

SENATE FILE NO. SF0091

County commissioners-election to modify numbers.

Sponsored by: Senator(s) Hines and Dockstader and
Representative(s) Sommers and Stubson

A BILL

for

1 AN ACT relating to county commission composition; providing
2 a form for petitions to increase or decrease the number of
3 county commissioners; limiting elections to increase or
4 decrease the number of county commissioners to general
5 election dates; and providing for an effective date.

6

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

8

9 **Section 1.** W.S. 18-3-501(b), (c), (d), (f) and (g) is
10 amended to read:

11

12 **18-3-501. Composition; election for increasing the**
13 **number; term; quorum; election for districting; procedures.**

14

15 (b) Notwithstanding subsection (a) of this section,
16 any county may increase the membership of its board of

1 county commissioners from three (3) to five (5) members if
2 a proposition for the increase is submitted to a vote of
3 the qualified electors of the county and a majority of
4 those casting their ballots vote in favor of the increase.
5 Additional offices created under this subsection ~~in odd-~~
6 ~~numbered years~~ shall be filled at the general election next
7 following the election at which the increase was approved.
8 ~~Additional offices created under this subsection in even-~~
9 ~~numbered years shall be filled at the general election to~~
10 ~~be held in two (2) years and not at the current year~~
11 ~~general election.~~ At ~~the~~ that general election, not more
12 than one (1) commissioner shall be elected for a term of
13 two (2) years, and the election ballots shall so state.
14 Each term shall otherwise be four (4) years.

15

16 (c) The proposition to increase the membership of the
17 board of county commissioners shall be at the expense of
18 the county and be submitted to the electors of the county
19 upon receipt by the county clerk of a petition requesting
20 the election signed by at least ten percent (10%) of the
21 qualified electors of the county. To be counted the
22 electors shall be registered voters when the completed
23 petition is submitted for verification. The number of
24 electors required shall be determined by the number of

1 votes cast at the last general election. The election shall
2 be at the direction and under the supervision of the county
3 clerk. The petition shall be in substantially the
4 following form:

5
6 "This petition is for the purpose of requesting an
7 election to increase the membership of the board of county
8 commissioners from three (3) to five (5) members. If a
9 proposition for the increase is submitted to a vote of the
10 qualified electors of the county and a majority of those
11 casting their ballots vote in favor of the increase, the
12 additional offices created shall be filled at the general
13 election held in (year).

14
15 The eligible registered electors supporting the
16 petition and numbering not less than ten percent (10%) of
17 the total number of votes cast at the last general election
18 in the county for which this petition is filed, are as
19 follows:

20
21 (Signature) (Printed Name) (Residence Address) (Date)

22

23 VERIFICATION OF CIRCULATORS

24

1 I, do hereby certify that I am a circulator of
 2 this petition, and I solely and personally circulated this
 3 petition, that all the signatures appearing herein were
 4 made in my presence from (month) (day), (year) through
 5 (month) (day), (year), and to the best of my knowledge and
 6 belief such signatures are those of the persons whose names
 7 they purport to be.

8

9

10

(Signature)

11

12

(Residence Address) "

13

14

15 (d) The proposition may be submitted at any general
 16 election. ~~or at an election date authorized under W.S.~~
 17 ~~22-21-103.~~ A notice of election shall be given in at least
 18 one (1) newspaper of general circulation published in the
 19 county wherein the election is to be held and shall specify
 20 the object of the election. The notice shall be published
 21 at least once each week for a thirty (30) day period
 22 preceding the election. At the election the ballots shall
 23 contain the words "for increasing the membership of the
 24 board of county commissioners from three (3) to five (5)

1 members", and "against increasing the membership of the
2 board of county commissioners from three (3) to five (5)
3 members".

4
5 (f) Any county may decrease the membership of its
6 board of county commissioners from five (5) to three (3)
7 members in the same ~~manner~~ petition and proposition process
8 as an increase under subsections (b) and (c) of this
9 section. The vote to decrease membership shall be in the
10 general election ~~or at an election date authorized under~~
11 ~~W.S. 22-21-103~~ preceding the election of three (3)
12 commissioners. Notice of the election shall be given as
13 provided in subsection (d) of this section.

14
15 (g) Any county in which the electors vote to increase
16 the number of county commissioners from three (3) to five
17 (5) as provided by this section may be divided into five
18 (5) districts if a proposition for districting is submitted
19 to a vote of the qualified electorate of the county and a
20 majority of those casting their ballots vote in favor of
21 the districting. The proposition for districting shall be
22 submitted to a vote in the manner provided by subsections
23 (c) and (d) of this section. At the election, the ballot
24 shall contain the words "for dividing the county into five

1 (5) county commissioner election districts" and "against
2 dividing the county into five (5) county commissioner
3 election districts". The proposition to increase the number
4 of county commissioners and the proposition for districting
5 may appear on the ballot at the same general election, ~~or~~
6 ~~at an election date authorized under W.S. 22-21-103,~~
7 however the ballots shall state that the proposition for
8 districting is contingent upon approval of the proposition
9 to increase the number of commissioners. The petition
10 required by subsection (c) of this section may contain both
11 the proposition to increase the number of commissioners and
12 the proposition for districting, or the propositions may be
13 circulated and submitted on separate petitions. If the
14 proposition for districting is not approved, the
15 commissioners shall represent the county on at-large basis.

16

17 **Section 2.** This act is effective July 1, 2013.

18

19

(END)