

SENATE FILE NO. SF0169

Department of agriculture-electronic transmittals.

Sponsored by: Senator(s) Johnson

A BILL

for

1 AN ACT relating to agriculture; providing for the
2 department of agriculture to conduct business
3 electronically; and providing for an effective date.

4

5 *Be It Enacted by the Legislature of the State of Wyoming:*

6

7 **Section 1.** W.S. 40-7-111 is created to read:

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9 **40-7-111. Electronic transmittals.**

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11 The director may allow the testing, inspection and
12 reporting requirements of this chapter to be conducted
13 electronically as provided by the Uniform Electronic
14 Transaction Act, W.S. 40-21-101 through 40-21-119 and any
15 applicable federal electronic requirements.

16

1 **Section 2.** W.S. 11-2-202 by creating a new subsection
2 (f), 35-7-124 by creating a new subsection (f), 35-7-201 by
3 creating a new subsection (d), 35-7-355, 35-28-108 by
4 creating a new subsection (e), 40-7-102(a)(xx) and
5 40-10-122 by creating a new subsection (b) are amended to
6 read:

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8 **11-2-202. Powers and duties of director generally.**

9
10 (f) The director may allow the permitting,
11 registration, licensing, testing, inspection and reporting
12 requirements of this title to be conducted electronically
13 as provided by the Uniform Electronic Transaction Act, W.S.
14 40-21-101 through 40-21-119 and any applicable federal
15 electronic requirements.

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17 **35-7-124. License required; exemptions; electronic**
18 **transmittals.**

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20 (f) The director may allow the permitting,
21 registration, licensing, testing, inspection and reporting
22 requirements of this chapter to be conducted electronically
23 as provided by the Uniform Electronic Transaction Act, W.S.

1 40-21-101 through 40-21-119 and any applicable federal
2 electronic requirements.

3
4 **35-7-201. Under direction of department of**
5 **agriculture; appointment; duties generally; salary and**
6 **expenses; fee for analysis.**

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8 (d) The state chemist may allow the testing,
9 inspection and reporting requirements of this article to be
10 conducted electronically as provided by the Uniform
11 Electronic Transaction Act, W.S. 40-21-101 through
12 40-21-119 and any applicable federal electronic
13 requirements.

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15 **35-7-355. Director to administer and enforce**
16 **provisions; board of certification to adopt regulations.**

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18 The director of the department of agriculture shall
19 administer and enforce the provisions of this act and
20 regulations issued thereunder. The board of certification
21 may issue regulations after a public hearing following due
22 notice to all interested persons in conformance with the
23 provisions of the Wyoming Administrative Procedure Act to
24 carry out the provisions of this act. Regulations may

1 prescribe methods to be used in the application of
2 pesticides, may prescribe standards for the classification
3 and certification of applicators of pesticides, and may
4 require certification, licensing, payment of reasonable
5 fees for licensing or certification, submission of
6 information, and passing of examinations by applicators of
7 pesticides. Where the board of certification finds that
8 regulations are necessary to carry out the purpose and
9 intent of this act, the regulations may relate to the time,
10 place, manner, methods, materials, and amounts and
11 concentrations, in connection with the application of the
12 pesticide, and may restrict or prohibit use of pesticides
13 in designated areas during specified periods of time and
14 shall encompass all reasonable factors which the board
15 deems necessary. The department may issue licenses.
16 Notwithstanding the provisions of W.S. 35-7-354(e), the
17 board of agriculture, by regulation, following a hearing
18 and pursuant to the Wyoming Administrative Procedure Act,
19 may declare a specific pesticide or pesticide use a
20 "restricted use pesticide", but only following a
21 recommendation of the board of certification, and a finding
22 of fact, in a public hearing conducted by the board of
23 certification, that unreasonable adverse effects on the
24 environment, including man, pollinating insects, animals,

1 crops, wildlife and lands, other than pests, may reasonably
2 occur. The director of the department of agriculture may
3 allow the registration, licensing, testing, inspection and
4 reporting requirements of this article to be conducted
5 electronically as provided by the Uniform Electronic
6 Transaction Act, W.S. 40-21-101 through 40-21-119 and any
7 applicable federal electronic requirements.

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9 **35-28-108. License required; electronic transmittals.**

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11 (e) The director may allow the licensing, testing,
12 inspection and reporting requirements of this chapter to be
13 conducted electronically as provided by the Uniform
14 Electronic Transaction Act, W.S. 40-21-101 through
15 40-21-119 and any applicable federal electronic
16 requirements.

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18 **40-7-102. Definitions.**

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20 (a) As used in this act:

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22 (xx) "This act" means W.S. 40-7-101 through
23 ~~40-7-110~~ 40-7-111.

