

2004 Ballot Issues

Constitutional Amendment A

Following is the ballot language of Constitutional Amendment A as it will appear on the 2004 General Election ballot:

The adoption of this amendment eliminates a maximum on the amount of revenues rebated from school districts with assessed valuations exceeding statewide averages.

For a complete copy of Senate Enrolled Joint Resolution 2, original Senate Joint Resolution 6, 2003 General Session, please click [here](#).

Constitutional Amendment B

Following is the ballot language of Constitutional Amendment B as it will appear on the 2004 General Election ballot:

The adoption of this provision authorizes the legislature to enact laws for local governments to use local sources of revenue for economic or industrial development subject to approval of the voters.

For a complete copy of House Enrolled Joint Resolution 1, original House Joint Resolution 1, 2004 Budget Session, please click [here](#).

PROCLAMATION

In accordance with W.S. 22-20-108, I hereby proclaim that the following constitutional amendment, submitted to a vote of the qualified electors of the State of Wyoming in the General Election held on the 2nd day of November 2004, on the ballot as Constitutional Amendment B, was ratified by a majority of electors of the State of Wyoming voting in said election, which fact has fully and in all respects been determined in accordance with the laws of the State of Wyoming, and said amendment has been adopted in full compliance with the Constitution and the laws of the State of Wyoming and has been officially certified as adopted by the State Canvassing Board at its meeting on November 10, 2004:

Article 16, Section 13. Industrial and economic development; powers of counties and municipalities.

Notwithstanding any other provision in this constitution, the legislature may authorize counties or incorporated municipalities, to appropriate from local sources of revenue such funds as may be deemed necessary for an economic or industrial development project or program, public or private, subject to approval by a vote of the majority of the registered voters of the county or municipality voting upon the question. For purposes of this section, "funds from local sources of revenue" means funds raised from general taxes levied by the county or municipality and shall not include any funds received by the county or municipality which are derived from state or federal sources.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wyoming to be affixed this 10th day of November 2004.

Dave Freudenthal
Governor of Wyoming

ATTEST:

Joseph B. Meyer
Secretary of State

Constitutional Amendment C

Following is the ballot language of Constitutional Amendment C as it will appear on the 2004 General Election ballot:

This amendment would allow the Wyoming legislature to enact laws requiring alternative dispute resolution or medical panel review before a person files a lawsuit against a health care provider for injury or death.

For a complete copy of House Enrolled Joint Resolution 2, original House Joint Resolution 11, 2004 Budget Session, please click [here](#).

PROCLAMATION

In accordance with W.S. 22-20-108, I hereby proclaim that the following constitutional amendment, submitted to a vote of the qualified electors of the State of Wyoming in the General Election held on the 2nd day of November 2004, on the ballot as Constitutional Amendment C, was ratified by a majority of electors of the State of Wyoming voting in said election, which fact has fully and in all respects been determined in accordance with the laws of the State of Wyoming, and said amendment has been adopted in full compliance with the Constitution and the laws of the State of Wyoming and have been officially certified as adopted by the State Canvassing Board at its meeting on November 10th, 2004:

Article 10, Section 4. Damages for personal injuries or death; worker's compensation.

(a) No law shall be enacted limiting the amount of damages to be recovered for causing the injury or death of any person.

(b) Any section of this constitution to the contrary notwithstanding, for any civil action where a person alleges that a health care provider's act or omission in the provision of health care resulted in death or injury, the legislature may by general law:

(i) Mandate alternative dispute resolution or review by a medical review panel before the filing of a civil action against the health care provider.

(c) Any contract or agreement with any employee waiving any right to recover damages for causing the death or injury of any employee shall be void. As to all extrahazardous employments the legislature shall provide by law for the accumulation and maintenance of a fund or funds out of which shall be paid compensation as may be fixed by law according to proper classifications to each person injured in such employment or to the dependent families of such as die as the result of such injuries, except in case of injuries due solely to the culpable negligence of the injured employee. The fund or funds shall be accumulated, paid into the state treasury and maintained in such manner as may be provided by law. Monies in the fund shall be expended only for compensation authorized by this section, for administration and management of the Worker's Compensation Act, debt service related to the fund and for workplace safety programs conducted by the state as authorized by law. The right of each employee to compensation from the fund shall be in lieu of and shall take the place of any and all rights of action against any employer contributing as required by law to the fund in favor of any person or persons by reason of the injuries or

death. Subject to conditions specified by law, the legislature may allow employments not designated extrahazardous to be covered by the state fund at the option of the employer. To the extent an employer elects to be covered by the state fund and contributes to the fund as required by law, the employer shall enjoy the same immunity as provided for extrahazardous employments.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wyoming to be affixed this 10th day of November 2004.

Dave Freudenthal
Governor of Wyoming

ATTEST:

Joseph B. Meyer
Secretary of State

Constitutional Amendment D

Following is the ballot language of Constitutional Amendment D as it will appear on the 2004 General Election ballot:

This amendment would allow the Wyoming legislature to enact laws limiting the amount of damages for noneconomic loss that could be awarded for injury or death caused by a health care provider. "Noneconomic loss" generally includes, but is not limited to, losses such as pain and suffering, inconvenience, mental anguish, loss of capacity for enjoyment of life, loss of consortium, and other losses the claimant is entitled to recover as damages under general law.

This amendment will not in any way affect the recovery of damages for economic loss under Wyoming law. "Economic loss" generally includes, but is not limited to, monetary losses such as past and future medical expenses, loss of past and future earnings, loss of use of property, costs of repair or replacement, the

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economic value of domestic services, loss of employment or business opportunities.

This amendment will not in any way affect the recovery of any additional damages known under Wyoming law as exemplary or punitive damages, which are damages allowed by law to punish a defendant and to deter persons from engaging in similar conduct in the future.

For a complete copy of House Enrolled Joint Resolution 1, original House Joint Resolution 1003, 2004 Special Session, please click [here](#).