

# HOUSE BILL

*0173*

HOUSE BILL *0173*

HB0173

AN ACT relating to fire protection districts; providing alternative procedures for forming a district as specified; providing taxing authority; and providing for an effective date.

Introduced by:

*Bruce Bunn*

## HOUSE ACTION ON HOUSE BILL

*1/16* 14 Introduced  
Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_  
14 Read First Time and Ref. to  
Committee No. *03*  
[ ] Failed Introduction  
Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_  
*1/21* Returned from Committee No. *3*  
with Recommendation:  
[ ] Do Pass; [X] Amend & Do  
Pass; [ ] Do Not Pass;  
[ ] W/O Recomm; [ ] Re-Refer to  
Committee No. \_\_\_  
*1/28* Re-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. \_\_\_  
*1/28* Considered in Comm. of Whole  
[X] Amended  
[X] Recommended Do Pass  
[ ] Failed Comm. of Whole  
[ ] Indefinitely Postponed  
[ ] Other: \_\_\_  
*1/29* Read Second Time  
[ ] Amended  
[X] Do Pass  
[ ] Do Not Pass  
[ ] Accelerated to 3rd Rdg.  
*1/30* Read Third Time  
[ ] Amended  
[X] Passed [ ] Failed  
Aye *38* No *21* 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 \_\_\_  
*1/30* Sent to Senate (No Amendments)  
Sent to LSO for Engrossing  
*1/30* ENGROSSED  
*1/31* Sent to Senate

## SENATE ACTION ON HOUSE BILL

*2/3* Received. Read First Time.  
Referred to Committee No. *3*  
*2/7* Returned from Committee No. *3*  
with Recommendation:  
[X] Do Pass; [ ] Amend & Do  
Pass; [ ] Do Not Pass;  
[ ] W/O Recomm; [ ] Re-Refer to  
Committee No. \_\_\_  
*2/14* Re-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. \_\_\_  
*2/14* Considered in Comm. of Whole  
[X] Amended  
[X] Recommended Do Pass  
[ ] Failed Comm. of Whole  
[ ] Indefinitely Postponed  
[ ] Other: \_\_\_  
*2/17* Read Second Time  
[ ] Amended  
[X] Do Pass  
[ ] Do Not Pass  
[ ] Accelerated to 3rd Rdg.  
*2/18* Read Third Time  
[ ] Amended  
[X] Passed [ ] Failed  
Aye *23* No *7* Ex *0* 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 \_\_\_  
*2/18* Sent to House  
*2/19* Sent for Enrolling  
HEA No. *62*  
*2/20* Signed by Speaker  
*2/20* Signed by President  
*2/21* Approved by Governor  
Chapter No. *102*

## NOTES: ADDITIONAL HOUSE / SENATE ACTION

/        JCC#   3                        /        JCC#   3    
 House Members                      Senate Members  
 \_\_\_\_\_ Ch.                      \_\_\_\_\_ Ch.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 /        [ ] Request for New Committee.  
 /        [ ] House Adopted JCC# \_\_\_\_\_  
 /        [ ] House Did Not Adopt JCC# \_\_\_\_\_  
                  Aye \_\_\_\_\_ No \_\_\_\_\_ Ex \_\_\_\_\_ Ab \_\_\_\_\_  
                  [ ] Senate Adopted  
                  [ ] Senate Did Not Adopt  
                  Aye \_\_\_\_\_ No \_\_\_\_\_ Ex \_\_\_\_\_ Ab \_\_\_\_\_

Blank lined paper for writing.

FIFTY-FOURTH WYOMING STATE LEGISLATURE  
HOUSE OF REPRESENTATIVES  
GENERAL SESSION  
1997

SEQUENCE : 4344

FEBRUARY 19 1997

BILL : HB0173

10:32 AM

AMENDMENT:

MOVED BY : REP. BURNS

SECONDED BY:

TITLE1 : MESSAGE NO. 323

TITLE2 :

ACTION : CONCUR IN AMENDMENTS OF OPPOSITE HOUSE

ANDERSON, J....	A	MCMURTREY.....	A
ANDERSON, R....	A	MEULI.....	A
BADGETT.....	A	MORROW.....	A
BAKER.....	N	NAGEL.....	A
BARKER.....	A	NICHOLAS.....	A
BEBOUT.....	A	OSBORN.....	A
BENSEL.....	A	PARADY.....	N
BERRY.....	A	PASENEAUX.....	A
BETTS.....	A	PERKINS.....	A
BOSWELL.....	N	PHILP.....	N
BURNS.....	A	RARDIN.....	A
CASE.....	A	REESE.....	A
CHILDERS.....	A	ROBINSON.....	A
DECARIA.....	A	ROSE.....	A
DEEGAN.....	A	ROSS.....	A
DIERCKS.....	A	RYCKMAN.....	A
ESQUIBEL.....	A	SESSIONS.....	A
EYRE.....	A	SHREVE.....	A
GARCIA.....	A	SIMONS.....	A
HAGEMAN.....	A	SMITH.....	A
HANES.....	A	STAFFORD.....	E
HARRISON.....	A	STEINBRECH.....	A
HESSENTHALER...	A	TANNER.....	A
HINES.....	A	TEMPEST.....	A
HUCKFELDT.....	A	TIPTON.....	A
JOHNSON.....	A	TOMASSI.....	A
LAW.....	A	WASSERBURGER...	A
LUTHI.....	A	WILLFORD.....	E
MASSIE.....	A	ZANETTI.....	A
MCGRAW.....	A	HINCHEY, MR SPK	A

VOTE REQ: MAJORITY OF MEMBERSHIP REQUIRED

AYES : 54

NOES : 4

EXCUSED : 2

ABSENT : 0

CONFLICT: 0

A=AYE N=NO E=EXCUSED  
X=ABSENT C=CONFLICT

54TH WYOMING STATE LEGISLATURE  
GENERAL SESSION 1997

SENATE

SEQUENCE : 285

FEBRUARY 18 1997

BILL : HB0173  
AMENDMENT:

10:53 AM

MOVED BY :  
TITLE1 :  
TITLE2 :  
ACTION : THIRD READING--CONSENT

SECONDED BY:

BARTON.....	A
CAMERON.....	A
CATHCART.....	N
COE.....	A
DEVIN.....	N
ERB.....	A
GEIS.....	A
GILBERTZ.....	A
GOODENOUGH.....	N
HARRIS.....	A
HAWKS.....	N
JOB.....	A
KINNISON.....	A
KUNZ.....	A
LARSON.....	A
LAWLER.....	A
MEIER.....	A
MILLER.....	A
MOCKLER.....	A
PECK.....	A
PHILLIPS.....	N
PICARD.....	N
ROBERTS.....	A
SARCLETTI.....	A
SCHIFFER.....	A
SCOTT.....	N
TWIFORD.....	A
VINICH.....	A
ZIMMERMAN.....	A
GRIEVE/MR. PRES.	A

VOTE REQ: MAJORITY OF MEMBERSHIP REQUIRED

AYES : 23  
NOES : 7  
EXCUSED : 0  
ABSENT : 0  
CONFLICT: 0

A=AYE N=NO E=EXCUSED  
X=ABSENT C=CONFLICT

FIFTY-FOURTH WYOMING STATE LEGISLATURE  
HOUSE OF REPRESENTATIVES  
GENERAL SESSION  
1997

SEQUENCE : 4138

JANUARY 30 1997

BILL : HB0173

10:32 AM

AMENDMENT:

MOVED BY :

SECONDED BY:

TITLE1 :

TITLE2 :

ACTION : THIRD READING CONSENT

ANDERSON, J....	A	MCMURTREY.....	A
ANDERSON, R....	N	MEULI.....	N
BADGETT.....	A	MORROW.....	A
BAKER.....	N	NAGEL.....	A
BARKER.....	A	NICHOLAS.....	A
BEBOUT.....	N	OSBORN.....	A
BENSEL.....	A	PARADY.....	N
BERRY.....	A	PASENEAUX.....	N
BETTS.....	N	PERKINS.....	A
BOSWELL.....	A	PHILP.....	N
BURNS.....	A	RARDIN.....	A
CASE.....	N	REESE.....	N
CHILDERS.....	N	ROBINSON.....	A
DECARIA.....	A	ROSE.....	N
DEEGAN.....	A	ROSS.....	A
DIERCKS.....	A	RYCKMAN.....	A
ESQUIBEL.....	A	SESSIONS.....	N
EYRE.....	N	SHREVE.....	N
GARCIA.....	A	SIMONS.....	N
HAGEMAN.....	A	SMITH.....	A
HANES.....	A	STAFFORD.....	A
HARRISON.....	N	STEINBRECH.....	N
HESENTHALER...	E	TANNER.....	A
HINES.....	A	TEMPEST.....	A
HUCKFELDT.....	A	TIPTON.....	A
JOHNSON.....	A	TOMASSI.....	A
LAW.....	A	WASSERBURGER...	A
LUTHI.....	A	WILLFORD.....	N
MASSIE.....	A	ZANETTI.....	A
MCGRAW.....	N	HINCHEY, MR SPK	N

VOTE REQ: MAJORITY OF MEMBERSHIP REQUIRED

AYES : 38

NOES : 21

EXCUSED : 1

ABSENT : 0

CONFLICT: 0

A=AYE N=NO E=EXCUSED  
X=ABSENT C=CONFLICT

HOUSE BILL NO. HB0173

**INTRODUCED**

Fire districts-formation.

Sponsored by: Representative(s) Burns

A BILL

for

1 AN ACT relating to fire protection districts; providing  
2 alternative procedures for forming a district as specified;  
3 providing taxing authority; and providing for an effective  
4 date.

5

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

7

8 **Section 1.** W.S. 35-9-211 is created to read:

9

10 **35-9-211. Formation of county commission fire**  
11 **protection districts; procedures; conditions.**

12

13 (a) As an alternative to the procedures provided by  
14 W.S. 35-9-210, a county commission fire protection district  
15 comprised of lands within unincorporated areas of the county  
16 which are not within existing fire protection districts and  
17 which are currently receiving fire protection from an

1 existing fire department funded by the county may be created  
2 under the following procedure:

3  
4 (i) The board of county commissioners may, by  
5 resolution, identify lands to be included within the  
6 proposed county commission fire protection district and  
7 submit the question of establishing the district to the  
8 electors of the proposed district at the next general  
9 election. Notice of the election stating the purpose, time  
10 and place thereof and a description of the lands to be  
11 included in the proposed district shall be published in a  
12 local newspaper published in the county. The notice shall  
13 be inserted once weekly for four (4) consecutive weeks  
14 preceding the day of the election;

15  
16 (ii) If the establishment of the district is  
17 defeated at the election, the board may refuse to provide  
18 fire protection to the area within the proposed district  
19 commencing with the succeeding fiscal year. If a majority of  
20 the voters in the proposed district voting at the election  
21 vote for the establishment of the district, the board of  
22 county commissioners shall enter that fact upon its records  
23 and the district is established. Following establishment of  
24 the district:

25

1                   (A) The board of county commissioners shall  
2   serve as the district board of directors and shall be  
3   responsible for managing the affairs of the fire protection  
4   district and administering the finances of the district;

6 (B) The board of county commissioners shall  
7 annually levy a tax on the taxable property in the district  
8 as provided by W.S. 35-9-203 and shall expend the proceeds  
9 of the tax solely for the support of the fire department or  
10 agency providing fire protection for the property within the  
11 district.

13           **Section 2.** This act is effective July 1, 1997.

(END)

Fire districts-formation.

97LSO-0402.L1

FISCAL NOTE

No fiscal or personnel impact.

HB 173

## THE LEGISLATURE OF THE STATE OF WYOMING

## House of Representatives

Cheyenne, January 27, 1997

Mr. Speaker:

Your

Committee No. 3 on REVENUE to whom was referred

HB0173 respectfully reports same back to the House with the recommendation that it

DO PASS with the following amendment(s): (SEE SCHEDULE A)

MEMBER

Hines  
Boswell  
Childers  
Osborn  
Paseneaux  
Ryckman  
Stafford  
Tanner  
Willford

VOTE

Aye  
Aye  
Aye  
Aye  
Aye  
Aye  
Aye  
Aye  
Absent

.....*John J. Hines*.....  
Chairman

BILL JACKET

PROPHB0173HC0301

SCHEDULE A

\*\*\*\*\*

1  
2 Page 2-line 13 Delete "four (4)" insert "three (3)". HINES,  
3 CHAIRMAN

AMENDMENT LIST

DATE 1-28-97 BILL NO. HB0173 Circle One: COW 2nd 3rd

HB0173 H5001/A

HB0173 Hw001/A

HB0173HS001

/A

1  
2 Page 2-line 13 ✓✓ Delete "four (4)" insert "three (3)". HINES,  
3 CHAIRMAN

HB0173HW001

/A

C

1 Page 3-line 1 ✓✓ Delete "The" insert "Notwithstanding the  
2 provisions of W.S. 35-9-202(a), the". BURNS  
3

FIFTY-FOURTH WYOMING STATE LEGISLATURE  
HOUSE OF REPRESENTATIVES  
GENERAL SESSION  
1997

SEQUENCE : 4134

JANUARY 30 1997

BILL : 3RD READING-CONSENT  
AMENDMENT:

10:28 AM

MOVED BY :  
TITLE1 : HB0054, HB0089, HB0171, HB0173, HB0182  
TITLE2 :  
ACTION : THIRD READING CONSENT

SECONDED BY:

ANDERSON, J.... A  
ANDERSON, R.... A  
BADGETT..... A  
BAKER..... A  
BARKER..... A  
BEBOUT..... A  
BENSEL..... A  
BERRY..... A  
BETTS..... A  
BOSWELL..... A  
BURNS..... A  
CASE..... A  
CHILDERS..... A  
DECARIA..... A  
DEEGAN..... A  
DIERCKS..... A  
ESQUIBEL..... A  
EYRE..... A  
GARCIA..... A  
HAGEMAN..... A  
HANES..... A  
HARRISON..... A  
HESSENTHALER...  
HINES..... A  
HUCKFELDT..... A  
JOHNSON..... A  
LAW..... A  
LUTHI..... A  
MASSIE..... A  
MCGRAW..... A

E

MCMURTREY..... A  
MEULI..... A  
MORROW..... A  
NAGEL..... A  
NICHOLAS..... A  
OSBORN..... A  
PARADY..... A  
PASENEAUX..... A  
PERKINS..... A  
PHILP..... A  
RARDIN..... A  
REESE..... A  
ROBINSON..... A  
ROSE..... A  
ROSS..... A  
RYCKMAN..... A  
SESSIONS..... A  
SHREVE..... A  
SIMONS..... A  
SMITH..... A  
STAFFORD..... A  
STEINBRECH..... A  
TANNER..... A  
TEMPEST..... A  
TIPTON..... A  
TOMASSI..... A  
WASSERBURGER... A  
WILLFORD..... A  
ZANETTI..... A  
HINCHEY, MR SPK A

VOTE REQ: MAJORITY OF MEMBERSHIP REQUIRED

AYES : 59  
NOES : 0  
EXCUSED : 1  
ABSENT : 0  
CONFLICT: 0

A=AYE N=NO E=EXCUSED  
X=ABSENT C=CONFLICT

## HOUSE BILL NO. HB0173

Fire districts-formation.

Sponsored by: Representative(s) Burns

## A BILL

for

1 AN ACT relating to fire protection districts; providing  
2 alternative procedures for forming a district as specified;  
3 providing taxing authority; and providing for an effective  
4 date.

5

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

7

8 **Section 1.** W.S. 35-9-211 is created to read:

9

10 **35-9-211. Formation of county commission fire**  
11 **protection districts; procedures; conditions.**

12

13 (a) As an alternative to the procedures provided by  
14 W.S. 35-9-210, a county commission fire protection district  
15 comprised of lands within unincorporated areas of the county  
16 which are not within existing fire protection districts and  
17 which are currently receiving fire protection from an

1 existing fire department funded by the county may be created  
2 under the following procedure:

3  
4 (i) The board of county commissioners may, by  
5 resolution, identify lands to be included within the  
6 proposed county commission fire protection district and  
7 submit the question of establishing the district to the  
8 electors of the proposed district at the next general  
9 election. Notice of the election stating the purpose, time  
10 and place thereof and a description of the lands to be  
11 included in the proposed district shall be published in a  
12 local newspaper published in the county. The notice shall  
13 be inserted once weekly for three (3) consecutive weeks  
14 preceding the day of the election;

15  
16 (ii) If the establishment of the district is  
17 defeated at the election, the board may refuse to provide  
18 fire protection to the area within the proposed district  
19 commencing with the succeeding fiscal year. If a majority of  
20 the voters in the proposed district voting at the election  
21 vote for the establishment of the district, the board of  
22 county commissioners shall enter that fact upon its records  
23 and the district is established. Following establishment of  
24 the district:

25

1 (A) Notwithstanding the provisions of W.S.  
2 35-9-202(a), the board of county commissioners shall serve  
3 as the district board of directors and shall be responsible  
4 for managing the affairs of the fire protection district and  
5 administering the finances of the district;

7 (B) The board of county commissioners shall  
8 annually levy a tax on the taxable property in the district  
9 as provided by W.S. 35-9-203 and shall expend the proceeds  
10 of the tax solely for the support of the fire department or  
11 agency providing fire protection for the property within the  
12 district.

14           **Section 2.** This act is effective July 1, 1997.

16 (END)

THE LEGISLATURE OF THE STATE OF WYOMING

Senate

Cheyenne, February 7, 1997

Mr. President:

Your  
**Committee No. 3 on REVENUE** to whom was referred  
**HB0173 Engrossed** respectfully reports same back to the Senate with the  
 recommendation that it  
**DO PASS.**

<u>MEMBER</u>	<u>VOTE</u>
Sen. Peck, Chr.	Aye
Sen. Mockler	Aye
Sen. Cathcart	Aye
Sen. Roberts	Aye
Sen. Larson	Aye

... *13/ RP* .....  
 Chairman

AMENDMENT LIST

DATE 2-14-97 BILL NO. HR 173 Circle One: COW 2nd 3rd

HR 0173 SWOOD/AE Schiffer

[TO ENGROSSED COPY]

Page 3-lines 1 through 5 Delete and insert: ✓✓

"(A) The board of county commissions shall appoint members to the board who are residents and property owners within the district and who shall serve on the board until the next general election, at which time the members of the board shall be elected in accordance with W.S. 35-9-202(a);". SCHIFFER

*Dhuc*

SENATE  
WYOMING STATE LEGISLATURE

Message No.323

CONCURRENCE REQUESTED

*Passed*

Mr.Speaker:

February 18, 1997

H.B. No. 0173      Fire districts-formation.

The House Bill listed above passed on third reading in an amended form as follows by the vote indicated.

HB0173SW001/AE

HB0173SW001

[TO ENGROSSED COPY]

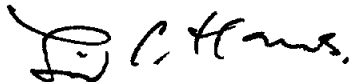
Page 3-lines 1 through 5

Delete and insert:

"(A) The board of county commissions shall appoint members to the board who are residents and property owners within the district and who shall serve on the board until the next general election, at which time the members of the board shall be elected in accordance with W.S. 35-9-202(a);". SCHIFFER

Ayes 23    Noes 7    Excused 0    Absent 0    Conflict 0

Sincerely,



Liv C. Hanes  
Senate Chief Clerk

Bill Jacket Attached