

**DRAFT ONLY  
NOT APPROVED FOR  
INTRODUCTION**

HOUSE BILL NO. \_\_\_\_\_

Environmental quality council-membership.

Sponsored by: Joint Minerals, Business and Economic  
Development Interim Committee

A BILL

for

1 AN ACT relating to the environmental quality council;  
2 modifying the membership of the council; modifying the  
3 compensation of the council; extending the appointment  
4 date; and providing for an effective date.

5

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

7

8 **Section 1.** W.S. 35-11-111(a), (b), (e) and (f) is  
9 amended to read:

10

11 **35-11-111. Independent environmental quality council**  
12 **created; removal; terms; officers; meetings; expenses.**

13

1           (a) There is created as a separate operating agency  
2 of state government an independent council consisting of  
3 seven (7) members and three (3) alternate members to be  
4 known as the environmental quality council. Not more than  
5 four (4) of the members shall be of the same political  
6 party and not more than two (2) of the alternate members  
7 shall be of the same political party. All council members  
8 shall be appointed by the governor with the advice and  
9 consent of the senate. The governor may remove any council  
10 member as provided in W.S. 9-1-202. No employee of the  
11 state, other than employees of institutions of higher  
12 education, shall be a member of the council. At all times,  
13 there shall be at least one (1) member from the minerals  
14 industry and one (1) member from agriculture, unless the  
15 member is required to recuse himself from a proceeding. Any  
16 member receiving more than ten percent (10%) of his income  
17 from any permit applicant shall not act on a permit  
18 application from that applicant. In the event a member  
19 recuses himself from acting on a proceeding, then one (1)  
20 of the alternate members shall be appointed by the  
21 remaining members acting on the proceeding to serve in his  
22 place. The alternate shall be so as to maintain the  
23 political party split of the council, if possible.

1

2 (b) The terms of the members shall be for four (4)  
3 years, except that on the initial appointment, members'  
4 terms shall be as follows: three (3) shall serve for two  
5 (2) years, two (2) shall serve for three (3) years and two  
6 (2) shall serve for four (4) years, as designated by the  
7 initial appointment. The terms of the alternate members  
8 shall be four (4) years, except that of the initial  
9 appointments, one (1) shall serve for two (2) years, one  
10 (1) shall serve for three (3) years and one (1) shall serve  
11 for four (4) years. If a vacancy occurs, the governor  
12 shall appoint a new member as provided in W.S. 28-12-101.

13

14 (e) Unless otherwise prohibited by law, each member  
15 and alternate member of the council, ~~shall receive the same~~  
16 ~~per diem, mileage and salary~~ for attending and traveling to  
17 and from meetings, hearings and other activities necessary  
18 to the performance of the duties of the office, shall  
19 receive the same per diem and mileage in the same manner  
20 and amount as state employees and shall receive the same  
21 salary in the same ~~manner and~~ amount as members of the  
22 Wyoming legislature. Council members who receive  
23 compensation from their employers for activities performed

1 pursuant to this act shall not receive salary but shall  
2 receive mileage and per diem if they are not reimbursed by  
3 their employers.

4

5 (f) ~~Effective July 1, 1979,~~ Appointments and terms  
6 under this section shall be in accordance with W.S.  
7 28-12-101 through 28-12-103.

8

9 **Section 2.** This act is effective July 1, 2009.

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11

(END)