

Write in pencil

SO LSO-280

HOUSE BILL 148

HOUSE BILL 148

Title: AN ACT to amend W.S. 1-39-104(a) relating to governmental immunity on contracts; waiving such immunity; providing exceptions; and providing for an effective date.

Introduced by: Val Huff - Shirley Arnold

DATE	ACTION	DATE	ACTION
FEB 18 1980	<u>Motion to Introduce</u>	<u>2/29/80</u>	STANDING COMM. REPORT
	<u>55 PASSED</u>		AMEND AND DO PASS
	<u>Approved House 5- Passed 2- About 0</u>	<u>3/1/80</u>	CONSIDERED ON COM. OF WHOLE
	READ FIRST TIME		STANDING COM. AMBT. ADOPTED <u>HB148551-A</u>
	REFERRED TO COM. NO. <u>1</u>		<u>NO PA.</u>
	DELIVERED TO COM. NO. <u>1</u>		
<u>FEB 20 1980</u>	RETURNED	<u>3/3/80</u>	READ SECOND TIME
	<u>Unrecommended Amend and Do Pass 8 ayes 12k.</u>	<u>3/4/80</u>	READ THIRD TIME
<u>FEB 22 1980</u>	CONSIDERED IN COM. OF WHOLE		AYES <u>29</u> NOES <u>0</u> EXCUSED <u>0</u> ABSENT <u>1</u>
	<u>Stand of Com. Amendment HB148 H51/A</u>		PASSED
	ADOPTED		SENT TO HOUSE
	<u>Com. of Whole Amendment HB148 Hw1/A</u>	<u>MAR 4 1980</u>	Received Amended
	ADOPTED		House did concur on Senate Amendments
	RECOMMENDED TO <u>HOUSE</u>		<u>Approved House 6/ Passed 1/ About 0.</u>
<u>FEB 23 1980</u>	READ SECOND TIME		RECEIVED FROM SENATE
<u>FEB 25 1980</u>	READ THIRD TIME		SENT TO LSO FOR ENROLLING
	<u>PASSED</u>		RECEIVED FROM LSO ENROLLED
	<u>Approved House 0 Passed 1 About 0</u>		HEA NO. <u>37</u>
	SENT TO SENATE		SIGNED BY SPEAKER <u>3-5-80</u>
<u>2/25/80</u>	RECEIVED FROM HOUSE		SIGNED BY PRESIDING <u>3-5-80</u>
	SENT TO LSO FOR ENROSSING		APPROVED BY GOVERNOR <u>3-7-80</u>
	RECEIVED FROM LSO ENROSSED		CHAPTER NO. <u>He 377</u> LAWS OF WYOMING
	ENROSSED		
<u>3/24/80</u>	<u>Sent to Senate</u>		
<u>3/26/80</u>	Received from House		
	Read First Time		
	REFERRED TO COM. NO. <u>1</u>		
	DELIVERED TO COM. NO. <u>1</u>		

CONTINUED ON BACK

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

1980

STATE OF WYOMING

80LSO-280.01

HOUSE BILL NO. 148

Governmental contracts.

Sponsored by: Representatives URBIGKIT and ARNOLD

A BILL

for

1 AN ACT to amend W.S. 1-39-104(a) relating to governmental
2 immunity on contracts; waiving such immunity; providing
3 exceptions; and providing for an effective date.

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

5 Section 1. W.S. 1-39-104(a) is amended to read:

6 1-39-104. Granting immunity from tort liability;
7 liability on contracts; exceptions.

8 (a) A governmental entity and its public employees
9 while acting within the scope of duties are granted

HB 148

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 ___

1980

STATE OF WYOMING

80LSO-280.01

HOUSE BILL NO. 148

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HB 148

1 immunity from liability for any tort except as provided by
2 W.S. 1-39-105 through 1-39-112. ANY IMMUNITY IN ACTIONS
3 BASED ON A CONTRACT ENTERED INTO BY A GOVERNMENTAL ENTITY
4 IS WAIVED EXCEPT TO THE EXTENT PROVIDED BY THE CONTRACT IF
5 THE CONTRACT WAS WITHIN THE POWERS GRANTED TO THE ENTITY
6 AND WAS PROPERLY EXECUTED. THE CLAIMS PROCEDURES AND
7 OTHER PROVISIONS OF THIS ACT DO NOT APPLY TO CONTRACTUAL
8 CLAIMS AGAINST GOVERNMENTAL ENTITIES.

9 Section 2. This act is effective June 2, 1980.

10

(END)

FISCAL NOTE

Anticipated REVENUE to: Fiscal Year 19 Fiscal Year 19

TOTAL ESTIMATED REVENUE		

Anticipated COST to: Fiscal Year 19 Fiscal Year 19

TOTAL ESTIMATED COST		

1. Potential fiscal impact cannot be measured.
2. No apparent personnel impact.

HB 148

HB148

✓ HB148HS1/A ✓

✓ Page 2-line 7 ✓

Delete "THIS ACT DO NOT" insert "W.S.
1-39-105 THROUGH W.S. 1-39-112".

-CROWLEY, CHAIRMAN

PH

ADOPTED

✓ HB148INTL/A ✓

✓ Page 2-line 6

Delete second "AND".

✓ Page 2-line 7 ✓

Delete "OTHER PROVISIONS".

-HURSH

ADOPTED

ENGROSSED

1980

STATE OF WYOMING

80LSO-280/eng

HOUSE BILL NO. 148

Governmental contracts.

Sponsored by: Representatives URBIGKIT and ARNOLD

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6 AND WAS PROPERLY EXECUTED. THE CLAIMS PROCEDURES OF W.S.
7 1-39-105 THROUGH 1-39-112 APPLY TO CONTRACTUAL CLAIMS
8 AGAINST GOVERNMENTAL ENTITIES.

9 Section 2. This act is effective June 2, 1980.

10

(END)

H.B.148

HB148SS1/A ✓

TO THE ENGROSSED COPY

✓ Page 2-line '9

Delete "June 2, 1980" and insert
"immediately upon completion of all acts
necessary for a bill to become law as
provided by Article 4, Section 8 of the
Wyoming Constitution". -ARNEY

9WB148

Wm D. Conner *off big bet*

Date 9/4/80

Roll Call of the House
of the FORTY-FIFTH LEGISLATURE
of Wyoming

	Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent
63 ARNOLD	✓				28 O'NEIL	✓			
62 ASAY	✓				27 ORRISON	✓			
61 BRAGG	✓				26 PERRY	✓			
60 BRYANT	✓				25 PHELAN	✓			
59 BURNETT	✓				24 PROSSER	✓			
58 CHAMBERLAIN	✓				23 ROTH	✓			
57 CROSS	✓				22 SALISBURY	✓			
56 CROWLEY	✓				21 SANDERS	✓			
55 CURRY	✓				20 SCHWOPE	✓			
54 DONLEY	✓				19 C. SCOTT	✓			
53 DUSL	✓				18 D. SCOTT	✓			
52 EDWARDS	✓				17 SHREVE	✓			
51 SMITHS Hyatt	✓				16 SIDI	✓			
50 GARBER	✓				15 SIMONS	✓			
49 SMITHS Wallis	✓				14 SMITH	✓			
48 GROPP	✓				13 SPICER	✓			
47 HANSEN	✓			⓪	12 STAUFFER	✓			
46 HEMMERT	✓				11 STRAND	✓			
45 HUNTER	✓				10 TARTER	✓			
44 HURSH	✓				9 THORSON	✓			
43 JENNINGS	✓				8 TROWBRIDGE	✓			
42 JENSEN	✓				7 TUGMAN	✓			
41 JONES	✓				6 URBIGKIT	✓			
40 KINNISSON	✓				5 VINICH	✓			
39 LARSON	✓				4 WIEDERSPAHN	✓			
38 LUMMIS	✓				3 WILKINS <i>W</i>	✓			✓
37 MacMILLAN	✓				2 WINNINGER	✓			
36 MARTON	✓				1 MR. SPEAKER	✓			
35 McILVAIN	✓								
34 McMILLAN	✓								
33 MEENAN	✓								
32 MICHELI	✓								
31 MICHIE	✓								
30 MORTON	✓								
29 MURPHY	✓								

PRESENT _____

AYES 61

NOES _____

EXCUSED 1

ABSENT _____

TOTAL 62

LESS _____

22148 300 Date 3/19/00

Roll Call of the Senate of the FORTY-FIFTH LEGISLATURE of Wyoming

	Excused	Absent	Ayes	Noes
31 ARNEY			✓	
30 BOYLE			✓	
29 BUSSART			✓	
28 CHRISTENSEN			✓	
27 CUNDALL			✓	
26 DAILY			✓	
25 DOWNING			✓	
24 FRISBY			✓	
23 GEIS			✓	
22 MAJHANOVICH			✓	
21 MCDANIEL				
20 MOORE			✓	
19 MURRAY			✓	
18 NICHOLAS			✓	
17 NICHOLS			✓	
16 NORRIS			✓	
15 NORTHRUP			✓	
14 NOVOTNY			✓	
13 PARKS			✓	
12 PECK			✓	
11 PROFFIT			✓	
10 RECTOR			✓	
9 SADLER				
8 SEDAR			✓	
7 STAFFORD				
6 STROOCK			✓	
5 TAGGART			✓	
4 TRUE			✓	
3 TURNER			✓	
2 ZIMMER			✓	
1 MR. PRESIDENT			✓	

PRESENT _____ AYES _____
 NOES _____
 EXCUSED _____
 ABSENT _____

96B 148

Thurs Reading

Date 2/25/80

Roll Call of the House
of the FORTY-FIFTH LEGISLATURE
of Wyoming

	Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent
63 ARNOLD	✓				28 O'NEIL	✓			
62 ASAY	✓				27 ORRISON	✓			
61 BRAGG	✓				26 PERRY	✓			
60 BRYANT	✓				25 PHELAN	✓			
59 BURNETT	✓				24 PROSSER	✓			
58 CHAMBERLAIN	✓				23 ROTH	✓			
57 CROSS	✓				22 SALISBURY	✓			
56 CROWLEY	✓				21 SANDERS	✓			
55 CURRY	✓				20 SCHWOPE	✓			
54 DONLEY	✓				19 C. SCOTT	✓			
53 DUSL	✓				18 D. SCOTT	✓			
52 EDWARDS	✓				17 SHREVE	✓			
51 ESKENS Hyatt	✓				16 SIDI	✓			
50 GARBER	✓				15 SIMONS	✓			
49 GETTER Wallis	✓				14 SMITH	✓			
48 GROPP	✓				13 SPICER	✓			
47 HANSEN	✓				12 STAUFFER	✓			
46 HEMMERT	✓				11 STRAND	✓			
45 HUNTER	✓				10 TARTER	✓			
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42 JENSEN	✓				7 TUGMAN	✓			
41 JONES	✓			⓪	6 URBIGKIT	✓			
40 KINNISON	✓				5 VINICH	✓			
39 LARSON	✓				4 WIEDERSPAHN	✓			
38 LUMMIS	✓				3 WILKINS <i>cf</i>				✓
37 MacMILLAN	✓				2 WINNINGER	✓			
36 MARTON	✓				1 MR. SPEAKER	✓			
35 McILVAIN	✓								
34 McMILLAN	✓								
33 MEENAN	✓								
32 MICHELI	✓								
31 MICHIE	✓								
30 MORTON									
29 MURPHY	✓								

PRESENT _____

AYES 61

NOES _____

EXCUSED 1

ABSENT _____

TOTAL 62

LESS _____

9113 148

Approved Motion
to introduce

Date 9/18/50

Roll Call of the House

of the FORTY-FIFTH LEGISLATURE
of Wyoming

	Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent
63 ARNOLD	✓				28 O'NEIL	✓			
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59 BURNETT	✓				24 PROSSER	✓			
58 CHAMBERLAIN	✓				23 ROTH	✓			
57 CROSS	✓				22 SALISBURY	✓			
56 CROWLEY	✓				21 SANDERS	✓	✓		
55 CURRY	✓				20 SCHWOPE	✓			
54 DONLEY	✓				19 C. SCOTT	✓	✓		
53 DUSL	✓				18 D. SCOTT	✓			
52 EDWARDS	✓				17 SHREVE	✓			
51 ESKENS <i>Hyatt</i>	✓				16 SIDI	✓			
50 GARBER	✓				15 SIMONS	✓			
49 GETTIE <i>Wallis</i>	✓	✓			14 SMITH	✓			
48 GROPP	✓				13 SPICER	✓			
47 HANSEN	✓				12 STAUFFER	✓			
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42 JENSEN	✓				7 TUGMAN	✓	✓		
41 JONES	✓				6 URBIGKIT	✓			
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39 LARSON	✓				4 WIEDERSPAHN	✓			
38 LUMMIS	✓				3 WILKINS <i>of</i>	✓		✓	
37 MacMILLAN	✓				2 WINNINGER	✓			
36 MARTON	✓				1 MR. SPEAKER	✓			
35 McILVAIN	✓								
34 McMILLAN	✓								
33 MEENAN	✓								
32 MICHELI	✓								
31 MICHIE	✓								
30 MORTON	✓								
29 MURPHY <i>of</i>	✓		✓						

PRESENT _____

AYES 55

NOES 5

EXCUSED 2

ABSENT _____

TOTAL 62

LESS 7

5

THE LEGISLATURE OF THE STATE OF WYOMING

Senate

Cheyenne, February 29, 19 80.

Mr. President:

Your Committee No. 1 on Judiciary
to whom was referred HB No. 148

respectfully reports same back to the Senate with the recommendation that

it DO PASS with the following amendment:

HB1485-2

TO THE ENGROSSED COPY

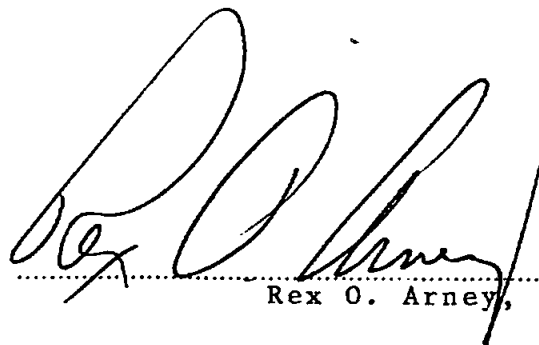
Page 2-line 9 Delete "June 2, 1980" and insert "immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution".

-ARNEY

AYES: Senators Arney, Nicholas, Nichols, Norris, True

Approved by Senate Attorney
Date 2-29-80

T.R.



Rex O. Arney, Chairman

HB1485-2

THE LEGISLATURE OF THE STATE OF WYOMING

Senate

Cheyenne, February 29, 19 80

Mr. President:

Your Committee No. 1 on Judiciary *per*

to whom was referred HB No. 148

respectfully reports same back to the Senate with the recommendation that

it DO PASS with the following amendment:

HB 14855 1/A
HB 14855 1/A

TO THE ENGROSSED COPY

Page 2-line 9 Delete "June 2, 1980" and insert "immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution".

-ARNEY

AYES: Senators Arney, Nicholas, Nichols, Norris, True

[Signature]
.....
Rex G. Arney, Chairman

HB 14855-2

THE LEGISLATURE OF THE STATE OF WYOMING

House of Representatives

Cheyenne, February 20, 1950

HB 148 AS
Mr. Speaker:

Your Committee No. 1 on JUDICIARY

to whom was referred HB No. 148

respectfully reports same back to the House with the recommendation that

it DO PASS with the following amendments:

Page 2 -- line 7 ~~delete~~ "THIS ACT DO NOT" insert "W.S. 1-39-105 THROUGH
W.S. 1-39-112".

AYES

Chamberlain
Hansen
Harsh
Lummis
Spicer
Urighthit
Wiederspahn
Crowley

EXCUSED

Scott, C.

Ellen Crowley

ELLEN CROWLEY

Chairman

MS