

True

89 LSO - 0889

#6
SENATE FILE

0230

TH

SF0230FT03

AN ACT to amend W.S. 6-9-201(a); and to create W.S. 6-9-301 relating to skiing; providing a penalty for trespass by skiers on closed areas; providing for skier safety and liability as specified; providing penalties; and providing for an effective date.

SENATE FILE 0230

Introduced by:

James E. Jones
John F. Lawrence

DATE	ACTION	DATE	ACTION
JAN 25 1989	INTRODUCED	FEB 20 1989	CONSIDERED IN COM. OF WHOLE
	READ FIRST TIME		Standing Com. Amendment SF 230 HSI/AE
	REFERRED TO COM. NO. <u>6</u>		Adopted
	DELIVERED TO COM. NO. <u>6</u>		Com. of Whole Amendment SF 230 HSI/AE
FEB 2 1989	STANDING COMM. REPORT		Adopted
	<i>Recommended</i> AMEND AND DO PASS		Recommended to pass
FEB 6 1989	CONSIDERED IN COM. OF WHOLE	FEB 21 1989	READ SECOND TIME
	STANDING COM. AMDT. ADOPTED	FEB 22 1989	READ THIRD TIME
	<i>SF0230SS1/A</i>		PASSED
	DO PASS		Ayes 40 Nays 23 Excused 1 Absent 0
FEB 7 1989	READ SECOND TIME		Sent to Senate
	DO PASS	FEB 27 1989	Received Amended
FEB 8 1989	READ THIRD TIME		Senate did Concur on House Amendment
	<i>Consent List</i>		Ayes 37 Nays 3 Excused 0 Absent 0
	PASSED		Delivered to Enrolling Section
	Ayes 37 Nays 2 Excused 1 Absent 0		Received
	<i>Sent to LSO</i>	FEB 27 1989	Delivered to Enrolling Section
	ENGROSSED		SEA No. 91, Signed by <i>acting</i>
	<i>Sent to House</i>		2-28-89 Signed by Speaker
			3-7-89 Approved by Governor
			Chapter No. 202, Session Laws of Wyoming
FEB 09 1989	Received from LSO		
	READ FIRST TIME		
	REFERRED TO COM. NO. <u>6</u>		
	DELIVERED TO COM. NO. <u>6</u>		
FEB 14 1989	RETURNED		
	Recommended Amend and Do Pass		
	<i>James E. Jones</i> <i>John F. Lawrence</i>		

CONTINUED ON BACK

SF 230 3rd Date 2-8-89

SENATE ROLL CALL

FIFTIETH WYOMING LEGISLATURE

	Ayes	Noes	Excused	Absent
APPLEGATE	✓			
BURNETT	✓			
BYRD <i>Exc.</i>			✓	
COE	✓			
DIXON	✓			
DUSL	✓			
EDDINS	✓			
FANOS	✓			
GERINGER	✓			
GRIEVE	✓			
HEALY	✓			
HERBST	✓			
HICKEY	✓			
HOWARD	✓			
KINNEY	✓			
KINNISON	✓			
MADER	✓			
MALDONADO	✓			
NORRIS	✓			
PERRY		✓		
PREVEDEL	✓			
REESE		✓		
SCOTT	✓			
STROOCK	✓			
SULLIVAN, DAN	✓			
TRUE	✓			
TURNER	✓			
TWIFORD	✓			
VINICH	✓			
ZIMMER				
MR. PRESIDENT	✓			

PRESENT _____

AYES 27
 NOES 2
 EXCUSED 1
 ABSENT _____
 TOTAL 30

SF230 Committee Date 2-27-89

SENATE ROLL CALL

FIFTIETH WYOMING LEGISLATURE

	Ayes	Noes	Excused	Absent
APPLEGATE	✓			
BURNETT	✓			
BYRD	✓			
COE	✓			
DIXON	✓			
DUSL	✓			
EDDINS	✓			
FANOS	✓			
GERINGER	✓			
GRIEVE	✓			
HEALY	✓			
HERBST	✓			
HICKEY	✓			
HOWARD	✓			
KINNEY	✓			
KINNISON	✓			
MADER	✓			
MALDONADO	✓			
NORRIS	✓			
PERRY	✓	✓		
PREVEDEL	✓	✓		
REESE	✓	✓		
SCOTT	✓			
STROOCK	✓			
SULLIVAN, DAN	✓			
TRUE	✓			
TURNER	✓			
TWIFORD	✓			
VINICH		✓		
ZIMMER				
MR. PRESIDENT	✓			

PRESENT _____

AYES 27
 NOES 3
 EXCUSED _____
 ABSENT _____
 TOTAL 30

A 9330 Phua Reading Date 2/22/89

HOUSE ROLL CALL

FIFTIETH WYOMING LEGISLATURE

	Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent
ALDEN		/			PARKER		/		
ARNOLD	/				PERKINS, D.	/			
BEBOUT		/			PERKINS, J.		/		
BLACKWELL	W	/			PLANT		/		
BOWRON	/				RANKINE		/		
BUDD		/			RATLIFF		/		
CAMERON	/				ROHRBACH	/			
CHAMBERLAIN	/				RYCKMAN		/		
CROSS		/			SCHWOPE	/			
CUBIN	/				SHREVE	/			
DEWITT	/				SIMONS		/		
DICKEY	/				STAUFFER	/			
DUNHAM	/				SULLIVAN, DON		/		
ENZI	/				TEMPEST	/			
FREUDENTHAL	/				THOMAS <i>etc</i>			/	
GAMS	/				TIBBS W	/		/	
GOODENOUGH	/				TIPPETS	/			
GRANT		/			TIPTON	/			
GUICE	/				TYSDAL	/			
HAGEMAN		/			VASEY		/		
HANSEN	/				VLASTOS	/			
HARRIS		/			WALLIS	/			
HARRISON	/				WATSON		/		
HINES	/				WOLFLEY	/			
HONAKER		/			WRIGHT	/			
HUMPHREY		/			YORDY	/			
JENSEN	/				ZIMMERMAN	/			
LUMMIS		/			ZUMBRUNNEN	/			
MACMILLAN	/				MR. SPEAKER	/			
MARTON		/			PRESENT _____ AYES <u>40</u> NOES <u>23</u> EXCUSED <u>1</u> ABSENT _____ TOTAL <u>64</u> LESS _____				
MCMILLAN									
MICHEL	/								
MILLER	/								
MURPHY	/								
ODDE		/							
O'TOOLE	/								

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 ___

1989

STATE OF WYOMING

89LSO-0889/eng

SENATE FILE NO. 0230

ENGROSSED

Skier safety.

Sponsored by: Senator(s) TRUE, BURNETT, COE, DIXON,
DUSL, HEALY, KINNISON, MADER, SCOTT,
TURNER, STROOCK and DAN SULLIVAN

A BILL

for

1 AN ACT to create W.S. 6-9-301 relating to skiing; provid-
2 ing for skier safety and liability as specified; providing
3 penalties; and providing for an effective date.

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

5 Section 1. W.S. 6-9-301 is created to read:

6 ARTICLE 3

7 SKIER SAFETY

8 6-9-301. Skier safety; closed areas; skiing while

1 impaired; unsafe skiing; collisions; penalties.

2 (a) No skier shall ski on a slope or trail that has
3 been posted as "Closed". No person shall knowingly enter
4 upon public or private lands from an adjoining ski area
5 when such land has been closed by its owner and so posted
6 by the owner or by the ski area operator.

7 (b) No person shall move uphill on any passenger
8 tramway or use any ski slope or trail while such person's
9 ability to do so is impaired by the consumption of alcohol
10 or by the use of any illicit controlled substance or other
11 drug as defined by W.S. 35-7-1002.

12 (c) No person shall ski in disregard of his safety
13 or the safety of others.

14 (d) No skier involved in a collision with another
15 person in which an injury results shall leave the vicinity
16 of the collision before giving his name and current
17 address to an employee of the ski area operator or a mem-
18 ber of the ski patrol except for the purpose of securing
19 aid for a person injured in the collision, in which event
20 the person leaving the scene of the collision shall give
21 his name and current address as required by this subsec-
22 tion within twenty-four (24) hours after securing aid.

(e) Any person violating this section is guilty of a misdemeanor punishable by imprisonment for not more than twenty (20) days, a fine of not more than two hundred dollars (\$200.00), or both.

5 Section 2. This act is effective June 8, 1989.

6 (END)

FEB 6 1989

SF230 ①

SF0230SS1/A

- ✓ Page 2-line 1 Delete "reckless" insert "unsafe".
- Page 2-line 12 After "(c)" delete balance of line.
- ✓ Page 2-lines 13 and 14 Delete entirely and insert:

"No person shall ski in disregard of his safety or the safety of others.".

- ✓ Page 3-line 1 After "tion" insert "within twenty-four (24) hours".
- ✓ Page 3-line 4 Delete "six (6) months" insert "twenty (20) days"; delete "three" insert "two".
- ✓ Page 3-line 5 Delete "(\$300.00)" insert "(\$200.00)".
DUSL, CHAIRMAN

THE LEGISLATURE OF THE STATE OF WYOMING

Senate

Cheyenne, February 1, 1989

Mr. President:

Your Committee No. 6 on TRAVEL, RECREATION & WILDLIFE
 to whom was referred SF No. 0230 - Skier safety
 respectfully reports same back to the Senate with the recommendation that

it DO PASS with the following amendments.

See Schedule A

AYES: BUSL, COE, BURNETT, HERBST

EXCUSED: BYRD

0230

BYRD

Frank J. Busl
 Chairman

THE LEGISLATURE OF THE STATE OF WYOMING

House of Representatives

SF 0230 HSI/ (tec)

Cheyenne, February 14, 1989

Mr. Speaker:

Your Committee No. 6 on TRAVEL, RECREATION & WILDLIFE

to whom was referred S.F. No. 230 Engrossed

respectfully reports same back to the House with the recommendation that

it DO PASS with the following amendment:

Page 2 - Line 12 After "in" insert "reckless".

AYES

Rep. Blackwell
 Bowron
 Cameron
 Guice
 Tempest
 Wolfley
 Shreve

NOES

Rep. Harris

EXCUSED

Rep. Rankine

Peg Shreve
 PEG SHREVE,

Chairman

1 SF0230HS1 *AE* TO ENGROSSED COPY

2 ✓ Page 2-line 12 After "in" insert "reckless". SHREVE,
3 CHAIRMAN

DM
Adopted

1 SF0230HW1 *AE* TO ENGROSSED COPY

2 ✓ Page 1-line 1 After "ACT" insert "to amend W.S.
3 6-9-201(a) and"; after ";" insert "provid-
4 ing a penalty for trespass by skiers on
5 closed areas;".

6 ✓ Page 1-After line 4 Insert:

7 "Section 1. W.S. 6-9-201(a) is amended to read:

8 6-9-201. Trespass on closed or unsafe areas within ski
9 areas; penalty; exceptions.

10 (a) A person is guilty of a misdemeanor punishable by
11 a fine of not more than one hundred dollars (\$100.00) if he:

12 (i) SKIS ON A SLOPE OR TRAIL THAT HAS BEEN
13 POSTED AS "CLOSED";

14 (ii) KNOWINGLY ENTERS UPON PUBLIC OR PRIVATE
15 LANDS FROM AN ADJOINING SKI AREA WHEN THE LANDS HAVE BEEN
16 CLOSED BY THE OWNER AND POSTED AS CLOSED BY THE OWNER OR BY
17 THE SKI AREA OPERATOR; OR

18 (iii) Intentionally enters state or federal land
19 leased and in use as a ski area, knowing:

20 ~~++~~(A) The lessee of the premises has des-
21 ignated the land as an unsafe area; or

22 ~~++~~(B) The land has been posted with
23 warning signs, prohibiting entry, which are reasonably
24 likely to come to the attention of the public."

25 ✓ Page 1-line 5 After "Section" delete "1" insert "2".

26 ✓ Page 1-line 8 Delete "closed areas;".

27 ✓ Page 2-line 2 through 6 Delete entirely and renumber subse-
28 quent subsections accordingly."

29 ✓ Page 3-line 5 Delete "2" insert "3". JENSEN, THOMAS

Adopted *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 _____

INTRODUCED

1989

STATE OF WYOMING

89LSO-0889.01

SENATE FILE NO. 0230

Skier safety.

Sponsored by: Senator(s) TRUE, BURNETT, COE, DIXON,
DUSL, HEALY, KINNISON, MADER, SCOTT,
STROOCK and DAN SULLIVAN

A BILL

for

1 AN ACT to create W.S. 6-9-301 relating to skiing; provid-
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3 penalties; and providing for an effective date.

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

5 Section 1. W.S. 6-9-301 is created to read:

6 ARTICLE 3

7 SKIER SAFETY

8 6-9-301. Skier safety; closed areas; skiing while

- 1 -

SF 230

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

1 impaired; reckless skiing; collisions; penalties.

2 (a) No skier shall ski on a slope or trail that has
3 been posted as "Closed". No person shall knowingly enter
4 upon public or private lands from an adjoining ski area
5 when such land has been closed by its owner and so posted
6 by the owner or by the ski area operator.

7 (b) No person shall move uphill on any passenger
8 tramway or use any ski slope or trail while such person's
9 ability to do so is impaired by the consumption of alcohol
10 or by the use of any illicit controlled substance or other
11 drug as defined by W.S. 35-7-1002.

12 (c) Skiing recklessly, too fast, out of control or
13 beyond the normal manner inherent in the risk of the sport
14 of skiing is prohibited.

15 (d) No skier involved in a collision with another
16 person in which an injury results shall leave the vicinity
17 of the collision before giving his name and current
18 address to an employee of the ski area operator or a mem-
19 ber of the ski patrol except for the purpose of securing
20 aid for a person injured in the collision, in which event
21 the person leaving the scene of the collision shall give
22 his name and current address as required by this subsec-

1 tion after securing aid.

2 (e) Any person violating this section is guilty of a
3 misdemeanor punishable by imprisonment for not more than
4 six (6) months, a fine of not more than three hundred dol-
5 lars (\$300.00), or both.

6 Section 2. This act is effective June 8, 1989.

7 (END)

SF0230S21/F

2.7-89

Page 1-line 8 Delete "skiing while".

Page 2-line 1 Delete "impaired;".

Page 2-lines 7 through 11 Delete entirely and renumber subsequent subsections accordingly. REESE

LXB

1 SF0230HW2/*F* TO ENGROSSED COPY

2 Page 2-line 14 After "skier" insert "personally".

3 Page 2-line 15 Delete "an injury" insert "bodily injury or
4 property damage". DUNHAM

A handwritten signature or set of initials, possibly reading 'DW' or 'BW', is written in ink below the typed text.