

ENROLLED ACT NO. 40, SENATE

FIFTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING
2006 BUDGET SESSION

AN ACT relating to the Wyoming board of education; expanding board voting membership to include the Wyoming state superintendent of public instruction; limiting the superintendent's participation in certain board deliberations as specified; and providing for an effective date.

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

Section 1. W.S. 21-2-301(a) and by creating a new subsection (c), 21-2-303 and 21-6-202(a)(ii) are 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) voting members, eleven (11) of whom shall be appointed members, ~~with~~ at least one (1) ~~of whom shall be member appointed~~ from each appointment district pursuant to W.S. 9-1-218. The remaining voting member of the board shall be the state superintendent of public instruction. One (1) appointed member shall be appointed at large and shall be a certified classroom teacher at the time of appointment. One (1) ~~other appointed~~ member shall also be appointed at large and shall be a certified school administrator at the time of appointment. Two (2) ~~other appointed~~ members shall be appointed at large and shall be representative of private business or industry in Wyoming. The ~~other 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

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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 and the term expires on or after January 1, 1996, 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. ~~The state superintendent shall be ex officio a member of such board and shall not have the right to vote.~~

(c) Notwithstanding subsection (a) of this section, the superintendent of public instruction shall not participate in board deliberations on or vote on any matter relating to a contested case involving actions of the department of education.

21-2-303. Expenses.

All ~~voting~~ appointed members of the state board shall receive travel expenses, per diem and mileage expense in the same manner as employees of the state.

21-6-202. Definitions.

(a) As used in this article:

(ii) "State committee" means the state board ~~and state superintendent of education~~;

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Section 2. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(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