

Draft Only
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**SUMMARY of
PROCEEDINGS**



JOINT CORPORATIONS, ELECTIONS & POLITICAL SUBDIVISIONS COMMITTEE

COMMITTEE MEETING INFORMATION

October 20 & 21, 2011
UW Outreach Center
Casper, Wyoming

COMMITTEE MEMBERS PRESENT

Senator Cale Case, Cochairman
Representative Pete Illoway, Cochairman
Senator John Hines
Senator Wayne Johnson
Senator Marty Martin
Senator Charlie Scott
Representative Gregg Blikre
Representative Jim Byrd
Representative Allen Jaggi
Representative Kendell Kroeker
Representative John Patton
Representative Jim Roscoe
Representative Tim Stubson
Representative Dan Zwonitzer

LEGISLATIVE SERVICE OFFICE STAFF

Lynda Cook, Staff Attorney
Matt Obrecht, Staff Attorney
Matt Sackett, Senior Research Analyst
Kelly Shepp, Associate Research Analyst

The Committee Meeting Summary of Proceedings (meeting minutes) is prepared by the Legislative Service Office (LSO) and is the official record of the proceedings of a legislative committee meeting. This document does not represent a transcript of the meeting; it is a digest of the meeting and provides a record of official actions taken by the Committee. All meeting materials and handouts provided to the Committee by the Legislative Service Office, public officials, lobbyists, and the public are on file at the Legislative Service Office and are part of the official record of the meeting. An index of these materials is provided at the end of this document and these materials are on file at the Legislative Service Office. For more information or to review meeting materials, please contact the Legislative Service Office at (307) 777-7881 or by e-mail at lso@wyoleg.gov. The Summary of Proceedings for each legislative committee meeting can be found on the Wyoming Legislature's website at <http://legisweb.state.wy.us>.

OTHERS PRESENT AT MEETING

Senator Stan Cooper
 Senator Ogden Driskill
 Representative Ed Buchanan
 Representative Don Burkhart
 Representative Rita Campbell
 Representative Kathy Davison
 Representative Robert McKim

Please refer to Appendix 1 to review the Subcommittee Sign-in Sheet for a list of other individuals who attended the meeting.

EXECUTIVE SUMMARY

The committee met in Casper and discussed business friendly/fraud friendly initiatives proposed by the Secretary of State's Office, obsolete laws and county commissioner authority to remove appointed board members. The committee also continued the process of consideration of redistricting based on the 2010 census.

CALL TO ORDER

Co-Chairman Pete Illoway called the meeting to order at 8:35 a.m. The following sections summarize the Committee proceedings by topic. Please refer to Appendix 2 to review the Committee Meeting Agenda.

APPROVAL OF MINUTES

Minutes from the August, 2011 Committee meeting were approved.

SECRETARY OF STATE'S OFFICE***12 LSO 0067.W2 – Secretary of state-authority.***

Pat Arp, Deputy Secretary of State and Karen Wheeler, Chief Compliance Officer, explained that the bill gives the secretary of state authority to refuse to accept documents and issue cease and desist orders in certain situations. Dr. Arp explained how the secretary of state's office worked with business attorneys in developing the bill. Ms. Wheeler explained the bad actors the bill is designed to stop.

The committee discussed the notice and appeal provisions. Scott Meier expressed concern about due process and supported Rep. Stubson's proposed amendment to include the appeals process in W.S. 17-4-123. Senator Scott expressed concern about large companies being affected by the actions of individuals within the company.

The bill was amended as provided in Appendix 3. The bill passed as amended unanimously.

12 LSO 0069.W2 – Registered agents-commercial agent registration.

Ms. Wheeler explained that the bill raises the fee for failing to renew as a commercial registered agent to include the costs of dissolving the companies represented by the agent for failure to have a registered agent. The fees are tiered depending on how late the agent renews. Scott Meier asked the SOS to ensure that this bill does not affect the proper method for resigning as a registered agent. The committee also discussed how the secretary of state would attempt to limit the costs that would be assessed. It was noted that this bill would not affect commercial registered agents that just close their doors.

The bill was amended as provided in Appendix 4. The bill passed as amended unanimously.

12 LSO 0068.W2 – Business entities-nominee office holders.

Ms. Wheeler explained that under current law nominee office holders are not specifically allowed. However, some companies advertise that Wyoming does allow them. The bill attempts to clearly state that nominee office holders are not allowed in Wyoming. Ms. Wheeler noted that this is an attempt to thwart fraud. But, the SOS does not want to impede with legitimate business practices.

Dale Cottam, appearing over the phone, testified that rather than passing a bill like this, the Secretary of State should focus on investigations of improper acts. He noted that there are legitimate times that businesses seek to provide anonymity for their officers. He also noted that Wyoming has the strongest registered agent laws in the nation and that this bill does nothing to change the current law, but just causes more headaches and discourages businesses from filing in Wyoming.

The committee tabled the bill until the secretary of state can work with business attorneys to address their concerns.

12 LSO 0128.W1 – Election districts-revisions.

Debbye Lathrop, Laramie County Clerk and Mary Lankford, Sublette County Clerk, presented the bill. The bill provides for setting of election districts in May instead of April. The bill also determines how many precinct committee people will be allowed when redistricting occurs. Only in redistricting years the number of precinct committee people will be based on the number of registered voters in each party at that time. Peggy Nighswonger, Secretary of state's office, testified in support of the bill, although she did not have much time to review it.

The bill was amended as provided in Appendix 5. The bill passed unanimously as amended (Hines abstained).

OBSOLETE LAWS

12 LSO 0094.W2 – County Memorial Hospital Districts-staggered terms.

LSO staff explained that the bill clarifies that the terms of board members of county memorial hospitals after the initial term is five years.

The bill passed (Case, Kroeker, Zwonitzer opposed). (Appendix 6).

COUNTY COMMISSIONER AUTHORITY

12 LSO 0093.W1 – County commissioners authority-removal of appointed board members.

Cindy DeLancey, County Commissioners' Association, presented the bill. Steve Maier, Sheridan County Commissioner, joined her. Ms. DeLancey explained that the bill provides parameters for removal of appointed members of boards. The committee discussed whether just cause is necessary. Ms. DeLancey noted that similar language was considered in another bill that was worked on last session.

The bill passed unanimously. (Appendix 7).

REDISTRICTING

Chairman Case introduced the topic by describing the 13 public hearings that have already been held.

Matt Sackett, LSO Staff, described the various plans currently displayed on the website. He showed the committee the Fremont County Plan which is sponsored by all Fremont County legislators. Julie Freese, Fremont County Clerk, explained the plan. She noted that the county has held 10 public hearings. Fremont County contains the Wind River Indian Reservation and is subject to special concerns about dilution of the minority vote.

Mary Grace Stranch, Washakie County Clerk, presented a plan for the Big Horn Basin. The committee discussed the unique problems in the basin where the population is so spread out and separated by impassible mountains in the winter. The committee also noted that this plan tries too hard to maintain current districts. The question of where Meteteetsee is represented was discussed.

Representative McKim provided a plan for the southwest. He testified that he started with the Martin/Cooper plan and adjusted the boundaries to keep Star Valley as a cohesive unit. Senator Martin noted that the towns of Etna and Star Valley ranches would be split in this plan. Joel Bousman, Sublette County Commissioner, provided a letter discussing the various plans affecting his county. (Appendix 8). He opposes the Cooper/Martin and McKim/Dockstader plans. He noted that these two plans split his county in half even when the county has grown to the extent to allow a seat to represent the county. He supported the Clerk's plan. Sublette County Clerk Mary Lankford explained that the Clerk's plan puts Dubois back in with Teton County rather than Fremont County.

The committee discussed working on a plan that accepts the Fremont and Big Horn Basin plans and finds a way to keep Sublette County more whole.

The committee discussed the recent attorney general's opinion stating that all senators are not required to run again but the legislature can make them all run again. (Appendix 9).

The committee then looked at a Sheridan/Johnson County plan and the original Campbell county plan. The committee looked at a new plan from Senator Hines which he considered a compromise. The plan splits the town of Newcastle and pushes house districts into Laramie County.

Debbye Lathrop noted that putting some of eastern Laramie county with Goshen county makes more sense than putting some of northern Laramie county with Platte county since eastern Laramie county is more rural agricultural.

The committee viewed the newly created Steward plan encompassing Carbon and parts of Sweetwater, Natrona, Fremont and Albany counties.

The committee recessed at 5:00 p.m. and reconvened at 8:00 a.m. October 21, 2011.

Representative Steward presented his plan for house district 47. He noted that all the other plans were developed without his input. He also testified that his plan is only for the one district and he is unclear

how it would fit with other plans. House District 47 is by necessity very large geographically due to lack of population. His plan leaves Rawlins in its own district 15.

Representative Burkhart read a statement from Senator Hicks supporting that the Martin/Cooper plan for southwest Wyoming. Representative Burkhart also supported the Martin/Cooper plan. He testified that splitting Rawlins is not popular in Rawlins, but seems popular in Wamsutter and Baroil. The people of Farson did not express a preference to him. Jeffrey city prefers to be part of Riverton districts and not associated with Carbon County. He also noted that under the current legislative districts Rawlins is already split to some degree.

Senator Scott expressed concern that under the Steward plan the representative from HD47 would represent 5 different counties with their corresponding school districts.

Representative Stubson presented a plan for the eastern side of the state. His plan honors the fact that Campbell County has grown and deserves to get another seat. He started with the Hines Campbell County plan and he stated that it fits in with a number of the plans already submitted. The plan leaves Platte County whole and assures at least one representative in Goshen County. Clerks from various counties affected expressed support of this plan.

Senator Ogden Driskill presented a plan for the eastern side of the state. He tried to work within the framework of existing plans. He provided two different plans – one that encompasses 11 house districts and another that encompasses 10 house districts. He tried to keep county lines as intact as possible.

Public Testimony

Andy Nelson, Sublette County Commissioner asked the committee to keep in mind plans that best suit the entire state. He supported the Clerks' plan for the whole state.

Representative Davison testified in support of the Martin/Cooper plan for the southwest.

Senator Scott made a series of motions to create a tentative plan incorporating the following plans:

1. Laramie County Plan sponsored by Rep. Byrd with the understanding that some additional people will be added from either the Stubson or Driskill plans going into HD 7 and/or 10;
2. Albany County Plan sponsored by Rep. Connolly, with Rock River in the Carbon County district;
3. Natrona County Plan sponsored by the County Clerks;
4. Big Horn Basin Plan sponsored by basin legislators, including Lysite & Shoshoni;
5. Fremont County Plan sponsored by Fremont County legislators;
6. Martin/Cooper plan for the southwestern part of the state that splits Rawlins;
7. Sheridan/Johnson County plan sponsored by the Sheridan/Johnson County legislators;
8. For the Eastern part of the state, use the 10 house district plans with two variations presented by Stubson and Driskill.

There was an extensive public comment from Sublette and Teton county clerks and commissioners in opposition to the Cooper/Martin plan.

The motions all passed. Staff will prepare two maps creating committee proposal 1 and 2.

Representative Roscoe moved to have the Clerk's plan brought up as committee proposal #3. The motion failed.

MEETING ADJOURNMENT

There being no further business, Co-Chairman Pete Illoway adjourned the meeting at 12:00 noon.

Respectfully submitted,

Cale Case, Co-Chairman

Pete Illoway, Co-Chairman

Committee Meeting Materials Index

Appendix	Appendix Item	Appendix Description	Appendix Provider
1	Committee Sign-In Sheet	Lists meeting attendees	Legislative Service Office
2	Committee Meeting Agenda	Provides an outline of the topics the Committee planned to address at meeting	Legislative Service Office
3	Secretary of State	12 LSO 0067.W2 – Secretary of State-authority.	Legislative Service Office
4	Secretary of State	12 LSO 0068.W2 – Business entities-nominee office holders.	Legislative Service Office
5	Secretary of State	12 LSO 0069.W2 – Registered agents-commercial agent registration.	Legislative Service Office
6	Secretary of State	12 LSO 0128.W1 – Election districts-revisions.	Legislative Service Office
7	Obsolete Laws	12 LSO 0094.W2 – County Memorial Hospital Districts – staggered terms.	Legislative Service Office
8	County Commissioners	12 LSO 0093.W1 – County commissioners – removal of appointed board members.	Legislative Service Office
9	Redistricting	Written testimony.	Joel Bousman