



SF0086

Wildfires one-call amendment.

Sponsored By: Senator(s) Boner, Baldwin and Biteman and
Representative(s) Clausen and Haroldson

AN ACT relating to public utilities; requiring firefighters to notify the notification center as soon as practical regarding emergency wildfire excavations; exempting emergency excavations from liability for damages or injuries; amending a definition; and providing for an effective date.

2/14/2022 Bill Number Assigned
2/14/2022 S Received for Introduction
2/18/2022 S Introduced and Referred to S05 - Agriculture 29-0-1-0-0

ROLL CALL

Ayes: Senator(s) Anderson, Baldwin, Biteman, Boner, Bouchard, Case, Cooper, Dockstader, Driskill, Ellis, French, Furphy, Gierau, Hicks, James, Kinskey, Kolb, Kost, Landen, Mckeown, Nethercott, Pappas, Perkins, Rothfuss, Salazar, Schuler, Scott, Steinmetz, Wasserburger

Excused: Senator Hutchings

Ayes 29 **Nays** 0 **Excused** 1 **Absent** 0 **Conflicts** 0

2/23/2022 S05 - Agriculture:Recommend Amend and Do Pass 5-0-0-0-0

ROLL CALL

Ayes: Senator(s) Boner, Bouchard, French, Kost, Wasserburger

Ayes 5 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

2/23/2022 S Placed on General File

SF0086SS001/ADOPTED

Page 2-line 2 Delete "July 1, 2022" 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". BONER, CHAIRMAN

2/24/2022 S COW:Passed
2/25/2022 S 2nd Reading:Passed
2/28/2022 S 3rd Reading:Passed 30-0-0-0-0

ROLL CALL

Ayes: Senator(s) Anderson, Baldwin, Biteman, Boner, Bouchard, Case, Cooper, Dockstader, Driskill, Ellis, French, Furphy, Gierau, Hicks, Hutchings, James, Kinskey, Kolb, Kost, Landen, Mckeown, Nethercott, Pappas, Perkins, Rothfuss, Salazar, Schuler, Scott, Steinmetz, Wasserburger

Ayes 30 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

2/28/2022 H Received for Introduction
3/1/2022 H Introduced and Referred to H06 - Travel
3/4/2022 H06 - Travel:Recommend Amend and Do Pass 8-1-0-0-0

ROLL CALL

Ayes: Representative(s) Banks, Flitner, Haroldson, Jennings, Knapp, Newsome, Williams, Winter

Nays: Representative Sweeney

Ayes 8 **Nays** 1 **Excused** 0 **Absent** 0 **Conflicts** 0

3/4/2022 H Placed on General File

SF0086HS001/FAILED (TO ENGROSSED COPY)

Page 1-line 3 After "Act;" insert "providing a sunset date;".

Page 1-line 15 After "act." insert "This subsection is repealed effective June 30, 2023.". FLITNER, CHAIRMAN

SF0086HW001/WITHDRAWN

3/8/2022 H COW:Passed

3/9/2022 H 2nd Reading:Passed

SF0086H3001/ADOPTED (TO ENGROSSED COPY)

Page 1-above line 1 In the catch title, delete "exemption" and insert "amendment".

Page 1-line 1 Delete "exempting activities".

Page 1-line 2 Delete entirely.

Page 1-line 3 Delete line through "Act" and insert "requiring firefighters to notify the notification center as soon as practical regarding emergency wildfire excavations; exempting emergency excavations from liability for damages or injuries; amending a definition".

Page 1-line 8 After "W.S." delete balance of line.

Page 1-line 9 Delete "subsection (k) is" and insert "37-12-301(b)(ii) and 37-12-302(e) and (f) are".

Page 1-lines 11 through 15 Delete entirely and insert:

"37-12-301. Short title; definitions.

(b) As used in this act:

(ii) "Emergency" means a sudden, unforeseen occurrence, including a loss of communications, which demands immediate action to protect the health, safety and welfare of the public and to prevent loss of life, health, property or essential public services and advance notice to the notification center prior to excavation is impracticable under the circumstances. "Emergency" shall include, but is not limited to, ruptures and leakage of pipelines, explosions, fires and similar instances where immediate action is necessary to prevent loss of life or significant damage to underground facilities or the environment;

37-12-302. Notices; exceptions; penalty.

(e) Emergency excavations are exempt from the time constraints of the provisions of subsections (c) and (d) of this section. If an emergency excavation is undertaken to suppress wildfires, the excavator shall notify the notification center as soon as practical. The excavator and operator shall not be required to mark the area being excavated for wildfire suppression.

(f) If information required pursuant to subsection (d) of this section is not provided within the time specified therein, or if the information

provided fails to identify the location of the underground facilities in accordance with subsection (d) of this section or when engaging in an emergency excavation, then any excavator damaging or injuring underground facilities shall not be liable for such damage or injury except when failing to utilize reasonable care. However, if information required pursuant to subsection (d) of this section is provided within the time specified therein, and if the information provided sufficiently identifies the location of the underground facilities in accordance with subsection (d) of this section, then any excavator damaging or injuring underground facilities shall be liable for all damage or injury to persons or property.". LARSEN, CRAGO, SWEENEY

3/10/2022 H 3rd Reading:Passed 51-8-1-0-0

ROLL CALL

Ayes: Representative(s) Andrew, Baker, Banks, Barlow, Blackburn, Brown, Burkhart, Burt, Clausen, Connolly, Crago, Duncan, Eklund, Flitner, Gray, Greear, Hallinan, Haroldson, Harshman, Henderson, Jennings, Kinner, Knapp, Larsen, L, Lebeau, Macguire, Neiman, Newsome, Nicholas, Oakley, Obermueller, Olsen, Ottman, Paxton, Provenza, Rodrig-Williams, Romero-Martinez, Roscoe, Schwartz, Sherwood, Sommers, Stith, Sweeney, Walters, Washut, Western, Williams, Wilson, Winter, Yin, Zwonitzer

Nays: Representative(s) Bear, Eyre, Fortner, Heiner, Laursen, D, Simpson, Styvar, Wharff

Excused: Representative O'hearn

Ayes 51 **Nays** 8 **Excused** 1 **Absent** 0 **Conflicts** 0

3/10/2022 S Received for Concurrence

3/10/2022 S Concur:Passed 29-0-1-0-0

ROLL CALL

Ayes: Senator(s) Anderson, Baldwin, Biteman, Boner, Bouchard, Case, Cooper, Dockstader, Driskill, Ellis, French, Furphy, Gierau, Hicks, Hutchings, James, Kinskey, Kolb, Kost, Landen, Mckeown, Nethercott, Perkins, Rothfuss, Salazar, Schuler, Scott, Steinmetz, Wasserburger

Excused: Senator Pappas

Ayes 29 **Nays** 0 **Excused** 1 **Absent** 0 **Conflicts** 0

3/10/2022 Assigned Number SEA No. 0051

3/11/2022 S President Signed SEA No. 0051

3/11/2022 H Speaker Signed SEA No. 0051

3/22/2022 Governor Signed SEA No. 0051

3/22/2022 Assigned Chapter Number 106

Chapter No. 106 Session Laws of Wyoming 2022