

# SENATE FILE 0106,

82 ISO-1455

SENATE FILE 0106,

SF0106FT03

AN ACT to create W.S. 16-6-110; and to amend W.S. 16-6-101 relating to the Wyoming preference law; clarifying the definition of a resident corporation; requiring the commissioner of labor and statistics to certify residency and enforce the preference law; granting rulemaking authority; and providing for an effective date.

Introduced by:

*Ed Sullivan*  
*Rick Tompsett*

DATE	ACTION	DATE	ACTION
JAN 13 1987	INTRODUCED		Standing Com. Amendment SF106451/AE
	READ FIRST TIME		Adopted
	REFERRED TO COM. NO. <u>2</u>		Recommended do pass
	DELIVERED TO LSO FOR PRINTING	FEB 25 1987	READ SECOND TIME
	RETURNED FROM LSO FOR PRINTED	FEB 26 1987	READ THIRD TIME
JAN 19 1987	DELIVERED TO COM. NO. <u>2</u>		Amended SF106432/AE
	STANDING COMM. REPORT		Adopted
	RECOMMENDED DO PASS AS AMENDED		PASSED
JAN 20 1987	CONSIDERED ON COM. OF WHOLE		Ayes <u>58</u> Noes <u>6</u> Excused <u>0</u> Absent <u>0</u>
	AMENDED AS FOLLOWS SF0106SS1/A		Sent to Senate
	DO PASS	FEB 27 1987	Received Amended
JAN 21 1987	READ SECOND TIME		Senate did Concur on House Amendment
	DO PASS		Ayes <u>3</u> Noes <u>25</u> Excused <u>2</u> Absent <u>0</u>
JAN 22 1987	READ THIRD TIME		Referred to Enrolling Section <u>TAILED</u>
	AMENDED AS FOLLOWS SF0106S31/A		Received Amended
	28 PASSED NOES 1 EXCUSED 1 ABSENT 0		Sen. Sullivan, Griev. Herbert
	SENT TO HOUSE		Joint Conf. Comm. appointed #1
	ENGROSSED		Hold pending House and Senate Report
1/23/87	Sent to House		Rep. Tompsett, Hunt, Perkins
JAN 23 1987	READ FIRST TIME	FEB 28 1987	Senate did adopt Joint Conf. Comm. report
	REFERRED TO COM. NO. <u>7</u>		Ayes <u>34</u> Noes <u>7</u> Excused <u>5</u> Absent <u>0</u>
	DELIVERED TO COM. NO. <u>7</u>		SF0106TCL/AA
FEB 23 1987	RETURNED	FEB 28 1987	Received
	Recommended Amend and Do Pass		Delivered to Enrolling Section
FEB 24 1987	CONSIDERED IN COM. OF WHOLE		2-28-87 SEA No. <u>111</u> Signed by President
			2-28-87 Signed by Speaker
			Approved by Governor
			Chapter No. <u>223</u> , Session Laws of W.

CONTINUED ON BACK

# SF 106 adopt JCP <sup>#1</sup> Date 2-28-07

# SENATE ROLL CALL

## FORTY-NINTH WYOMING LEGISLATURE

	Excused	Absent	Ayes	Noes
ARNEY			✓	
BURNETT			✓	
CUNDALL	✓		.	
DIXON			✓	
DUSL			✓	
EDDINS	✓		.	
FANOS			✓	
FRISBY	✓		.	
GRIEVE			✓	
HEALY			✓	
HERBST			✓	
HICKEY			✓	
<del>HICKLEY</del> WHALEY			✓	
KINNEY			✓	
LARSON	✓		.	
MADER			✓	
NORRIS			✓	
PERRY			✓	
PREVEDEL			✓	
REESE			✓	
SCHMIDT			✓	
SCOTT			0	✓
STROOCK	✓		.	
SULLIVAN			✓	
TRUE	0		✓	
<del>TURNER</del>				
TWIFORD			✓	
VINICH			✓	
WIEDERSPAHN			✓	
ZIMMER			✓	
MR. PRESIDENT			✓	

PRESENT \_\_\_\_\_

AYES	24
NOES	1
EXCUSED	05
ABSENT	0
TOTAL	30

# SF106 3rd Date 1-22-87

## SENATE ROLL CALL

### FORTY-NINTH WYOMING LEGISLATURE

	Excused	Absent	Ayes	Noes
ARNEY			✓	
BURNETT			✓	
CUNDALL			✓	
DIXON			✓	
DUSL			✓	
EDDINS			✓	
FANOS			✓	
FRISBY			✓	
GRIEVE			✓	
HEALY			✓	
HERBST			✓	
HICKEY			✓	
HINCKLEY	✓			
KINNEY			✓	
LARSON			✓	
MADER			✓	
NORRIS			✓	
PERRY			✓	
PREVEDEL			✓	
REESE				✓
SCHMIDT			✓	
SCOTT			✓	
STROOCK			✓	
SULLIVAN			✓	
TRUE			✓	
<del>TURNER</del>				
TWIFORD			✓	
VINICH			✓	
WIEDERSPAHN			✓	
ZIMMER			✓	
MR. PRESIDENT			✓	

PRESENT	AYES	28
	NOES	1
	EXCUSED	1
	ABSENT	0
	TOTAL	30

# SF 106 Do Census Date 2/27/87

# SENATE ROLL CALL

## FORTY-NINTH WYOMING LEGISLATURE

	Excused	Absent	Ayes	Noes
ARNEY				✓
BURNETT				✓
CUNDALL				✓
DIXON				✓
DUSL				✓
EDDINS				✓
FANOS				✓
FRISBY				✓
GRIEVE				✓
HEALY				✓
HERBST			✓	
HICKEY	✓			
<del>HINKLEY</del> <u>WHALEY</u>				✓
KINNEY				✓
LARSON				✓
MADER				✓
NORRIS				✓
PERRY	✓			
PREVEDEL				✓
REESE			✓	
SCHMIDT				✓
SCOTT				✓
STROOCK				✓
SULLIVAN				✓
TRUE				✓
<del>TURNER</del>				
TWIFORD				✓
VINICH			✓	
WIEDERSPAHN				✓
ZIMMER				✓
MR. PRESIDENT				✓

PRESENT \_\_\_\_\_

AYES 3

NOES 25

EXCUSED 2

ABSENT 0

TOTAL 30

# HOUSE ROLL CALL

## FORTY-NINTH WYOMING LEGISLATURE

	Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent
ARNOLD	✓				ODDE	✓			
BEBOUT	✓			○	O'TOOLE	✓			
BEHRENS	✓				PARKER	✓			
BIRLEFFI	✓				PERKINS, D.	✓			
BLACKWELL	✓				PERKINS, J.	✓			
BUDD	✓				PLANT	✓			
BURTON	✓				RANKINE	✓			
BYRD	✓				RATLIFF	✓			
CAMERON	✓				ROBERTSON	✓			
CHAMBERLAIN	✓			✓	ROHRBACH	✓			
CROSS	✓				RYCKMAN	✓			
CROWLEY	✓				SCHWOPE	✓			
CUBIN	✓				SHREVE	✓			
DICKEY	✓	✓			SIMONS	✓	✓		
ENZI	✓				STAUFFER	✓			
FREUDENTHAL	✓				TATE	✓			
GERINGER	✓				TEMPEST	✓			
GRANT	✓				THOMAS	✓			
GUICE	✓				TIBBS	✓			
HAGEMAN	✓				TIPPETS	✓			
HANSEN	✓				TIPTON	✓			
HARRISON	✓				TYSDAL	✓			
HINES	✓				WALLIS	✓			
HONAKER	✓				WEAVER	✓			
HOWARD	✓	✓			WILLFORD	✓			
HUMPHREY	✓				WOLFLEY	✓			
JENSEN	✓				ZIMMERMAN	✓	✓		
LUMMIS	✓				ZUMBRUNNEN	✓			
MACMILLAN	✓	✓			MR. SPEAKER	✓			
MALDONADO	✓				PRESENT				
MARTON	✓		✓						
MILVAIN	✓								
MURPHY	✓								

AYES 57  
 NOES 5  
 EXCUSED 1  
 ABSENT 1  
 TOTAL 64  
 LESS 7

# SE 106 Good Reading Date 2/26/87

# HOUSE ROLL CALL

## FORTY-NINTH WYOMING LEGISLATURE

	Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent
ARNOLD	✓	✓			ODDE	✓			
BEBOUT	✓				O'TOOLE	✓			
BEHRENS	✓				PARKER	✓			
BIRLEFFI	✓				PERKINS, D.	✓	✓		
BLACKWELL	✓				PERKINS, J.	✓			
BUDD	✓				PLANT	✓			
BURTON	✓				RANKINE	✓			
BYRD	✓				RATLIFF	✓			
CAMERON	✓				ROBERTSON	✓			
CHAMBERLAIN	✓				ROHRBACH	✓			
CROSS	✓				RYCKMAN	✓			
CROWLEY	✓				SCHWOPE	✓			
CUBIN	✓				SHREVE	✓			
DICKEY	✓	✓			SIMONS	✓	✓		
ENZI	✓				STAUFFER	✓			
FREUDENTHAL	✓				TATE	✓			
GERINGER	✓				TEMPEST	✓			
GRANT	✓				THOMAS	✓			
GUICE	✓				TIBBS	✓			
HAGEMAN	✓				TIPPETS	✓			
HANSEN	✓				TIPTON	✓			
HARRISON	✓				TYSDAL	✓			
HINES	✓				WALLIS	✓			
HONAKER	✓				WEAVER	✓			
HOWARD	✓				WILLFORD	✓			
HUMPHREY	✓	✓			WOLFLEY	✓			
JENSEN	✓				ZIMMERMAN	✓			
LUMMIS	✓				ZUMBRUNNEN	✓			
MACMILLAN	✓	✓			MR. SPEAKER	✓			
MALDONADO	✓				PRESENT				
MARTON	✓				AYES	58			
MCCILVAIN	✓				NOES	6			
MCCORMAN	✓				EXCUSED				
MICHEL	✓				ABSENT				
MILLER	✓				TOTAL	64			
MURPHY	✓				LESS				

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

**INTRODUCED**

1987

STATE OF WYOMING

87LSO-0455.01

SENATE FILE NO. 0106

Wyoming preference law.

Sponsored by: *Ed Sullivan* Senator(s) ~~SULLIVAN~~ *Robert Tempert*

A BILL

for

1 AN ACT to amend W.S. 16-6-101(a)(i) relating to the  
2 Wyoming preference law; clarifying the definition of a  
3 resident corporation; and providing for an effective date.

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

5 Section 1. W.S. 16-6-101(a)(i) is amended to read:

6 16-6-101. Definitions.

7 (a) As used in this act:

8 (i) "Resident" means:

1                   (A) Any person who has been a bona fide  
2     resident of the state for one (1) year or more immediately  
3     prior to bidding upon the contract; AND

4                   (B) A partnership or association, each  
5     member of which has been a bona fide resident of the state  
6     for one (1) year or more immediately prior to bidding upon  
7     the contract; AND

8                   (C) A CORPORATION ORGANIZED UNDER THE  
9     LAWS OF THE STATE WITH OVER FIFTY PERCENT (50%) OF ITS  
10    SHARES OWNED BY PERSONS WHO HAVE BEEN BONA FIDE RESIDENTS  
11    OF THE STATE FOR ONE (1) YEAR OR MORE PRIOR TO ITS INCOR-  
12    PORATION, AND WHICH MAINTAINS ITS PRINCIPAL OFFICE AND  
13    PLACE OF BUSINESS WITHIN THE STATE; OR

14                   ~~(C)~~(D) A corporation ~~which--has--been~~  
15    organized under the laws of the state and WHICH has been  
16    in existence in the state for one (1) year or more immedi-  
17    ately prior to bidding upon the contract and ~~which-has~~  
18    MAINTAINS its principal office and place of business  
19    within the state. IF OVER FIFTY PERCENT (50%) OF ITS  
20    SHARES ARE OWNED BY NONRESIDENTS, SHARES OF THE CORPORA-  
21    TION SHALL HAVE BEEN ACQUIRED BY THE NONRESIDENT SHARE-  
22    HOLDERS ONE (1) YEAR OR MORE IMMEDIATELY PRIOR TO BIDDING  
23    UPON THE CONTRACT OR ITS SHARES OR A CLASS OF ITS SHARES



1 ARE PUBLICLY TRADED AND REGISTERED UNDER SECTIONS 13 OR  
2 15(d) OF THE SECURITIES EXCHANGE ACT OF 1934.

3 Section 2. This act is effective May 22, 1987.

4 (END)

FISCAL NOTE

<u>Anticipated REVENUE to:</u>	<u>FY 19</u>	<u>FY 19</u>	<u>FY 19</u>
_____	_____	_____	_____
_____	_____	_____	_____
TOTAL ESTIMATED REVENUE	_____	_____	_____
=====			
<u>Anticipated COST to:</u>	<u>FY 19</u>	<u>FY 19</u>	<u>FY 19</u>
_____	_____	_____	_____
_____	_____	_____	_____
TOTAL ESTIMATED COST	_____	_____	_____
=====			

According to a spokesman for the Purchasing Division, Department of Administration and Fiscal Control, the impact of this measure cannot be determined.

THE LEGISLATURE OF THE STATE OF WYOMING

JOINT CONFERENCE REPORT

Cheyenne, Wyoming

February 28, 1987

To the Honorable President of the Senate, and the Honorable Speaker of the House of Representatives:

We, your Joint Conference Committee appointed to confer on Senate File No. 0106, respectfully recommend as follows: SF0106JC1/AA

SF0106JC1/AA TO ENGROSSED COPY

Delete the following House amendments:

- ✓ SF0106HS1/AE
- ✓ SF0106H32/AE

Amend the Engrossed Copy as follows:

- ✓ Page 1-line 1 After "ACT" insert "to create W.S. 16-6-119; and"; delete "16-6-101(a)(i)" insert "16-6-101".
- ✓ Page 1-line 3 After ";" insert "requiring the commissioner of labor and statistics to certify residency and enforce the preference law; granting rulemaking authority;".
- ✓ Page 1-After line 4 insert:

"Section 1. W.S. 16-6-119 is created to read:

16-6-119. Commissioner to enforce. The commissioner of labor and statistics is authorized and directed to enforce W.S. 16-6-101 through 16-6-206."
- ✓ Page 1-line 5 Delete "Section 1" insert "Section 2"; delete "16-6-101(a)(i)" insert "16-6-101".
- ✓ Page 1-line 8 After "means" insert "A PERSON, PARTNERSHIP OR CORPORATION CERTIFIED AS A RESIDENT BY THE COMMISSIONER OF LABOR AND STATISTICS PRIOR TO BIDDING UPON THE CONTRACT, SUBJECT TO THE FOLLOWING CRITERIA".
- ✓ Page 2-line 11 Delete "ITS INCOR-".
- ✓ Page 2-line 12 Delete "PORATION" insert "BIDDING UPON THE CONTRACT".

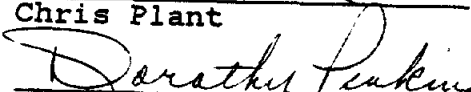
- ✓ Page 3-line 3 Delete "ITS SHARES OR A CLASS OF ITS".
- ✓ Page 3-line 4 Delete "SHARES ARE" insert "BE".
- ✓ Page 3-line 5 After "1934" insert "FOR ONE (1) OR MORE CLASSES OF ITS SHARES".
- ✓ Page 3-After line 5 insert:

"(ii) "PRINCIPAL OFFICE" AND "PRINCIPAL PLACE OF BUSINESS" SHALL HAVE THE MEANING AS THE COMMISSIONER OF LABOR AND STATISTICS DETERMINES, CONSISTENT WITH THE PURPOSE OF THIS ACT, BY RULE AND REGULATION;


~~(ii)~~ (iii) "This act" means W.S. 16-6-101 through 16-6-118 16-6-119.".

  
Rick Tempest


  
Chris Plant

  
Dorothy Perkins

HOUSE

  
Dan Sullivan

  
Robert Grieve

  
Della Herbst

SENATE

Approved by Senate Attorney  
Date: 9/28/87 PJH

## THE LEGISLATURE OF THE STATE OF WYOMING

## House of Representatives

SF0106 HSI/ TEC

Cheyenne, February 20, 1987

Mr. Speaker:

Your Committee No. 7 on CORPORATIONS, ELECTIONS & POL. SUBDIV.  
 to whom was referred S. F. No. 0106 ENGROSSED  
 respectfully reports same back to the House with the recommendation that it DO PASS  
 with the following amendments:

"See attached SCHEDULE A"

## AYES

Rep. Bebout  
 " Freudenthal  
 " Honaker  
 " Maldonado  
 " McMillan  
 " Tempest  
 " Zimmerman

## NOES

Rep. Howard  
 " MacMillan

## EXCUSED

Rep. Enzi  
 " D. Perkins

  
 PATTI MacMILLAN

Chairman 

SCHEDULE A

SF0106 (TO ENGROSSED COPY)

Page 1-line 1 After "ACT" insert "to create W.S. 16-6-119; and "; delete "16-6-101(a)(1)" insert "16-6-101".

Page 1-line 3 After ";" insert "providing definitions; requiring the commissioner of labor and statistics to certify residency and enforce the preference law;".

Page 1-After line 4 Insert:

"Section 1. W.S. 16-6-119 is created to read:

16-6-119. Commissioner to enforce. The commissioner of labor and statistics is authorized and directed to enforce W.S. 16-6-101 through 16-6-206."

Page 1-line 5 Delete "Section 1" insert "Section 2"; delete "16-6-101(a)(1)" insert "16-6-101".

Page 1-line 8 After "means" insert "A PERSON, PARTNERSHIP OR CORPORATION CERTIFIED AS A RESIDENT BY THE COMMISSIONER OF LABOR AND STATISTICS PRIOR TO BIDDING UPON THE CONTRACT, SUBJECT TO THE FOLLOWING CRITERIA".

Page 2-line 11 Delete "ITS INCOR-".

Page 2-line 12 Delete "PORATION" insert "BIDDING UPON THE CONTRACT".

Page 3-line 3 Delete "ITS SHARES OR A CLASS OF ITS".

Page 3-line 4 Delete "SHARES ARE" insert "BE".

Page 3-line 5 After "1934" insert "FOR ONE (1) OR MORE CLASSES OF ITS SHARES".

Page 3-After line 5 Insert:

"(11) "PRINCIPAL OFFICE" MEANS THE PLACE WHERE SUBSTANTIALLY ALL NORMAL BUSINESS OPERATIONS ARE CONDUCTED INCLUDING, BUT NOT LIMITED TO, ESTIMATING, PURCHASING OF MATERIALS OR EQUIPMENT, DAILY FINANCIAL RECORDING, MAINTAINING PERIODIC FINANCIAL RECORDS AND HIRING OF PERSONNEL; AND

(111) "PRINCIPAL PLACE OF BUSINESS" MEANS THE PLACE USED PRIMARILY FOR THE SUPPORT OF THE BUSINESS OF ERECTING, CONSTRUCTING, ALTERING, EQUIPPING OR REPAIRING BUILDINGS OR STRUCTURES.

~~16-6-119~~ (iv) "This act" means W.S. 16-6-101 through 16-6-119."

Page 3-line 6 Delete "Section 2" insert "Section 3"; delete "May 22" insert "July 1".

1 ✓ SF0106HS1 *AK* (TO ENGROSSED COPY)

2 Page 1-line 1 After "ACT" insert "to create W.S.  
3 16-6-119; and "; delete "16-6-101(a)(i)"  
4 insert "16-6-101".

5 Page 1-line 3 After ";" insert "providing definitions;  
6 requiring the commissioner of labor and  
7 statistics to certify residency and enforce  
8 the preference law;".

9 Page 1-After line 4 Insert:

10 "Section 1. W.S. 16-6-119 is created to read:

11 16-6-119. Commissioner to enforce. The commissioner  
12 of labor and statistics is authorized and directed to  
13 enforce W.S. 16-6-101 through 16-6-206.".

14 Page 1-line 5 Delete "Section 1" insert "Section 2";  
15 delete "16-6-101(a)(i)" insert "16-6-101".

16 Page 1-line 8 After "means" insert "A PERSON, PARTNERSHIP  
17 OR CORPORATION CERTIFIED AS A RESIDENT BY  
18 THE COMMISSIONER OF LABOR AND STATISTICS  
19 PRIOR TO BIDDING UPON THE CONTRACT, SUBJECT  
20 TO THE FOLLOWING CRITERIA".

21 Page 2-line 11 Delete "ITS INCOR-".

22 Page 2-line 12 Delete "PORATION" insert "BIDDING UPON THE  
23 CONTRACT".

24 Page 3-line 3 Delete "ITS SHARES OR A CLASS OF ITS".

25 Page 3-line 4 Delete "SHARES ARE" insert "BE".

26 Page 3-line 5 After "1934" insert "FOR ONE (1) OR MORE  
27 CLASSES OF ITS SHARES".

28 Page 3-After line 5 Insert:

29 "(ii) "PRINCIPAL OFFICE" MEANS THE PLACE WHERE  
30 SUBSTANTIALLY ALL NORMAL BUSINESS OPERATIONS ARE CONDUCTED  
31 INCLUDING, BUT NOT LIMITED TO, ESTIMATING, PURCHASING OF  
32 MATERIALS OR EQUIPMENT, DAILY FINANCIAL RECORDING, MAINTAIN-  
33 ING PERIODIC FINANCIAL RECORDS AND HIRING OF PERSONNEL; AND

34 (iii) "PRINCIPAL PLACE OF BUSINESS" MEANS THE  
35 PLACE USED PRIMARILY FOR THE SUPPORT OF THE BUSINESS OF  
36 ERECTING, CONSTRUCTING, ALTERING, EQUIPPING OR REPAIRING  
37 BUILDINGS OR STRUCTURES.

38 ~~(iii)~~(iv) "This act" means W.S. 16-6-101 through  
39 ~~16-6-118~~ 16-6-119."

40 Page 3-line 6 Delete "Section 2" insert "Section 3";  
41 delete "May 22" insert "July 1".  
42 MACMILLAN, CHAIRMAN

*Adopted*

1 ✓ SF0106H32 *AK* (TO ENGROSSED COPY)

2 Page 2-line 13 After "STATE" insert ". A CORPORATION  
3 WHICH HAS MET THE REQUIREMENTS OF THIS SUB-  
4 PARAGRAPH SHALL CONTINUE TO BE DEEMED A  
5 RESIDENT EVEN IF OVER FIFTY PERCENT (50%)  
6 OF ITS SHARES ARE SUBSEQUENTLY ACQUIRED BY  
7 NONRESIDENTS SO LONG AS THE PRINCIPAL  
8 OFFICE AND PLACE OF BUSINESS OF THE  
9 ACQUIRED CORPORATION CONTINUES TO BE MAIN-  
10 TAINED IN WYOMING". ZIMMERMAN, HOWARD

*Adopted*

*Deleted by JY/MA*

*Both deleted by*

✓ SF0106SS1/A ✓

- ✓ Page 2-line 3 Delete "AND" insert "OR".
- ✓ Page 2-line 7 Delete "AND" insert "OR".
- ✓ Page 2-line 21 After "SHALL" insert ":(i)". (I) ps
- ✓ Page 2-line 23 After "CONTRACT" insert ";"; after "OR" insert "(ii)". -SCOTT (II) ps

✓ SF0106S31/A ✓

- ✓ Page 2-line 21 Delete "THE NONRESIDENT SHARE" insert "NONRESIDENTS".
- ✓ Page 2-line 22 Delete "HOLDERS". -SULLIVAN.

- 1 SF0106H21/ F (TO ENGROSSED COPY)
- 2 Page 1-line 8 Delete the standing committee amendment
- 3 (SF0106HS1/AE) to this line. ZUMBRUNNEN



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 _____

1987

STATE OF WYOMING

87LSO-0455/eng

SENATE FILE NO. 0106

**ENGROSSED**

Wyoming preference law.

Sponsored by: Senator(s) SULLIVAN, TRUE and  
Representative(s) TEMPEST

A BILL

for

1 AN ACT to amend W.S. 16-6-101(a)(i) relating to the  
2 Wyoming preference law; clarifying the definition of a  
3 resident corporation; and providing for an effective date.

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

5 Section 1. W.S. 16-6-101(a)(i) is amended to read:

6 16-6-101. Definitions.

7 (a) As used in this act:

8 (i) "Resident" means:

1                   (A) Any person who has been a bona fide  
2 resident of the state for one (1) year or more immediately  
3 prior to bidding upon the contract; OR

4                   (B) A partnership or association, each  
5 member of which has been a bona fide resident of the state  
6 for one (1) year or more immediately prior to bidding upon  
7 the contract; OR

8                   (C) A CORPORATION ORGANIZED UNDER THE  
9 LAWS OF THE STATE WITH OVER FIFTY PERCENT (50%) OF ITS  
10 SHARES OWNED BY PERSONS WHO HAVE BEEN BONA FIDE RESIDENTS  
11 OF THE STATE FOR ONE (1) YEAR OR MORE PRIOR TO ITS INCOR-  
12 PORATION, AND WHICH MAINTAINS ITS PRINCIPAL OFFICE AND  
13 PLACE OF BUSINESS WITHIN THE STATE; OR

14                   ~~(C)~~(D) A corporation ~~which--has--been~~  
15 organized under the laws of the state and WHICH has been  
16 in existence in the state for one (1) year or more immedi-  
17 ately prior to bidding upon the contract and ~~which-has~~  
18 MAINTAINS its principal office and place of business  
19 within the state. IF OVER FIFTY PERCENT (50%) OF ITS  
20 SHARES ARE OWNED BY NONRESIDENTS,    SHARES OF THE CORPORA-  
21 TION SHALL:

22                   (1) HAVE BEEN ACQUIRED BY NONRES1-

1 DENTS ONE (1) YEAR OR MORE IMMEDIATELY PRIOR TO BIDDING  
2 UPON THE CONTRACT; OR

3 (II) ITS SHARES OR A CLASS OF ITS  
4 SHARES ARE PUBLICLY TRADED AND REGISTERED UNDER SECTIONS  
5 13 OR 15(d) OF THE SECURITIES EXCHANGE ACT OF 1934.

6 Section 2. This act is effective May 22, 1987.

7 (END)