

SENATE FILE NO. SF0145

UW and community college boards of trustees-chairman.

Sponsored by: Senator(s) Nethercott and Bebout

A BILL

for

1 AN ACT relating to the University of Wyoming and community
2 college boards of trustees; modifying the board president's
3 title; allowing an increase in University of Wyoming board
4 of trustees executive committee members; making conforming
5 amendments; 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. 16-6-101(a)(i)(D)(II), 21-17-203,
10 21-17-205, 21-17-404(a)(xv), 21-17-418(a), 21-18-302(a),
11 21-18-303(a)(xii) and 21-18-314(e) are amended to read:

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13 **16-6-1001. Capital construction projects**
14 **restrictions; preference requirements; waivers.**

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1 (a) Unless otherwise prohibited by federal law, any
2 funds appropriated or authorized for expenditure for
3 capital construction projects shall be subject to the
4 restrictions of this section which shall be construed where
5 possible as complimentary and consistent with other
6 statutory requirements relating to competitive bidding and
7 contractor preferences. To the extent the restrictions in
8 this section are inconsistent with other state statutes,
9 this section shall supersede all such inconsistent
10 provisions and shall govern. This section shall be applied
11 as follows:

12

13 (i) This paragraph shall apply to any alternate
14 design and construction delivery method as defined in W.S.
15 16-6-701(a)(v):

16

17 (D) Any waiver shall be approved in writing
18 by the following persons:

19

20 (II) For projects to be completed by
21 the University of Wyoming, by the president of the
22 university and the ~~president~~chairman of the board of
23 trustees;

1

2 **21-17-203. To be body corporate; powers, duties and**
3 **functions generally.**

4

5 The board of trustees and their successors in office
6 constitute a body corporate by the name of "the trustees of
7 the University of Wyoming". They possess all the powers
8 necessary or convenient to accomplish the objects and
9 perform the duties prescribed by law, and shall have
10 custody of the books, records, buildings and all other
11 property of the university. The board shall elect a
12 ~~president~~ chairman, secretary and treasurer, who shall
13 perform the duties prescribed in the bylaws of the board.
14 The treasurer shall execute a bond, with approved sureties
15 in double the sum likely to come into his hands, for the
16 faithful discharge of his duties. The term of office of
17 board officers, their duties severally and the times for
18 holding meetings shall be fixed in the bylaws of the board.
19 A majority of the board constitutes a quorum for the
20 transaction of business but a less number may adjourn from
21 time to time, and all routine business may be entrusted to
22 an executive committee of at least three (3) members
23 subject to such conditions as the bylaws of the board

1 prescribe. The board may from time to time appoint and
2 authorize a person to examine and approve for payment all
3 legal claims against the corporation. The person shall give
4 bond with surety approved by the board, payable to the
5 state of Wyoming in such sum as the board may fix,
6 conditioned for the faithful performance of his duties. A
7 certificate of appointment signed by the ~~president~~chairman
8 and secretary of the board and the bond shall be filed with
9 the state auditor. At each meeting of the board all action
10 taken by the person so appointed subsequent to the
11 immediately preceding board meeting shall be submitted to
12 the board for its approval or disapproval. The actual and
13 necessary traveling expenses of nonresident members in
14 attending the annual meeting of the board may be audited by
15 the auditing committee thereof and paid by warrant on the
16 treasurer out of the general fund of the university.

17

18 **21-17-205. Report.**

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20 The trustees of the University of Wyoming, through their
21 ~~president~~chairman, shall report to the governor as
22 required by W.S. 9-2-1014 respecting the progress,
23 condition and wants of the university and of each school or

1 department thereof, the course of study in each, the number
2 of professors and students, the nature, costs and results
3 of important investigations, and such other information as
4 they deem important or as may be required by any law of
5 this state, or of the United States. The secretary and
6 treasurer of the board of trustees shall prepare an
7 itemized report showing the receipts and disbursements for
8 the year, the appropriation resolution for that year, the
9 purposes for which the revenue was expended, and the amount
10 of revenue expended upon each school or department of work,
11 including the experiment station.

12

13 **21-17-404. Definitions.**

14

15 (a) As used in W.S. 21-17-402 through 21-17-450:

16

17 (xv) "~~President~~Chairman of the board" means the
18 de facto or de jure ~~president~~chairman of the trustees of
19 the University of Wyoming, or his successor in functions,
20 if any;

21

22 **21-17-418. Board and officers to execute securities;**
23 **endorsement by university treasurer; facsimile signatures.**

1

2 (a) Bonds and other securities issued under this act
3 shall be executed in the name of the board, shall be signed
4 by the ~~president~~chairman of the board, shall be attested
5 by the secretary of the board, shall be countersigned by
6 the treasurer of the board and shall be authenticated by
7 the official seal of the board.

8

9 **21-18-302. District board generally; quorum;**
10 **organization; officers.**

11

12 (a) Within thirty (30) days after the election
13 establishing the community college district, and on or
14 about December 1 each year thereafter, the board shall meet
15 and organize by electing one (1) of its members as
16 ~~president~~chairman, one (1) as treasurer, and one (1) as
17 secretary. The ~~president~~chairman shall preside at all
18 meetings of the board except that a temporary chairman may
19 be selected by the board in his absence. The secretary
20 shall keep the minutes and proceedings of all board
21 meetings and the treasurer shall receive all funds payable
22 to the district and disburse them on the order of the
23 board.

1

2 **21-18-303. District board generally; powers; board**
3 **approved additional mill levy.**

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5 (a) The community college district board may:

6

7 (xiii) Call special meetings at the discretion
8 of the board ~~president~~chairman or a majority of the board
9 without the necessity of publication of formal notice;

10

11 **21-18-314. Bond issues; general obligation bonds;**
12 **bond elections; bond tax levy.**

13

14 (e) After ascertaining the best terms upon, and the
15 lowest interest at which the bonds can be sold, the
16 community college district board shall cause the bonds to
17 be suitably printed or lithographed, with coupons, if any,
18 attached, and thereafter shall have the bonds consecutively
19 numbered and otherwise properly prepared and executed.
20 Bonds may be in such form as the board may direct but must
21 bear the signature of the ~~president~~chairman of the
22 community college board of trustees, be countersigned by
23 the secretary of the board, bear the district seal and be

1 countersigned by the county treasurer. Bond coupons, if
2 any, must be signed by the ~~president~~chairman and secretary
3 of the board and by the county treasurer. The secretary of
4 the community college board shall endorse a certificate
5 upon every bond that it is issued pursuant to law and is
6 within the debt limit of the issuer. Bonds shall be
7 registered by the county treasurer in a public book
8 provided for that purpose stating the number, date, amount,
9 time and place of payment, rate of interest, number of
10 coupons attached, if any, for each bond so entered and any
11 other proper description thereof for future identification.

12

13 **Section 2.** This act is effective July 1, 2017.

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(END)