublette county. All district judges in the state shall have concurrent jurisdiction throughout the state and for purposes of assignment, shall have concurrent jurisdiction throughout the state with all circuit court judges.

Section 2. 2016 Wyoming Session Laws, Chapter 70 is repealed.

Section 3.

(a) There is appropriated one million ninety thousand fifty-nine dollars (\$1,090,059.00) from the general fund to the first judicial district court for the biennium beginning July 1, 2018 and ending June 30, 2020. This appropriation shall only be expended for salaries, benefits, office equipment, supplies and fees necessary to implement the office of the first judicial district court judge in Laramie county authorized in section 1 of this act. Notwithstanding any other provision of law, this appropriation shall not be transferred or expended for any other purpose. Any unexpended, unobligated funds remaining from this appropriation shall revert as provided by law on June 30, 2020.

(b) There are authorized four (4) full-time equivalent positions, one of which shall be the judge authorized in section 1 of this act, for the first judicial district court for personnel necessary to staff and support the district judge authorized by this act for the biennium beginning July 1, 2018 and ending June 30, 2020 to implement the purposes of this act.

Section 4. Suitable facilities for the additional district judge authorized in this act shall be provided in Laramie county. Suitable facilities shall include a suitable courtroom to accommodate a twelve (12) person jury, offices and other necessary auxiliary facilities. The courtroom, offices and other necessary auxiliary facilities shall be in addition to those existing for district court purposes in Laramie county as of July 1, 2016.

Section 5. This act is effective July 1, 2018.

Approved March 12, 2018

Chapter 57

UTILITIES-RATE MAKING

Original Senate File No. 10

AN ACT relating to public utilities; providing for nonpreferential pricing for electrical generation when fixing rates; and providing for an effective date.

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

Section 1. W.S. 37-2-122 by creating new subsections (c) and (d) is amended to read:

37-2-122. Matters considered in fixing rates; order changing services or facilities; qualifying facilities contracts.

(c) In setting rates, the commission shall allow the inclusion of purchase power cost from a qualifying facility only to the extent that the cost of energy, capacity or both in the transaction are determined by the commission to be less than or equal to the utility's avoided cost, considering the cost of energy or capacity from all other available generation sources and the incremental