

ENROLLED ACT NO. 50, SENATE

SIXTY-THIRD LEGISLATURE OF THE STATE OF WYOMING
2016 BUDGET SESSION

AN ACT relating to boards and commissions; modifying the political party affiliation requirements on specified boards and commissions; removing party affiliation requirements from specified boards and commissions; and providing for an effective date.

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

Section **1.** W.S. 7-13-401(b), 9-2-807(a),
9-3-404(a) (intro), 9-7-104(a), 9-12-502(a), 9-12-1102(a),
9-15-104(a), 10-3-101(d), 11-2-102(d) (iii), 11-25-103,
16-9-202(b), 21-2-301(a), 21-15-113(c), 21-16-703(b) (iii),
21-17-201, 21-18-201(b) (iii), 23-1-201(b), 23-2-408(b),
24-2-101(a), 27-3-601(a), 33-22-102(c), 35-11-111(a),
35-11-113(a), 35-12-104(c), 36-4-101(a), 37-2-101(a),
39-11-102.1(a) and 41-2-117(a) (i) (B) are amended to read:

7-13-401. Definitions; creation of board; officers; compensation; hearing panels; meetings.

(b) There is created the state board of parole which consists of seven (7) members appointed by the governor with the advice and consent of the senate, in accordance with W.S. 28-12-101 through 28-12-103. Not more than ~~four~~ seventy-five percent (75%) of the members shall be of the same political party. Members of the board shall be appointed for six (6) year terms. The governor may remove any board member as provided in W.S. 9-1-202.

9-2-807. Geological survey board; created; membership; term; qualifications; removal; vacancies; election of officers; meetings; quorum; compensation; expenses; duties.

(a) The geological survey board is created. The board consists of eight (8) members, including the governor, the

ENROLLED ACT NO. 50, SENATE

SIXTY-THIRD LEGISLATURE OF THE STATE OF WYOMING
2016 BUDGET SESSION

president of the University of Wyoming or his designee, the state oil and gas supervisor and five (5) members appointed for four (4) year terms by the governor with the consent of the senate, ~~but not more than three (3) of whom shall be from the same political party.~~ The five (5) members shall be qualified electors of the state who possess the knowledge, experience and skill to qualify them for the position. The governor may remove any appointed member as provided in W.S. 9-1-202. Vacancies shall be filled by the governor for the unexpired term. The state geologist is an ex officio member of the board.

9-3-404. Wyoming retirement board; responsibility for administration of system; composition; appointment; term; vacancies; meetings; election of chairman.

(a) The responsibility for the administration and operation of the retirement system is vested solely and exclusively in the Wyoming retirement board. The board shall be composed of eleven (11) members, not more than ~~six (6)~~ seventy-five percent (75%) of whom shall be from the same political party. The members shall be:

9-7-104. Community development authority; creation; composition; compensation; termination; meetings; surety bonds; personal liability; fiscal control.

(a) This act creates the Wyoming community development authority. The authority is a body corporate operating as a state instrumentality operated solely for the public benefit. Its membership consists of ten (10) directors, seven (7) of whom are appointed by the governor with the advice and consent of the senate. Not more than ~~four (4)~~ seventy-five percent (75%) of the appointed directors shall be from the same political party. Directors shall serve for staggered terms of four (4) years each. No appointed director shall serve more than two (2) successive

ENROLLED ACT NO. 50, SENATE

SIXTY-THIRD LEGISLATURE OF THE STATE OF WYOMING
2016 BUDGET SESSION

four (4) year terms. A director's term may be terminated by the governor under the same procedure and in the same manner as provided by W.S. 9-1-202(a) or a majority vote of the senate. Directors shall continue in office until their successors are appointed and qualified. If a vacancy occurs, the governor shall appoint a successor to serve in accordance with W.S. 28-12-101. The board of directors shall select one (1) of its members to act as chairman of the board of directors and one (1) member to act as treasurer. The board of directors appoints the executive director of the authority, who serves as the executive secretary to the board and is the chief executive officer of the authority. The executive director serves at the pleasure of the board. The executive director shall be an ex officio member of the board but may not vote. The governor and the state treasurer are members of the board and may vote.

9-12-502. Membership; term; appointments; vacancies; removal; officers; acceptance of gifts and donations; expenses.

(a) The council shall be composed of fourteen (14) members, each of whom shall serve for a term of six (6) years. The governor shall make the appointments and fill any vacancies for unexpired terms. The governor may remove any member as provided in W.S. 9-1-202. The council shall be composed of one (1) woman from each of the judicial districts in the state, four (4) persons chosen at large and the chief executive officer of the Wyoming business council or his designee who shall be an ex officio member. Not more than ~~nine (9)~~ seventy-five percent (75%) of the members shall be from the same political party. Of the initial members appointed from each of the judicial districts, three (3) members shall be appointed for terms of two (2) years, three (3) members shall be appointed for

ENROLLED ACT NO. 50, SENATE

SIXTY-THIRD LEGISLATURE OF THE STATE OF WYOMING
2016 BUDGET SESSION

terms of four (4) years and three (3) members shall be appointed for terms of six (6) years.

9-12-1102. Wyoming main street advisory board.

(a) There is created a Wyoming main street advisory board. The board shall consist of seven (7) members appointed by the governor, not more than ~~four (4)~~ seventy-five percent (75%) of whom shall be from the same political party. Board members shall elect from their membership a chairman, vice-chairman and secretary.

9-15-104. Wildlife and natural resource trust account board established; terms; meetings; duties.

(a) There is created the Wyoming wildlife and natural resource trust account board. The board shall consist of nine (9) members appointed by the governor and confirmed by the senate, who are residents of Wyoming. The members shall be appointed from each of the appointment districts set forth in W.S. 5-3-101. The board membership shall reflect a broad spectrum of experiences including wildlife, agriculture, energy, sportsmen and tourism. ~~Not more than five (5) members shall be of the same political party.~~

10-3-101. Creation; composition; appointment; term; removal; qualifications; vacancies; compensation; office; acceptance of grants.

(d) ~~Not more than four (4) members of the commission shall be of the same political party.~~ Each of the commissioners shall qualify by taking the constitutional oath of office and each shall act without pay except that he may receive his actual traveling expenses according to law.

ENROLLED ACT NO. 50, SENATE

SIXTY-THIRD LEGISLATURE OF THE STATE OF WYOMING
2016 BUDGET SESSION

11-2-102. Composition; qualifications; appointment and removal of members; quorum.

(d) The seven (7) members appointed from the appointment districts:

(iii) Not more than ~~four (4)~~ seventy-five percent (75%) shall be members of the same political party.

11-25-103. Pari-mutuel commission; appointment, terms of office and political affiliation of members; vacancies; appointment districts.

The governor with the consent of the senate shall appoint the seven (7) members of the commission in accordance with W.S. 28-12-101 through 28-12-103. One (1) member shall be appointed from each appointment district under W.S. 9-1-218. ~~No more than four (4) members shall be registered in the same political party.~~ Members shall be appointed for terms of four (4) years and until their successor is appointed and qualified. Any vacancy shall be filled by appointment by the governor as provided in W.S. 28-12-101. A member of the commission may succeed himself for one (1) full four (4) year term. The governor may remove any member as provided in W.S. 9-1-202.

16-9-202. Committee on telecommunications services for the communications impaired; composition; allocation.

(b) The committee shall consist of seven (7) members. The membership shall be appointed by the governor and shall consist of one (1) member from each appointment district as provided by W.S. 9-1-218. ~~Not more than four (4) members shall be of the same political party.~~

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

ENROLLED ACT NO. 50, SENATE

SIXTY-THIRD LEGISLATURE OF THE STATE OF WYOMING
2016 BUDGET SESSION

(a) There is created a state board of education composed of 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 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)~~ seventy-five percent (75%) of the 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

ENROLLED ACT NO. 50, SENATE

SIXTY-THIRD LEGISLATURE OF THE STATE OF WYOMING
2016 BUDGET SESSION

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.

21-15-113. School facilities commission; membership; conflict of interest; terms; chairman; meetings; compensation.

(c) Gubernatorial appointments shall be subject to senate approval and shall serve a term of four (4) years beginning March 1. Not more than ~~four (4)~~ seventy-five percent (75%) of the appointed members shall be of the same political party. The governor shall fill a vacancy on respective appointments to the commission in accordance with W.S. 28-12-101, and may remove appointed commissioners as provided by W.S. 9-1-202.

21-16-703. Wyoming higher education assistance authority; creation; termination; board of directors; composition; compensation; meetings; surety bonds; personal liability; fiscal control.

(b) The board of directors of the authority is created and shall consist of nine (9) directors as follows:

(iii) Seven (7) directors appointed by the governor with the advice and consent of the senate, not more than ~~than four (4)~~ seventy-five percent (75%) of whom shall be of the same political party.

21-17-201. Composition; appointment and qualifications of members generally; members ex officio; quorum.

ENROLLED ACT NO. 50, SENATE

SIXTY-THIRD LEGISLATURE OF THE STATE OF WYOMING
2016 BUDGET SESSION

The government of the university is vested in a board of twelve (12) trustees appointed by the governor, no two (2) of whom may be residents of the same county of the state. At least one (1) trustee shall be appointed from each appointment district pursuant to W.S. 9-1-218. Not more than ~~seven (7)~~ seventy-five percent (75%) of the members of the board shall be registered in the same political party. The governor, the president of the university, the state superintendent of public instruction and the president of the associated students of the university are members ex officio, having the right to speak, but not to vote. A majority of the board is a quorum.

21-18-201. Community college commission; created; composition; removal.

(b) The commission consists of seven (7) appointed members:

(iii) No more than ~~four (4)~~ seventy-five percent (75%) of the members shall be from the same political party.

23-1-201. Composition; appointment; terms; oath.

(b) The commission shall be composed of eight (8) members including the governor as an ex officio member. Not more than ~~four (4) of the seven (7)~~ seventy-five percent (75%) of the appointed commissioners shall be of the same political party, and all appointed commissioners shall have a general knowledge of wildlife and wildlife propagation, management, and control.

23-2-408. Wyoming state board of outfitters and professional guides; membership; meetings; compensation.

ENROLLED ACT NO. 50, SENATE

SIXTY-THIRD LEGISLATURE OF THE STATE OF WYOMING
2016 BUDGET SESSION

(b) Appointed members shall be appointed by the governor with the advice and consent of the senate in accordance with W.S. 28-12-101 through 28-12-103 and may be removed by the governor as provided by W.S. 9-1-202. ~~Not more than four (4) members of the board shall be of the same political party.~~ Except as otherwise provided for initial appointees, the term of an appointed member shall be three (3) years.

24-2-101. Department and commission created; qualifications; appointment; term; removal; compensation; location of offices; power to bring civil actions; official seal.

(a) There is created a department of transportation to consist of a transportation commission and a director of the department of transportation. The commission shall consist of seven (7) commissioners, ~~not all~~ of whom no more than seventy-five percent (75%) shall be registered in the same political party. They shall biennially elect their chairman on or after the first day of March. The commissioners shall be appointed by the governor, by and with the advice and consent of the senate, and each shall serve for a term of six (6) years. The terms of all commissioners appointed after the effective date of this section shall terminate on the last day of February of the sixth year of the term regardless of the date of the beginning of the term. The governor may remove any commissioner as provided in W.S. 9-1-202.

27-3-601. Unemployment insurance commission created; composition; terms; vacancies; salary; chairman; quorum; removal; office; seal.

(a) The unemployment insurance commission of Wyoming is created within the department of workforce services and shall consist of three (3) members serving a term of six

ENROLLED ACT NO. 50, SENATE

SIXTY-THIRD LEGISLATURE OF THE STATE OF WYOMING
2016 BUDGET SESSION

(6) years each. Appointments, vacancies and expiration of terms shall be in accordance with W.S. 28-12-101 through 28-12-103. A member shall not hold any state office or serve as an officer or on a committee of any political organization during the term of membership. No more than ~~two (2)~~ seventy-five percent (75%) of the members shall be of the same political party.

33-22-102. Board of nursing home administrators created; composition; appointment; removal; qualifications and terms of members.

(c) The terms of all appointed members shall be four (4) years. Any vacancy shall be filled by the governor for the unexpired term. ~~No more than three (3) members of this board shall be from the same political party.~~

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

(a) There is created as a separate operating agency of state government an independent council consisting of seven (7) members to be known as the environmental quality council. Not more than ~~four (4)~~ seventy-five percent (75%) of the members shall be of the same political party. Council members shall be appointed by the governor with the advice and consent of the senate. The governor may remove any council member as provided in W.S. 9-1-202. No employee of the state, other than employees of institutions of higher education, shall be a member of the council. At all times, there shall be at least one (1) member from the minerals industry and one (1) member from agriculture. Any member receiving more than ten percent (10%) of his income from any permit applicant shall not act on a permit application from that applicant.

ENROLLED ACT NO. 50, SENATE

SIXTY-THIRD LEGISLATURE OF THE STATE OF WYOMING
2016 BUDGET SESSION

35-11-113. Advisory boards created; membership; removal; terms; meetings; expenses.

(a) There is created within the department three (3) advisory boards, one (1) for each of the air quality, land quality and water quality divisions. Each advisory board shall consist of five (5) members appointed by the governor. Each board shall have one (1) member who represents industry, one (1) member who represents agriculture, one (1) member who represents political subdivisions and two (2) members who represent the public interest. ~~Not more than three (3) members of each board shall be from the same political party.~~ The governor may remove any member of any of the advisory boards as provided in W.S. 9-1-202.

35-12-104. Industrial siting council created; composition; terms; removal; compensation.

(c) Members shall be appointed by the governor with the advice and consent of the senate. The governor may remove any member as provided in W.S. 9-1-202. If a vacancy occurs the governor shall appoint a new member as provided in W.S. 28-12-101. Not more than ~~four (4)~~ seventy-five percent (75%) of the members shall be of the same political party.

36-4-101. Commission established; composition; appointment and terms of members; removal; representation from appointment districts; vacancies; meetings; president.

(a) There is established the Wyoming parks and cultural resources commission within the department of state parks and cultural resources which shall consist of nine (9) members, citizens of Wyoming, ~~not more than five (5) of whom shall be registered in the same political party.~~ Not more than seventy-five percent (75%) of the

ENROLLED ACT NO. 50, SENATE

SIXTY-THIRD LEGISLATURE OF THE STATE OF WYOMING
2016 BUDGET SESSION

members shall be from the same political party. Commission members shall be appointed by the governor, by and with the advice and consent of the state senate, and may be removed by the governor as provided in W.S. 9-1-202. Appointments made between sessions of the legislature shall be made in accordance with W.S. 28-12-101. In addition, the governor is an ex officio member of the commission.

37-2-101. Creation; composition; appointment; compensation; terms and oaths of members; removal; chairman and deputy chairman; vacancies.

(a) There is created a commission separate from the state board of equalization to which it has been joined which is known as the "public service commission of Wyoming". The commission shall consist of three (3) members appointed by the governor, by and with the advice and consent of the senate. Not more than ~~two (2)~~ seventy-five percent (75%) of the members of the commission shall at any time be members of the same political party. Each member of the commission shall receive an annual salary as provided by law, to be paid in equal monthly installments in the same manner that other state salaries are paid.

39-11-102.1. Administration; state board of equalization.

(a) The governor shall appoint, with senate confirmation, three (3) persons who shall constitute the state board of equalization who are the department's board of appeals. Not more than ~~two (2)~~ seventy-five percent (75%) of the board members may be members of the same political party. Each appointment of the board members shall be for a six (6) year term.

41-2-117. Wyoming water development commission; membership; removal; terms.

ENROLLED ACT NO. 50, SENATE

SIXTY-THIRD LEGISLATURE OF THE STATE OF WYOMING
2016 BUDGET SESSION

(a) The Wyoming water development commission is created to consist of ten (10) members. The membership shall include:

(i) Nine (9) persons, two (2) shall be residents appointed from each water division of the state as defined in W.S. 41-3-501, at least one (1) will be a person having an adjudicated water right. One (1) resident of Wyoming shall be appointed at large and one (1) shall be an enrolled member of the Arapahoe or Shoshone Indian tribes who is resident on the Wind River Indian Reservation:

(B) Not more than ~~five (5)~~ seventy-five percent (75%) of the members shall be of the same political party;

Section 2. Nothing in this act shall be deemed to affect the current term of any member of any authority, board, commission, committee or council. The governor shall make appointments in accordance with this act for any vacancy occurring on or after the effective date of this act.

ORIGINAL SENATE
FILE NO. SF0037

ENGROSSED

ENROLLED ACT NO. 50, SENATE

SIXTY-THIRD LEGISLATURE OF THE STATE OF WYOMING
2016 BUDGET SESSION

Section 3. This act is effective July 1, 2016.

(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