

ENROLLED ACT NO. 23, SENATE

SIXTY-SECOND LEGISLATURE OF THE STATE OF WYOMING
2014 BUDGET SESSION

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

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

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

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

In addition to the members of the university board of trustees specified under W.S. 21-17-201, the director of the Wyoming community college commission shall serve as a member ex officio, having the right to speak but not to vote.

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

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

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

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at large and shall be a certified classroom teacher at the time of appointment. One (1) appointed member shall also be appointed at large and shall be a certified school administrator at the time of appointment. Two (2) appointed members shall be appointed at large and shall be representative of private business or industry in Wyoming. On and after March 1, 2013 and upon expiration of their respective terms, the appointments of the two (2) members previously designated to be representative of business or industry shall be at large, one (1) a representative of Wyoming private business or industry and one (1) a member of a school district board of trustees at the time of appointment. The first appointment to the term of such member which expires on or after March 1, 2013, shall be a school district board member at the time of appointment. The remaining seven (7) appointed members of the board shall be appointed from among the lay citizens of the state who are electors of the state, known for their public spirit, business or professional ability and interest in education. Not more than six (6) appointed members of the board shall be from one (1) political party. Members shall be appointed for six (6) year terms, except those who may be appointed to fill unexpired terms. Members shall be appointed by the governor with the approval of the senate. Vacancies shall be filled by the governor without senate approval until the next session of the legislature. No member is eligible to reappointment, except any member appointed to fill an unexpired term of less than six (6) years may be reappointed for one (1) additional six (6) year term. Appointed members of the board may be removed by the governor as provided in W.S. 9-1-202.

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

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

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

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

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

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

(a) There is created a state board of education composed of ~~twelve (12)~~ thirteen (13) members, eleven (11) of whom shall be appointed members with at least one (1) member appointed from each appointment district pursuant to W.S. 9-1-218. Appointments from each appointment district shall be rotated among the several counties comprising the district. The remaining voting member of the board shall be the state superintendent of public instruction. The executive director of the Wyoming community college commission shall be an ex-officio member and shall not have the right to vote. One (1) appointed member shall be appointed at large and shall be a certified classroom teacher at the time of appointment. One (1) appointed member shall also be appointed at large and shall be a certified school administrator at the time of appointment. Two (2) appointed members shall be appointed at large and shall be representative of private business or industry in Wyoming. On and after March 1, 2013 and upon expiration of their respective terms, the appointments of the two (2) members previously designated to be representative of

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business or industry shall be at large, one (1) a representative of Wyoming private business or industry and one (1) a member of a school district board of trustees at the time of appointment. The first appointment to the term of such member which expires on or after March 1, 2013, shall be a school district board member at the time of appointment. The remaining seven (7) appointed members of the board shall be appointed from among the lay citizens of the state who are electors of the state, known for their public spirit, business or professional ability and interest in education. Not more than six (6) appointed members of the board shall be from one (1) political party. Members shall be appointed for six (6) year terms, except those who may be appointed to fill unexpired terms. Members shall be appointed by the governor with the approval of the senate. Vacancies shall be filled by the governor without senate approval until the next session of the legislature. No member is eligible to reappointment, except any member appointed to fill an unexpired term of less than six (6) years may be reappointed for one (1) additional six (6) year term. Appointed members of the board may be removed by the governor as provided in W.S. 9-1-202.

Section 5.

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

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

(c) If a final order by the district court of Laramie County, Wyoming, is issued implementing without change the final ruling of the Wyoming Supreme Court issued January 28, 2014, in the case of Kerry and Clara Powers, on behalf of themselves and the citizens of Wyoming, and Cindy Hill, on behalf of herself and as the Superintendent of Public Instruction v. State of Wyoming and Matthew H. Mead,

ORIGINAL SENATE
FILE NO. 0092

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Governor, in his official capacity [Docket No. S-13-0052],
then upon expiration of time for appeal of that order, or
if appealed, upon issuance of a final order or mandate of
the Wyoming Supreme Court confirming the district court
final order, the Governor shall certify the entry of the
district court final order. The Governor shall immediately
file any certification under this section together with the
final order with the secretary of state. If the
certification is filed with the secretary of state after
July 1, 2014, section 4 of this act is effective upon
filing and shall supersede W.S. 21-2-301(a) as amended in
section 2 of this act. If the certification is filed with
the secretary of state before July 1, 2014, section 4 of
this act is effective July 1, 2014 and shall supersede W.S.
21-2-301(a) as amended in section 2 of this act.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk