

**DRAFT ONLY  
NOT APPROVED FOR  
INTRODUCTION**

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

Community colleges-statewide levy-2.

Sponsored by: (s) Hdraft

A BILL

for

1 AN ACT relating to community colleges; imposing a statewide  
2 mill levy for credit to the state general fund;  
3 continuously appropriating equal general fund amounts to  
4 the community college commission for the regular support  
5 and operation of community colleges; excluding a portion of  
6 the college district levy from the statewide levy;  
7 designating college district service area counties and  
8 expanding district board membership to include service area  
9 county representation; providing transition and prescribing  
10 expanded board election; and providing for effective dates.

11

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

13

1           **Section 1.** W.S. 21-18-102(a) by creating a new  
 2 paragraph (xvi) and by renumbering paragraph (xvi) as  
 3 (xvii), 21-18-205(c) and by creating a new subsection (h),  
 4 21-18-304(a)(vii), 21-18-308(b) and (c), 39-13-104(a)(i),  
 5 (k)(i)(C) and by creating a new subsection (n) and  
 6 39-13-111(a) by creating a new paragraph (iv) are amended  
 7 to read:

8

9           **21-18-102. Definitions.**

10

11           (a) As used in this act:

12

13                   (xvi) "Community college district service area  
 14 counties" means those counties within the state that are  
 15 outside the boundaries of a community college district but  
 16 are included within the service area of a community college  
 17 district, designated as follows:

18

19                   (A) Central Wyoming college district  
 20 service area comprised of Hot Springs and Teton counties;

21

1                   (B) Eastern Wyoming college district  
 2 service area comprised of Converse, Crook, Niobrara, Platte  
 3 and Weston counties;

4  
 5                   (C) Laramie county community college  
 6 district service area comprised of Albany county;

7  
 8                   (D) Northwest college district service area  
 9 comprised of Big Horn and Washakie counties;

10  
 11                   (E) Sheridan college district service area  
 12 comprised of Campbell and Johnson counties;

13  
 14                   (F) Western Wyoming community college  
 15 district service area comprised of Carbon, Lincoln,  
 16 Sublette and Uinta counties.

17  
 18                   ~~(xvi)~~ (xvii) "This act" means W.S. 21-18-101  
 19 through 21-18-317.

20  
 21                   **21-18-205. Appropriation and distribution of state**  
 22 **funds; restrictions; budget authority.**

1           (c) State funding for the assistance of community  
2 colleges shall be appropriated to the community college  
3 commission unless otherwise specified by law. Subject to  
4 the provisions of this section, funds appropriated for each  
5 biennium under this subsection and funds appropriated under  
6 subsection (h) of this section shall be distributed by the  
7 commission to community colleges in amounts determined by a  
8 funding allocation model adopted by rule of the commission.  
9 The commission may maintain a contingency reserve account  
10 utilizing any revenue derived under W.S. 9-4-601(b)(iv)(A)  
11 to be distributed as a component of the funding allocation  
12 model for specific use by the colleges for emergency  
13 repairs and preventive maintenance.

14

15           (h) There is continuously appropriated from the  
16 general fund to the community college commission an amount  
17 equal to the amount of tax collected under W.S.  
18 39-13-104(n). The amounts appropriated under this  
19 subsection shall be expended by the commission for the  
20 regular support and operation of community colleges in  
21 accordance with and in addition to appropriations available  
22 under subsection (c) of this section. The state treasurer  
23 shall make the general fund payment required by this

1 subsection upon receipt of revenues transferred and  
2 deposited in accordance with W.S. 39-13-111(a)(iv).

3  
4 **21-18-304. District board generally; duties.**

5  
6 (a) The community college district board shall:

7  
8 (vii) At the first meeting of each fiscal year  
9 or at any appropriate time, make an estimate of the amount  
10 of funds required to be raised through a tax levy upon the  
11 property lying within the district for community college  
12 purposes, and present to the board of county commissioners  
13 of each county included within the district, a certified  
14 estimate of the tax required to raise the appropriate  
15 amount. The tax in any one (1) year shall not exceed four  
16 (4) mills on the assessed value of the district, excluding  
17 any tax approved by the board and imposed under W.S.  
18 21-18-303(b) and any tax approved by the district electors  
19 and imposed under W.S. 21-18-311(f), and one (1) of the  
20 four (4) mills of this tax shall be in lieu of the  
21 statewide tax imposed under W.S. 39-13-104(n). The tax  
22 shall be levied and collected in the same manner as other  
23 county taxes and when collected, the county treasurer shall

1 forward the tax revenue to the treasurer of the community  
2 college district board;

3

4 **21-18-308. Number of board members; election;**  
5 **subdistricts; representation of district service area**  
6 **counties; apportionment.**

7

8 (b) If the district has designated service area  
9 counties under W.S. 21-18-102(a)(xvi), the community  
10 college district board ~~may~~shall by resolution partition  
11 the boundaries of the territory comprising the community  
12 college district and the service area counties into  
13 election subdistricts to provide for representation on the  
14 district board in accordance with population and such that  
15 representation for the area within the boundaries of the  
16 college district shall not be less than two-thirds (2/3) of  
17 the total board membership. Where population figures  
18 permit, monetary evaluation and geographic factors may be  
19 considered in determining subdistricts.

20

21 (c) If the district is subject to subsection (b) of  
22 this section, the community college district board shall  
23 subject to district representation requirements imposed

1 under subsection (b) of this section and by resolution,  
2 designate the number of members of the district board which  
3 shall be elected from each election subdistrict ~~if any,~~ in  
4 accordance with the population of the combined community  
5 college district and service area counties, and the  
6 respective election subdistricts.

7

8 **39-13-104. Taxation rate.**

9

10 (a) Authorized mill levies. There shall be annually  
11 levied and assessed upon the taxable value of property  
12 within Wyoming the following state taxes when applicable:

13

14 (i) Not to exceed four (4) mills as certified by  
15 the board, one (1) of which shall be imposed in accordance  
16 with subsection (n) of this section, to be credited to the  
17 state general fund;

18

19 (k) The following shall apply to the certification of  
20 tax levies:

21

22 (i) All governmental entities in Wyoming having  
23 the power to levy or require the levy of ad valorem taxes

1 shall annually notify the board of county commissioners of  
2 the county or counties in which the entity is located, of  
3 the amount of tax to be collected against the taxable  
4 property of the district, as follows:

5

6 (C) On or before the first Monday in August  
7 by the board for state purposes as provided by W.S.  
8 9-4-302, 21-13-303, subsection (n) of this section and this  
9 act.

10

11 (n) As authorized under paragraph (a)(i) of this  
12 section and except as otherwise provided in this  
13 subsection, there shall be assessed and levied each year a  
14 state tax of one (1) mill on the dollar of the assessed  
15 valuation of the property within the state as certified on  
16 August 10 under the provisions of subparagraph (k)(i)(C) of  
17 this section, to be credited to the state general fund. In  
18 those areas of the state within a community college  
19 district subject to a mill levy imposed under W.S.  
20 21-18-304(a)(vii), one (1) of the imposed four (4) mills  
21 levied shall be subtracted from the tax assessed and levied  
22 under this subsection for that year. Except as otherwise  
23 specified in this subsection, the tax authorized in this



1 subsection shall be in addition to any and all other taxes  
2 authorized by law.

3  
4 **39-13-111. Distribution.**

5  
6 (a) The following shall apply to the distribution of  
7 tax collections:

8  
9 (iv) The county treasurer shall transfer any  
10 money collected from the tax imposed by W.S. 39-13-104(n)  
11 to the state treasurer for deposit into the state general  
12 fund.

13  
14 **Section 2.**

15  
16 (a) Not later than thirty (30) days following the  
17 effective date of this act and if the community college  
18 district is assigned service area counties under W.S.  
19 21-18-102(a)(xvi), as amended under Section 1 of this act,  
20 the community college district board shall by resolution  
21 partition the combined territory of the district and its  
22 designated service area counties into election subdistricts  
23 to provide for board representation based upon population.

1 The board shall designate the number of board members to be  
2 elected from each subdistrict in accordance with the  
3 population of the combined territory of the district and  
4 its service area counties, subject to the two-thirds (2/3)  
5 district representation requirement imposed under W.S.  
6 21-18-308(b), as amended by Section 1 of this act. In  
7 accordance with W.S. 21-18-308(a), the combined district  
8 and service area county board shall be comprised of not  
9 more than seven (7) members.

10

11 (b) An election of members to the board of trustees  
12 of a combined community college district and its service  
13 area counties shall be held on the May 2008 election date  
14 authorized under W.S. 22-21-103. Nominations to the board  
15 of the combined college district and service area counties  
16 shall be submitted on forms provided by the county clerk of  
17 the county comprising the appropriate election subdistrict  
18 and the election shall be otherwise conducted as provided  
19 by law. Terms of office of board members filled prior to  
20 the effective date of this act shall expire upon  
21 commencement of the certification of the election of board  
22 members of the combined district and service area counties.  
23 Initial terms of trustees to be elected to the expanded

1 board shall begin upon certification of the election  
2 results and shall be for not less than two (2) or not less  
3 than four (4) years as determined by the board as necessary  
4 to coincide with the terms of office prescribed under W.S.  
5 22-22-102. Not more than four (4) initial members shall be  
6 elected for terms of not less than four (4) years and the  
7 board shall designate and report to the appropriate county  
8 clerk the length of term for each trustee office to be  
9 filled in the election. Thereafter, all terms shall be for  
10 four (4) years in accordance with W.S. 22-22-102.

11

12 **Section 3.**

13

14 (a) Except as provided by subsection (b) of this  
15 section, this act is effective immediately upon completion  
16 of all acts necessary for a bill to become law as provided  
17 by Article 4, Section 8 of the Wyoming Constitution.

1           (b) Notwithstanding subsection (a) of this section,  
2 W.S.       21-18-205(c)       and       (h),       21-18-304(a)(vii),  
3 39-13-104(a)(i), (k)(i)(C) and (n) and 39-13-111(a)(iv), as  
4 amended in Section 1 of this act, are effective January 1,  
5 2009.

6

7

(END)