

Amey

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81 LSO - 735

SENATE FILE 165,

SENATE FILE 165,

Title: AN ACT to amend W.S. 5-5-162 through 5-5-165 and 5-5-167(a) and by creating new subsections (c) and (d) relating to commissioners of the county court; providing for appointment of adjunct commissioners by county court judges; revising qualifications and defining powers of commissioners and adjunct commissioners; and providing for an effective date.

Introduced by:

[Signature]

DATE	ACTION	DATE	ACTION
1-26-81	INTRODUCED	FEB 20 1981	READ SECOND TIME
	READ FIRST TIME	FEB 21 1981	READ THIRD TIME
	REFERRED TO COM. NO. <u>1</u>		Amended as follows SF165H31/A <i>To Eng. Cate</i>
	DELIVERED TO LSO FOR PRINTING		ADOPTED
	RETURNED FROM LSO FOR PRINTED		PASSED
	DELIVERED TO COM. NO. <u>1</u>		Approved Nov 9 Passed 2 Absent 0
1-30-81	STANDING COMM. REPORT		sent to Senate
	RECOMMENDED DO PASS AS AMENDED	2-24-81	Received Amended
2-3-81	CONSIDERED ON COM. OF WHOLE		Senate did Concur on House Amer
	STANDING COM. AMBT. ADOPTED SF165551-A		A-28-29 Nov <input checked="" type="radio"/> EXCUSED <input type="radio"/> Absent
	DO PASS		Delivered to Enrolling Section
2-4-81	READ SECOND TIME		Received
2-5-81	READ THIRD TIME		Delivered to Enrolling Section 2/25
	PASSED		SEA No. 29 Signed by President
	AYES 28 NAYES 8 ABSENT 0		2/28 Signed by Speaker
			3/3 Approved by Governor
			Chapter No. 119, Session Laws of Wyoming
	SENT TO HOUSE		
2-5-81	ENGROSSED		
2-6-81	<i>Sent to House</i>		
FEB 8 1981	READ FIRST TIME		
	REFERRED TO COM. NO. <u>1</u>		
	RETURNED TO COM. NO. <u>1</u>		
FEB 18 1981	RETURNED		
	Recommended Amend and Do Pass 10 apts		
FEB 18 1981	CONSIDERED IN COM. OF WHOLE		
	Standing Com Amendment SF165H31/A		
	ADOPTED		
	RECOMMENDED DO PASS		

CONTINUED ON BACK

58 165

3rd

Date

2/5/81

Roll Call of the Senate

of the FORTY-SIXTH LEGISLATURE

of Wyoming

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

PRESENT

AYES 28

NOES 2

EXCUSED 0

ABSENT 0

TOTAL 30

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

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

PRESENT _____ AYES 29
NOES 0
EXCUSED 0
ABSENT 1
TOTAL 30

29165

Phed Reading

Date 2/21/81

Roll Call of the House

of the FORTY-SIXTH LEGISLATURE

of Wyoming

	Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent
63 ARNOLD	✓				30 PHELAN	✓			
62 ASAY	✓				29 PROSSER	✓			
61 BRYANT	✓				28 PUGH	✓			
60 BUDD		✓			27 RATLIFF		✓		
59 BURNETT					26 ROTH	✓			
58 BURNS	✓				25 SALISBURY	✓			
57 BYRD	✓				24 SANDERS	✓			
56 CHAMBERLAIN	✓				23 SCHWOPE	✓			
55 CROSS	✓				22 SCOTT, C	✓			
54 CROWLEY	✓				21 SCOTT, D.	✓			
53 CURRY		✓			20 SHREVE	✓			
52 DONLEY	✓				19 SIDI	✓			
51 DUSL	✓				18 SIMONS	✓			
50 EDWARDS	✓				17 SIMPSON	✓			
49 ESKENS	✓	✓			16 SMITH	✓			
48 GETTER	✓				15 SORENSEN	✓			
47 HANSEN			✓		14 STAUFFER	✓	✓		
46 HEMMERT		✓			13 STEWART	✓			
45 JENSEN	✓				12 STRAND	✓			
44 JONES	✓				11 TARTER	✓			
43 KINNISON	✓				10 THOMPSON	✓			
42 LARSON, T.	✓				9 THORSON	✓			
41 LUMMIS	✓				8 TIPTON	✓			
40 MacMILLAN	✓				7 TROWBRIDGE	✓			
39 MARTON	✓				6 URBIGKIT	✓			
38 McCARTHY	✓				5 VINICH		✓		
37 McILVAIN	✓				4 WALLIS	✓			
36 MEENAN		✓			3 WIEDERSPAHN	✓			
35 MICHELI			✓		2 WINNINGER	✓			
34 MICHIE	✓				1 MR. SPEAKER	✓			
33 MURPHY		✓			PRESENT				
32 ODDE	✓								
31 PERRY	✓								

AYES 51
 NOES 9
 EXCUSED 2
 ABSENT
 TOTAL 62
 LESS 1

THE LEGISLATURE OF THE STATE OF WYOMING

House of Representatives

Cheyenne,February 17....., 19.....81

Mr. Speaker:

Your Committee No.1..... onJUDICIARY.....

to whom was referredS.F. No.165 Eng. Copy.....

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

DO PASS with the following amendments:

Page 1 line 6 after "commissioners" insert "and adjunct commissioners".

Page 3 line 15 strike "Commit" insert "INCARCERATE".

Page 4 line 13 delete "WITH".

Page 4 line 14 delete "RESPECT TO THE FOLLOWING PROCEDURE".

AYESNOES
0EXCUSED
0

Chamberlain

Hansen

Lummis

McCarthy

Oddé

C. Scott

Tipton

Trowbridge

Wiederspahn

Crowley

Ellen Crowley
Ellen Crowley

Chairman

SF165SS1/A ✓

- Page 2-line 6 After the period insert "THE COUNTY COURT JUDGE SHALL DETERMINE THE GEOGRAPHICAL AREA WITHIN WHICH THE COMMISSIONERS AND ADJUNCT COMMISSIONERS MAY SERVE."..
- ✓ Page 4-line 11 Delete "PROCEDURES" and insert "PROCEDURE".
- ✓ Page 4-line 12 Delete the colon.
- ✓ Page 4-line 13 Delete "(i)".
- ✓ Page 4-line 14 Delete the semicolon and insert a period.
- ✓ Page 4-lines 15 and 16 Delete entirely. -ARNEY
-

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

1981

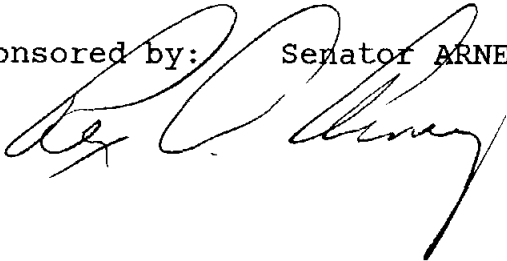
STATE OF WYOMING

81LSO-735.01

SENATE FILE NO. 165

County court commissioners.

Sponsored by: Senator ARNEY



A BILL

for

1 AN ACT to amend W.S. 5-5-162 through 5-5-165 and
2 5-5-167(a) and by creating new subsections (c) and (d)
3 relating to commissioners of the county court; providing
4 for appointment of adjunct commissioners by county court
5 judges; revising qualifications and defining powers of
6 commissioners; and providing for an effective date.

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

8 Section 1. W.S. 5-5-162 through 5-5-165 and
9 5-5-167(a) and by creating new subsections (c) and (d) are
10 amended to read:

1 5-5-162. Appointment of commissioners and adjunct
2 commissioners. ~~District--courts~~ JUDGES of the several
3 ~~jurisdictions--of-this-state~~ COUNTY COURT may appoint such
4 number of commissioners AND ADJUNCT COMMISSIONERS of the
5 county court ~~in-the-several-counties-of-their-respective~~
6 ~~judicial-districts~~ as the public interest may require.

7 5-5-163. Term of office; removal. Commissioners AND
8 ADJUNCT COMMISSIONERS of the county court shall hold
9 office at the pleasure of the ~~district~~ COUNTY court and
10 may be similarly removed.

11 5-5-164. Qualifications for commissioners and
12 adjunct commissioners.

13 (a) Commissioners of the county court shall be (a)
14 qualified electors of the county for which appointed, and
15 (b) authorized to practice law in Wyoming.

16 (b) ADJUNCT COMMISSIONERS OF THE COUNTY COURT SHALL
17 BE QUALIFIED ELECTORS OF THE COUNTY FOR WHICH APPOINTED.

18 5-5-165. County court to enter order appointing
19 commissioners and adjunct commissioners. The ~~district~~
20 COUNTY court in open court shall enter the order appoint-
21 ing each commissioner AND ADJUNCT COMMISSIONER of the

1 county court and shall enter ~~said~~ THE order upon the jour-
2 nal. A certified copy of ~~such~~ THE journal entry shall be
3 evidence of ~~such~~ THE appointment in all courts of this
4 state.

5 5-5-167. Powers of commissioners and adjunct commis-
6 sioners.

7 (a) Each commissioner of the county court may:

8 (i) Conduct arraignment proceedings for per-
9 sons charged with a misdemeanor;

10 (ii) ACCEPT GUILTY PLEAS AND RECEIVE PAYMENTS
11 FOR FINES OR BONDS IN MISDEMEANOR CASES;

12 ~~(iii)~~ (iii) Commit persons charged with the
13 commission of offenses triable in the county courts;

14 ~~(iv)~~ (iv) Conduct initial appearance proceed-
15 ings for persons charged with a felony;

16 ~~(v)~~ (v) Issue warrants, including search war-
17 rants;

18 ~~(vi)~~ (vi) Fix and accept bail;

19 ~~(vii)~~ (vii) Preserve and enforce order in his
20 immediate presence and in the proceedings before him.

1 (c) EACH ADJUNCT COMMISSIONER OF THE COUNTY COURT
2 MAY:

3 (i) ACCEPT GUILTY PLEAS AND RECEIVE PAYMENTS
4 FOR FINES OR BONDS IN MISDEMEANOR CASES:

5 (ii) ISSUE WARRANTS, INCLUDING SEARCH WAR-
6 RANTS;

7 (iii) FIX AND ACCEPT BAIL;

8 (iv) PRESERVE AND ENFORCE ORDER IN HIS IMMEDI-
9 ATE PRESENCE AND IN THE PROCEEDINGS BEFORE HIM.

10 (d) IF THE PERSON CHARGED SIGNS A WAIVER WITH
11 RESPECT TO THE FOLLOWING PROCEDURES, THE ADJUNCT COMMIS-
12 SIONER MAY:

13 (i) CONDUCT ARRAIGNMENT PROCEEDINGS FOR PER-
14 SONS CHARGED WITH A MISDEMEANOR;

15 (ii) COMMIT PERSONS CHARGED WITH THE COMMIS-
16 SION OF OFFENSES TRIABLE IN THE COUNTY COURTS.

17 Section 2. This act is effective May 20, 1981.

18 (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		

No apparent fiscal or personnel impact.

SF165

SF165H31/X ✓

TO ENGROSSED COPY

- Page 1-line 6 ✓ After "commissioners" insert "and adjunct commissioners".
- Page 3-line 15 ✓ Strike "Commit" insert "INCARCERATE".
- Page 4-line 13 ✓ Delete "WITH".
- Page 4-line 14 ✓ Delete "RESPECT TO THE FOLLOWING PROCEDURE". -CROWLEY, CHAIRMAN

Pr. ADOPTED

SF165H31/A ✓

TO ENGROSSED COPY

2-21-71

- Page 4-lines 8 and 9 Delete; renumber accordingly.
- MEENAN

ADOPTED

ENGROSSED

1991

STATE OF WYOMING

81LS0-735/eng

SENATE FILE NO. 165

County court commissioners.

Sponsored by: Senator ARNEY

A BILL

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18 (END)