



# Notice of Intent to Adopt Rules

A copy of the proposed rules may be obtained at <http://rules.wyo.gov>

Revised November 2016

## 1. General Information

a. Agency/Board Name*		
b. Agency/Board Address	c. City	d. Zip Code
e. Name of Agency Liaison	f. Agency Liaison Telephone Number	
g. Agency Liaison Email Address		
h. Date of Public Notice	i. Comment Period End Date	
j. Public Comment URL or Email Address:		
k. Program		

\*  By checking this box, the agency is indicating it is exempt from certain sections of the Administrative Procedure Act including public comment period requirements. Please contact the agency for details regarding these rules.

## 2. Legislative Enactment

For purposes of this Section 2, "new" only applies to regular rules promulgated in response to a Wyoming legislative enactment not previously addressed in whole or in part by prior rulemaking and does not include rules adopted in response to a federal mandate.

a. Are these rules new as per the above description and the definition of "new" in Chapter 1 of the Rules on Rules?

No.  Yes. Please provide the Enrolled Act Numbers and Years Enacted:

## 3. Rule Type and Information

a. Provide the Chapter Number, Title, and Proposed Action for Each Chapter.  
Please use the Additional Rule Information form for more than 10 chapters, and attach it to this certification.

Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
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Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed

#### **4. Public Comments and Hearing Information**

a. A public hearing on the proposed rules has been scheduled.  No.  Yes. Please complete the boxes below.

Date:	Time:	City:	Location:
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b. What is the manner in which interested persons may present their views on the rulemaking action?

By submitting written comments to the Agency at the physical and/or email address listed in Section 1 above.

At the following URL: \_\_\_\_\_

A public hearing will be held if requested by 25 persons, a government subdivision, or by an association having not less than 25 members. Requests for a public hearing may be submitted:

To the Agency at the physical and/or email address listed in Section 1 above.

At the following URL: \_\_\_\_\_

c. Any person may urge the Agency not to adopt the rules and request the Agency to state its reasons for overruling the consideration urged against adoption. Requests for an agency response must be made prior to, or within thirty (30) days after adoption, of the rule, addressed to the Agency and Agency Liaison listed in Section 1 above.

#### **5. Federal Law Requirements**

a. These rules are created/amended/repealed to comply with federal law or regulatory requirements.  No.  Yes. Please complete the boxes below.

Applicable Federal Law or Regulation Citation:
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Indicate one (1):

The proposed rules meet, but do not exceed, minimum federal requirements.

The proposed rules exceed minimum federal requirements.

Any person wishing to object to the accuracy of any information provided by the Agency under this item should submit their objections prior to final adoption to:

To the Agency at the physical and/or email address listed in Section 1 above.

At the following URL: \_\_\_\_\_

#### **6. State Statutory Requirements**

a. Indicate one (1):

The proposed rule change *MEETS* minimum substantive statutory requirements.

The proposed rule change *EXCEEDS* minimum substantive statutory requirements. Please attach a statement explaining the reason that the rules exceed the requirements.

b. Indicate one (1):

The Agency has complied with the requirements of W.S. 9-5-304. A copy of the assessment used to evaluate the proposed rules may be obtained:

By contacting the Agency at the physical and/or email address listed in Section 1 above.

At the following URL: \_\_\_\_\_

Not Applicable.

**7. Additional APA Provisions**

a. Complete all that apply in regards to uniform rules:

These rules are not impacted by the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j).

The following chapters do not differ from the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j):

\_\_\_\_\_ (Provide chapter numbers)

These chapters differ from the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j) (see Statement of Principal Reasons).

\_\_\_\_\_ (Provide chapter numbers)

b. Checklist

The Statement of Principal Reasons is attached to this Notice and, in compliance with *Tri-State Generation and Transmission Association, Inc. v. Environmental Quality Council*, 590 P.2d 1324 (Wyo. 1979), includes a brief statement of the substance or terms of the rule and the basis and purpose of the rule.

If applicable: In consultation with the Attorney General's Office, the Agency's Attorney General representative concurs that strike and underscore is not required as the proposed amendments are pervasive (Chapter 3, *Types of Rules Filings*, Section 1, Proposed Rules, of the Rules on Rules).

**8. Authorization**

a. I certify that the foregoing information is correct.

<i>Printed Name of Authorized Individual</i>	
<i>Title of Authorized Individual</i>	
<i>Date of Authorization</i>	



## Additional Rule Information

Revised November 2016

<b><u>1. General Information</u></b>		
a. Agency/Board Name*		
b. Agency/Board Address	c. City	d. Zip Code
e. Name of Agency Liaison	f. Agency Liaison Telephone Number	
g. Agency Liaison Email Address		
h. Program		

### **2. Rule Type and Information, Cont.**

a. Provide the Chapter Number, Title, and Proposed Action for Each Chapter.

Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
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If Needed



*Governor*  
Matthew H. Mead

**Wyoming Pari-Mutuel Commission**

Energy II Building, 951 Werner Court, Suite 335  
Casper, WY 82601  
Phone: (307) 265-4015 Fax: (307) 265-4279

*Executive Director*  
Charles E. Moore

**COMMISSIONERS**

*Randy Leinen, President Jacqueline Crow, Vice President  
Troy Broussard Danny Glick Dr. Tom J. Berry Mantha Phillips*

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**Statement of Principal Reasons**

**For Formal Adoption of Regular Rules**

Pursuant to Wyoming Statute § 11-25-104(e), the Wyoming Pari-Mutuel Commission (“Commission”) proposes amending Chapter 4 Section 1 - 8. Pursuant of Wyoming Statute § 16-3-103(j)(ii) by adopting the Department of Administrative and Information’s uniform rules pertaining to procedures, fees, cost, and charges for inspecting, copying, and producing public records.

Pursuant of Wyoming Statute § 16-3-103(j)(ii) the Commission proposes adopting the Department of Administrative and Information’s uniform rules pertaining to procedures, fees, cost, and charges for inspecting, copying, and producing public records.

**Chapter 4. Section 1.**

Section 1.

Replacing outdated language.

Section 2.

Header; deleting the reference to definitions.

Body of section; replacing the language to reference the uniform rules pertaining to procedures, fees, costs, and charges for inspecting, copying and producing public records.

Section 3.

Delete complete section.

Section 4.

Delete complete section.

Section 5.

Delete complete section.

Section 6.

Delete complete section.

Section 7.

Delete complete section.

## CHAPTER 4

### INFORMATION PRACTICES

#### **Section 1. Authority.**

The Wyoming Pari-Mutuel Commission is required under W.S. 16-3-103(j)(ii) to adopt the Department of Administration and Information's uniform rules pertaining to procedures, fees, costs, and charges for inspecting, copying, and producing public records.

#### **Section 2. Adoption of Uniform Rules.**

The Wyoming Pari-Mutuel Commission hereby incorporates by reference the following uniform rules:

(a) Chapter 2 – Uniform Procedures, Fees, Costs, and Charges for Inspecting, Copying, and Producing Public Records adopted by the Department of Administration and Information and effective on September 6, 2016, found at:

<http://parimutuel.state.wy.us/>.

(b) For these rules incorporated by reference:

(i) The Wyoming Pari-Mutuel Commission has determined that incorporation of the full text in these rules would be cumbersome or inefficient given the length or nature of the rules;

(ii) The incorporation by reference does not include any later amendments or editions of the incorporated matter beyond the applicable date identified in subsection (a) of this section; and

(iii) The incorporated rules are maintained at the Wyoming Pari-Mutuel Commission's office and are available for public inspection and copying at the same location.

## CHAPTER 4

### INFORMATION PRACTICES

#### Section 1. **Authority.**

~~These rules are promulgated pursuant to the Wyoming Administrative Procedure Act, W.S. 16-4-202, and Executive Order of March 1975. These rules apply to all public records maintained by the Wyoming Pari-Mutuel Commission. The Wyoming Pari-Mutuel Commission is required under W.S. 16-3-103(j)(ii) to adopt the Department of Administration and Information's uniform rules pertaining to procedures, fees, costs, and charges for inspecting, copying, and producing public records.~~

#### Section 2. ~~Definitions.~~ **Adoption of Uniform Rules.**

~~All of the definitions set forth and contained in W.S. 16-4-201 are incorporated by reference. In addition, "Official Custodian" means the Wyoming Pari-Mutuel Commission.~~ The Wyoming Pari-Mutuel Commission hereby incorporates by reference the following uniform rules:

(a) Chapter 2 – Uniform Procedures, Fees, Costs, and Charges for Inspecting, Copying, and Producing Public Records adopted by the Department of Administration and Information and effective on September 6, 2016, found at: <http://parimutuel.state.wy.us/>.

(b) For these rules incorporated by reference:

(i) The Wyoming Pari-Mutuel Commission has determined that incorporation of the full text in these rules would be cumbersome or inefficient given the length or nature of the rules;

(ii) The incorporation by reference does not include any later amendments or editions of the incorporated matter beyond the applicable date identified in subsection (a) of this section; and

(iii) The incorporated rules are maintained at the Wyoming Pari-Mutuel Commission's office and are available for public inspection and copying at the same location.

#### ~~Section 3. Disclosure.~~

~~Records that are determined by the Wyoming Pari-Mutuel Commission to fall under the public record classification, except those public records for which inspection~~

~~may or shall be denied pursuant to W.S. 16-4-203, shall be available for inspection in the offices of the Wyoming Pari-Mutuel Commission during normal business hours. Disclosure of all records maintained by the Wyoming Pari-Mutuel Commission shall be made without regard to the intended use or purpose of the request.~~

~~Section 4. Access.~~

~~(a) All public records, except those for which inspection may or shall be denied pursuant to W.S. 16-4-203, may be viewed, copied and physically handled in the office of the Commission during normal business hours upon written or oral request made to the official custodian. No form of identification and no form of written request shall be required as a prerequisite to access to public records.~~

~~(b) As provided by W.S. 16-4-204(b), any person requesting copies of any records permitted to be reproduced must make arrangements through the custodian since no reproduction facilities of any kind may be available at the office of the Commission. In case arrangements made are of such a nature that the Commission is required to authorize staff to be employed for this purpose away from the Commission offices, the Commission may charge up to the actual value of the time, and other expenses actually incurred, in addition to the actual costs of the reproduction; which total sum shall immediately be deposited with the Commission as provided by the law. For ordinary reproduction of records, a limited number of pages of any record permitted to be reproduced will be copied by staff of the Commission at a charge of thirty five (\$.35) per page to cover cost of staff's time and to cover charges levied against the Commission.~~

~~(c) No public records for which inspection may or shall be denied pursuant to W.S. 16-4-203 shall be copied except by employees of the Commission engaged in their employer's business and with the approval of the official custodian. A notation of all copies and the purpose for which they were used shall be noted on the original record.~~

~~Section 5. Correction and Amendment.~~

~~Any person in interest shall have the right upon written or oral request made to the official custodian to correct or amend any erroneous, inaccurate, or misleading information that is contained in a public record relating to him by supplementing the public record with corrected or amended material. No public records or portion shall be physically altered, destroyed or removed except with the consent of the Commission.~~

~~Section 6. Personnel Files.~~



~~Personnel files and the contents maintained by the Commission shall not be available for inspection except by the person in interest and the duly elected or appointed officials who supervise the work of the person in interest.~~

~~Section 7. **Maintenance of Records.**~~

~~(a) All public records maintained by the Commission shall be stored and retained according to applicable time schedules and policies of the Commission. At a minimum all public records shall be retained for the time as shall be deemed necessary to complete final agency action relative.~~

~~(b) All public records for which public inspection may or shall be denied pursuant to W.S. 16-4-203 shall be identified, stored and maintained, by whatever means appropriate, to indicate and preserve their confidentiality. The identification, storage and maintenance shall be undertaken in a manner as to indicate to an applicant for public records the existence and general notice of the confidential records.~~

~~Section 8. **Mailing Lists**~~

~~The official custodian shall disseminate no lists or compilations of files containing public records except when engaged in official business of the Commission.~~