

SENATE FILE NO. SF0092

WCCC director-ex-officio memberships-2.

Sponsored by: Senator(s) Coe, Landen and Rothfuss

A BILL

for

1 AN ACT relating to education; requiring the director of the
2 Wyoming community college commission to serve on the
3 University of Wyoming board of trustees and the state board
4 of education in an ex-officio capacity; and providing for
5 effective dates.

6

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

8

9 **Section 1.** W.S. 21-17-207 is created to read:

10

11 **21-17-207. University board composition; community**
12 **college ex-officio member.**

13

14 In addition to the members of the university board of
15 trustees specified under W.S. 21-17-201, the director of
16 the Wyoming community college commission shall serve as a

1 member ex officio, having the right to speak but not to
2 vote.

3

4 **Section 2.** W.S. 21-2-301(a), as amended by 2013
5 Wyoming Session Laws, Chapter 1, is amended to read:

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7 **21-2-301. Appointment; qualifications, terms and**
8 **removal of members; meetings; chairman.**

9

10 (a) There is created a state board of education
11 composed of ~~thirteen (13)~~ fourteen (14) members, eleven
12 (11) of whom shall be voting appointed members with at
13 least one (1) member appointed from each appointment
14 district pursuant to W.S. 9-1-218. Appointments from each
15 appointment district shall be rotated among the several
16 counties comprising the district. The remaining members of
17 the board shall be the director of the Wyoming community
18 college commission, the state superintendent of public
19 instruction and the director of the state department of
20 education, ~~the state superintendent and the director~~ who
21 shall ~~be~~ serve as ex-officio members and shall not have the
22 right to vote. One (1) appointed member shall be appointed
23 at large and shall be a certified classroom teacher at the
24 time of appointment. One (1) appointed member shall also be

1 appointed at large and shall be a certified school
2 administrator at the time of appointment. Two (2)
3 appointed members shall be appointed at large and shall be
4 representative of private business or industry in Wyoming.
5 On and after March 1, 2013 and upon expiration of their
6 respective terms, the appointments of the two (2) members
7 previously designated to be representative of business or
8 industry shall be at large, one (1) a representative of
9 Wyoming private business or industry and one (1) a member
10 of a school district board of trustees at the time of
11 appointment. The first appointment to the term of such
12 member which expires on or after March 1, 2013, shall be a
13 school district board member at the time of appointment.
14 The remaining seven (7) appointed members of the board
15 shall be appointed from among the lay citizens of the state
16 who are electors of the state, known for their public
17 spirit, business or professional ability and interest in
18 education. Not more than six (6) appointed members of the
19 board shall be from one (1) political party. Members shall
20 be appointed for six (6) year terms, except those who may
21 be appointed to fill unexpired terms. Members shall be
22 appointed by the governor with the approval of the senate.
23 Vacancies shall be filled by the governor without senate
24 approval until the next session of the legislature. No

1 member is eligible to reappointment, except any member
2 appointed to fill an unexpired term of less than six (6)
3 years may be reappointed for one (1) additional six (6)
4 year term. Appointed members of the board may be removed
5 by the governor as provided in W.S. 9-1-202.

6
7 **Section 3.** W.S. 21-18-202(c)(v) is amended to read:

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9 **21-18-202. Powers and duties of the commission.**

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11 (c) The commission shall perform the following
12 administrative functions:

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14 (v) Appoint a director who shall perform duties
15 as prescribed by the commission. In addition to duties
16 assigned under this act, the director shall serve as an ex
17 officio member of the University of Wyoming board of
18 trustees and the state board of education. The director
19 shall receive an annual salary as determined by the
20 commission and approved by the governor. The director shall
21 hire staff as required to carry out this act and as
22 approved by the commission. Subject to legislative budget
23 authorization staff salaries shall be established by the
24 director with the approval of the commission;

1

2 **Section 4.** W.S. 21-2-301(a), as in effect prior to
3 the enactment of 2013 Wyoming Session Laws, Chapter 1, is
4 amended to read:

5

6 **21-2-301. Appointment; qualifications, terms and**
7 **removal of members; meetings; chairman.**

8

9 (a) There is created a state board of education
10 composed of ~~twelve (12)~~ thirteen (13) members, eleven (11)
11 of whom shall be appointed members with at least one (1)
12 member appointed from each appointment district pursuant to
13 W.S. 9-1-218. Appointments from each appointment district
14 shall be rotated among the several counties comprising the
15 district. The remaining voting member of the board shall be
16 the state superintendent of public instruction. The
17 executive director of the Wyoming community college
18 commission shall be an ex-officio member and shall not have
19 the right to vote. One (1) appointed member shall be
20 appointed at large and shall be a certified classroom
21 teacher at the time of appointment. One (1) appointed
22 member shall also be appointed at large and shall be a
23 certified school administrator at the time of appointment.
24 Two (2) appointed members shall be appointed at large and

1 shall be representative of private business or industry in
2 Wyoming. On and after March 1, 2013 and upon expiration of
3 their respective terms, the appointments of the two (2)
4 members previously designated to be representative of
5 business or industry shall be at large, one (1) a
6 representative of Wyoming private business or industry and
7 one (1) a member of a school district board of trustees at
8 the time of appointment. The first appointment to the term
9 of such member which expires on or after March 1, 2013,
10 shall be a school district board member at the time of
11 appointment. The remaining seven (7) appointed members of
12 the board shall be appointed from among the lay citizens of
13 the state who are electors of the state, known for their
14 public spirit, business or professional ability and
15 interest in education. Not more than six (6) appointed
16 members of the board shall be from one (1) political party.
17 Members shall be appointed for six (6) year terms, except
18 those who may be appointed to fill unexpired terms. Members
19 shall be appointed by the governor with the approval of the
20 senate. Vacancies shall be filled by the governor without
21 senate approval until the next session of the legislature.
22 No member is eligible to reappointment, except any member
23 appointed to fill an unexpired term of less than six (6)
24 years may be reappointed for one (1) additional six (6)

1 year term. Appointed members of the board may be removed
2 by the governor as provided in W.S. 9-1-202.

3
4 **Section 5.**

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6 (a) Sections 1 and 3 of this act are effective July
7 1, 2014.

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9 (b) Section 2 of this act is effective July 1, 2014,
10 only if section 4 of this act is not effective as provided
11 by subsection (c) of this section.

12
13 (c) If a final order by the district court of Laramie
14 County, Wyoming, is issued implementing without change the
15 final ruling of the Wyoming Supreme Court issued January
16 28, 2014, in the case of Kerry and Clara Powers, on behalf
17 of themselves and the citizens of Wyoming, and Cindy Hill,
18 on behalf of herself and as the Superintendent of Public
19 Instruction v. State of Wyoming and Matthew H. Mead,
20 Governor, in his official capacity [Docket No. S-13-0052],
21 then upon expiration of time for appeal of that order, or
22 if appealed, upon issuance of a final order or mandate of
23 the Wyoming Supreme Court confirming the district court
24 final order, the Governor shall certify the entry of the

1 district court final order. The Governor shall immediately
2 file any certification under this section together with the
3 final order with the secretary of state. If the
4 certification is filed with the secretary of state after
5 July 1, 2014, section 4 of this act is effective upon
6 filing and shall supersede W.S. 21-2-301(a) as amended in
7 section 2 of this act. If the certification is filed with
8 the secretary of state before July 1, 2014, section 4 of
9 this act is effective July 1, 2014 and shall supersede W.S.
10 21-2-301(a) as amended in section 2 of this act.

11

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(END)