

SENATE FILE NO. SF0059

Attorney general.

Sponsored by: Senator(s) Meier and Mockler

A BILL

for

1 AN ACT relating to the attorney general; providing for
2 removal of the attorney general from office as specified;
3 modifying for whom opinions may be issued; and providing
4 for an effective date.

5

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

7

8 **Section 1.** W.S. 9-1-202(a), 9-1-601(a) and
9 9-1-603(a)(vi) are amended to read:

10

11 **9-1-202. Removal of appointive officers and**
12 **commissioners; reason for removal to be filed.**

13

14 (a) Notwithstanding any other provision of law and
15 except as otherwise provided in this section, any person
16 may be removed by the governor, at the governor's pleasure,
17 if appointed by the governor to serve as head of a state

1 agency, department or division, or as a member of a state
2 board or commission. The governor may only remove a member
3 of the Wyoming business council as provided in W.S.
4 9-12-103. The governor may only remove the attorney general
5 in accordance with W.S. 9-1-601(a).

6

7 **9-1-601. Appointment; term; removal; special**
8 **assistant for legislative affairs; qualifications.**

9

10 (a) The attorney general of the state of Wyoming
11 shall be appointed by the governor with the advice and
12 consent of the senate in accordance with W.S. 28-12-101
13 through 28-12-103 and may be removed by the governor as
14 provided in W.S. 9-1-202 but only with the consent of a
15 simple majority of the senate when the legislature is in
16 session or of the management council when the legislature
17 is not in session. The senate, when the legislature is in
18 session, or the management council, when the legislature is
19 not in session, by simple majority may recommend to the
20 governor removal of the attorney general.

21

22 **9-1-603. Duties generally; retention of qualified**
23 **practicing attorneys; matters in which county or state is**

1 party or has interest; assistance to county and district
2 attorneys in felony trials.

3

4 (a) The attorney general shall:

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6 (vi) When requested, give written opinions upon
7 questions submitted to him by elective and appointive state
8 officers, ~~and by either branch of the legislature, when in~~
9 ~~session~~ including a state legislator when the legislature
10 is not in session, but when the legislature is in session,
11 an opinion shall not be issued upon the request of a state
12 legislator, but shall be issued upon the request by simple
13 majority vote of a standing or select committee of either
14 house;

15

16 **Section 2.** This act is effective July 1, 2002.

17

18

(END)