

Morton

49

91 LSO - 0501

# HOUSE BILL 0337

TH

HB0337PT03

AN ACT to create W.S. 13-1-601 through 13-1-605; and to amend W.S. 13-1-101(a) by creating new paragraphs (iii), (iv) and (vi) and by renumbering or amending and renumbering (iii) as (v) and (iv) through (ix) as (vii) through (xii); and to repeal W.S. 13-2-204 and 13-2-205 relating to banks; providing for appointment of a state banking commissioner; establishing qualifications for the position of commissioner; defining the duties of the commissioner; providing for appointment of a state banking board to assist the director of the audit department and the state banking commissioner; providing definitions; abolishing the financial institutions board; specifying legislative intent; and providing for an effective date.

HOUSE BILL 0337

*John Morton*  
Introduced by:

DATE	ACTION	DATE	ACTION
JUN 2 1 1991	READ FIRST TIME	FEB 19 1991	AND FURTHER AMENDED
	REFERRED TO COM. NO. <u>9</u>		<i>HB0337SW/ACE</i>
	DELIVERED TO COM. NO. <u>9</u>		<b>DO PASS</b>
JUN 2 9 1991	RETURNED	FEB 20 1991	READ SECOND TIME
	Recommended Amend and Do Pass 9 AYES 2 EXC		<b>DO PASS</b>
FEB 1 1991	CONSIDERED IN COM. OF WHOLE	FEB 21 1991	READ THIRD TIME
	Standing Com. Amendment HB337 HSI/A		CONSENT LIST
	Adopted		PASSED
	Recommended do pass		AYES <u>30</u> NOES <u>0</u> EXCUSED <u>0</u> ABSENT <u>0</u>
FEB 4 1991	READ SECOND TIME		SENT TO SENATE
FEB 5 1991	READ THIRD TIME	FEB 24 1991	RECEIVED FROM SENATE
	CONSENT LIST		Rep. <i>Morton</i> moved to concur on
	<i>58 Ayes 6 Noes 6 Absent 22</i>		<b>PASSED</b>
	Sent to LSO		Ayes <u>51</u> Noes <u>13</u> Excused <u>0</u> Absent <u>0</u>
2-5-91	ENGROSSED		SENT TO LSO FOR ENROLLING
2/6/91	<i>Sent to Senate</i>		RECEIVED FROM LSO ENROLLED
FEB 6 1991			HEA NO. <u>99</u>
	Received from House	FEB 26 1991	SIGNED BY SPEAKER
	Read first time		SIGNED BY PRESIDENT
	Referred to Com. No. <u>9</u>	02-28-91	APPROVED BY GOVERNOR
	Delivered to Com. No. <u>9</u>		CHAPTER NO. <u>125</u> SESSION LAWS OF WYOMING
FEB 12 1991	STANDING COMM. REPORT		
	RECOMMEND AMEND AND DO PASS		
FEB 19 1991	CONSIDERED IN COM. OF WHOLE		
	STANDING COM. AMDT. ADOPTED		
	<i>HB0337SS/AE</i>		

CONTINUED ON BACK

# SENATE ROLL CALL

## FIFTY-FIRST WYOMING LEGISLATURE

	Ayes	Noes	Excused	Absent
APPLEGATE	✓			
BURKE	✓			
BYRD	✓			
CAMERON	✓			
COE	✓			
DIXON	✓			
EDDINS	✓			
FANOS	✓			
GERINGER	✓			
GRIEVE	✓			
GUICE	✓			
HEALY	✓			
HERBST	✓			
HOWARD	✓			
KINNEY	✓			
KINNISON	✓			
LALONDE	✓			
MADER	✓			
MALDONADO	✓			
PECK	✓			
PERRY	✓			
PREVEDEL	✓			
REESE	✓			
SCOTT	✓			
<del>TEDE</del>				
TWIFORD	✓			
VINICH	✓			
YORDY	✓			
ZIMMER	✓			
ZIMMERMAN	✓			
MR. PRESIDENT	✓			

PRESENT \_\_\_\_\_ AYES 30  
 NOES \_\_\_\_\_  
 EXCUSED \_\_\_\_\_  
 ABSENT \_\_\_\_\_  
 TOTAL 30

# HOUSE ROLL CALL

## FIFTY-FIRST WYOMING LEGISLATURE

Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent	
✓				ALDEN	✓				MICHELI
✓				ANDERSON	✓				MILLER
✓				ARNOLD	✓				O'TOOLE
✓	✓			BEBOUT	✓				PERKINS, D.
✓				BENSEL	✓				PERKINS, J.
✓	✓			BLACKWELL	✓				PHELAN
✓				BODINE	✓				PLANT
	✓			BOWRON	✓				RANKINE
	✓			BUDD		✓			RATLIFF
✓				CALL	✓				ROHRBACH
✓				CHAMBERLAIN	✓				RYCKMAN
				<del>CUBIN</del>	✓				SCHWOPE
✓				CUBIN	✓				SHREVE
✓				DEWITT	✓				SIMONS
✓				DUNNUCK	✓				SULLIVAN
✓				ENZI	✓				TEMPEST
✓				GAMS	✓				TIBBS
✓				GARCIA	✓				TIPPETS
✓				GOODENOUGH	✓				TIPTON
✓				GRANT		✓			TYSDAL
✓				HACKER	✓				VASEY
✓				HAGEMAN	✓				VLASTOS
✓				HANSEN	✓				WALLIS
✓				HARRIS	✓				WATSON
	✓			HARRISON, F.	✓				WOLD
✓				HARRISON, R.	✓				WOLFLEY
	✓			HINCHEY	✓				WRIGHT
✓				HINES	✓				ZUMBRUNNEN
	✓			HONAKER	✓				MR. SPEAKER
✓	✓			HUMPHREY	<div> <div>AYES <u>51</u></div> <div>NOES <u>13</u></div> <div>EXCUSED _____</div> <div>ABSENT _____</div> <div>TOTAL <u>64</u></div> <div>LESS _____</div> </div> <div>PRESENT _____</div>				
	✓			KUNZ					
✓				LAW					
	✓			LUMMIS					
✓				MACMILLAN, P.					
✓				MARTON					
	✓			MCMILLAN, B.					

\*94B332 *Read Reading* Date 2/5/91

# HOUSE ROLL CALL

## FIFTY-FIRST WYOMING LEGISLATURE

Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent		
✓				ALDEN	✓				MICHEL	
✓				ANDERSON	✓				MILLER	
✓				ARNOLD	✓				O'TOOLE	
✓				BEBOUT	✓				PERKINS, D.	
✓				BENSEL	✓				PERKINS, J.	
✓	✓			BLACKWELL	✓				PHELAN	
✓				BODINE	✓				PLANT	
✓				BOWRON	✓				RANKINE	
✓	✓			BUDD	✓				RATLIFF	
✓				CALL	✓				ROHRBACH	
	✓			CHAMBERLAIN	✓				RYCKMAN	
				<del>GROSS</del>	✓				SCHWOPE	
✓				CUBIN	✓				SHREVE	
✓				DEWITT	✓				SIMONS	
✓				DUNNUCK	✓				SULLIVAN	
✓				ENZI	✓				TEMPEST	
✓				GAMS	✓				TIBBS	
✓				GARCIA	✓				TIPPETS	
	✓			GOODENOUGH	✓				TIPTON	
✓				GRANT	✓				TYSDAL	
✓				HACKER	✓				VASEY	
✓				HAGEMAN		✓			VLASTOS	
✓				HANSEN		✓			WALLIS	
✓				HARRIS	✓				WATSON	
✓				HARRISON, F.	✓				WOLD	
✓				HARRISON, R.	✓				WOLFLEY	
✓				HINCHEY	✓				WRIGHT	
✓				HINES	✓				ZUMBRUNNEN	
✓				HONAKER	✓				MR. SPEAKER	
✓				HUMPHREY	AYES <u>58</u> NOES <u>6</u> EXCUSED _____ ABSENT _____ TOTAL <u>64</u> LESS _____					PRESENT _____
✓				KUNZ						
✓				LAW						
✓				LUMMIS						
✓				MACMILLAN, P.						
✓				MARTON						
✓				MCMILLAN, B.						

9613 82A 181, 156. 161, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

# 913178, 181, 272, 337, 347

Date 1/5/91

HOUSE ROLL CALL  
 FIFTY-FIRST WYOMING LEGISLATURE

Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent		
✓				ALDEN	✓			✗	MICHELI	
✓				ANDERSON	✓				MILLER	
✓				ARNOLD	✓				O'TOOLE	
✓				BEBOUT	✓				PERKINS, D.	
✓				BENSEL	✓				PERKINS, J.	
✓				BLACKWELL	✓				PHELAN	
✓				BODINE	✓				PLANT	
✓				BOWRON	✓				RANKINE	
✓				BUDD	✓				RATLIFF	
✓				CALL	✓				ROHRBACH	
✓				CHAMBERLAIN	✓				RYCKMAN	
				<del>CROSS</del>	✓				SCHWOPE	
✓				CUBIN	✓				SHREVE	
✓				DEWITT	✓				SIMONS	
✓				DUNNUCK	✓				SULLIVAN	
✓				ENZI	✓				TEMPEST	
✓				GAMS	✓				TIBBS	
✓				GARCIA	✓				TIPPETS	
	✓			GOODENOUGH	✓				TIPTON	
✓				GRANT	✓				TYSDAL	
✓				HACKER	✓				VASEY	
✓				HAGEMAN	✓				VLASTOS	
✓				HANSEN	✓				WALLIS	
✓				HARRIS	✓				WATSON	
✓				HARRISON, F.	✗				WOLD	
✓				HARRISON, R.	✓				WOLFLEY	
✓				HINCHEY	✓				WRIGHT	
✓				HINES	✓				ZUMBRUNNEN	
✓				HONAKER	✓				MR. SPEAKER	
✓				HUMPHREY	AYES <u>63</u> NOES <u>1</u> EXCUSED _____ ABSENT _____ TOTAL <u>64</u> LESS _____					PRESENT _____
✓				KUNZ						
✓				LAW						
✓				LUMMIS						
✓				MACMILLAN, P.						
✓				MARTON						
✓				MCMILLAN, B.						

HB0337SS1/AE

TO ENGROSSED COPY

2-19-91

Page 3-line 18

After "board" insert "." and delete balance of line.

Page 3-line 19

Delete line through ".". TWIFORD, CHAIRMAN

*Done*

Page 1-line 5 After "(xii)" insert "; and to repeal W.S. 13-2-204 and 13-2-205".

Page 1-line 10 After "commissioner" insert ";" and delete balance of line.

Page 1-line 11 Delete "capacity;"; before "and" insert "providing definitions; abolishing the financial institutions board; specifying legislative intent;".

Page 2-line 6 Delete "administrative".

Page 5-line 17 After "meet" delete balance of line.

Page 5-line 18 Delete line through "as" insert "when".

Page 5-line 19 After "commissioner" insert "or when requested by a majority of the members of the board".

Page 6-line 16 Delete "and".

Page 6-line 19 Delete "." insert ";".

Page 6-After line 19 insert the following paragraph:

"(vi) Perform the duties prescribed in W.S. 13-2-206 through 13-2-215."

Page 8-line 6 Strike "-" insert "; AND".

Page 8-After line 6 insert the following subparagraph:

"(D) ANY DAY ON WHICH THE FEDERAL RESERVE BANKS ARE CLOSED FOR BUSINESS."

Page 9-Before line 1 insert the following sections and renumber as necessary:

"Section 3. W.S. 13-2-204 and 13-2-205 are repealed.

Section 4. It is the intent of the legislature that all duties previously performed by the financial institutions board, which is abolished by this act, shall be performed by the state banking board after the effective date of this act." TRUE

*Done*

1 HB0337HS1/A

2 ✓ Page 3-line 18 Delete "and" insert "or".

3 ✓ Page 4-line 11 Delete "three (3)" insert "four (4)".

4 ✓ Page 4-line 13 Delete "two (2)" insert "at least one (1)";  
5 delete "officers" insert "an officer";  
6 delete "directors" insert "director".

7 ✓ Page 4-line 17 Delete "officers, directors or share-  
8 holders" insert "an officer or director".

9 ✓ Page 5-line 5 Delete "," insert "or"; after "director"  
10 delete "or".

11 ✓ Page 5-line 6 Delete "shareholder". ZUMBRUNNEN, CHAIRMAN <sup>α</sup>

Adopted



# THE LEGISLATURE OF THE STATE OF WYOMING

## House of Representatives

Cheyenne, January 28, 1991

Mr. Speaker:

Your Committee No. 9 on MINERALS, BUSINESS AND ECONOMIC DEVELOPMENT..  
to whom was referred HB No. 0337

respectfully reports same back to the House with the recommendation that it **DO PASS**

Page 3 - line 18 After ~~"he"~~ Delete "and" insert "or".

Page 4 - line 11 After ~~"members,"~~ Delete "three (3)" insert "four (4)".

Page 4 - line 13 After ~~"Wyoming,"~~ Delete "two (2)" insert "at least one (1)"; after ~~"be"~~ insert "an"; delete "officers" insert "officer"; delete "directors" insert "director".

Page 4 - line 17 Delete "officers, directors" insert "an officer or director"; delete "or shareholders".

Page 5 - line 5 After ~~"officer"~~ Delete ", " insert "or"; after "director" delete "or".

Page 5 - line 6 Delete "shareholder".

### AYES

ZumBrunnen  
Arnold  
Bensel  
Cubin  
Dunnuck  
Enzi  
Hinchey  
Plant  
Tippets

### NOES

None

### EXCUSED

Hansen  
Law (conflict)

*Melvin ZumBrunnen*  
MELVIN ZUMBRUNNEN

Chairman

COM

House of Intro  
\_\_\_\_ To Com. No. \_\_\_\_\_  
\_\_\_\_ Stand Report Do \_\_\_ Amd \_\_\_ Not \_\_\_  
\_\_\_\_ Com Whole Do \_\_\_ Amd \_\_\_ Not \_\_\_  
\_\_\_\_ 2nd Reading Amd \_\_\_  
\_\_\_\_ 3rd Reading Amd \_\_\_ Pass \_\_\_ Fail \_\_\_

Second House  
\_\_\_\_ To Com No. \_\_\_\_\_  
\_\_\_\_ Stand Report Do \_\_\_ Amd \_\_\_ Not \_\_\_  
\_\_\_\_ Com Whole Do \_\_\_ Amd \_\_\_ Not \_\_\_  
\_\_\_\_ 2nd Reading Amd \_\_\_  
\_\_\_\_ 3rd Reading Amd \_\_\_ Pass \_\_\_ Fail \_\_\_

**ENGROSSED**

1991

STATE OF WYOMING

91LSO-0501.ENG

HOUSE BILL NO. 0337

State banking commissioner.

Sponsored by: Representative(s) MARTON and Senator(s) TRUE

A BILL

for

1 AN ACT to create W.S. 13-1-601 through 13-1-605; and to  
2 amend W.S. 13-1-101(a) by creating new paragraphs (iii),  
3 (iv) and (vi) and by renumbering or amending and renumber-  
4 ing (iii) as (v) and (iv) through (ix) as (vii) through  
5 (xii) relating to banks; providing for appointment of a  
6 state banking commissioner; establishing qualifications  
7 for the position of commissioner; defining the duties of  
8 the commissioner; providing for appointment of a state  
9 banking board to assist the director of the audit depart-  
10 ment and the state banking commissioner in an advisory  
11 capacity; and providing for an effective date.

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

1       Section 1. W.S. 13-1-601 through 13-1-605 are created  
2       to read:

3                               ARTICLE 6

4                               ADMINISTRATION

5       13-1-601. State banking commissioner; designation;  
6       appointment; removal. The administrative supervisor of the  
7       division of banking within the department of audit shall  
8       be designated the state banking commissioner. The commis-  
9       sioner shall be appointed by the director of the state  
10      department of audit, and shall serve at the pleasure of  
11      the director. The commissioner may be removed from office  
12      by the director in the same manner as the governor may  
13      remove a gubernatorial appointee as provided by W.S.  
14      9-1-202. The director shall advise and consult with the  
15      state banking board before appointing or removing the com-  
16      missioner.

17      13-1-602. State banking commissioner; qualifications;  
18      compensation.

19               (a) The commissioner shall have not less than seven  
20      (7) years experience in the commercial banking industry,  
21      or seven (7) years experience as an examiner or adminis-

1 trative officer with the federal deposit insurance corpo-  
2 ration, federal reserve system, office of the comptroller  
3 of the currency or a state banking regulatory department,  
4 or a combination thereof, with continually increasing  
5 administrative authority and responsibility throughout the  
6 period of experience.

7 (b) The salary of the commissioner shall be fixed by  
8 the director, after consultation with the state banking  
9 board, and within limits prescribed by the appropriation  
10 from the legislature.

11 13-1-603. State banking commissioner; powers and  
12 duties. The commissioner shall administer the laws and  
13 regulations governing the organization, operation, exami-  
14 nation, reorganization or dissolution of banks in Wyoming  
15 and shall perform the duties previously performed by the  
16 state examiner with respect to those laws and regulations.  
17 In conducting the affairs of the office, the commissioner  
18 may consult with the state banking board as he or the  
19 director deem necessary. The commissioner is directly  
20 responsible to and subject to the direction of the direc-  
21 tor.

22 13-1-604. State banking board created; purpose; mem-

1     bership; appointment; qualifications; term of office.

2           (a) There is created within the division of banking  
3     in the department of audit a state banking board. The  
4     board shall consult with and provide advice and counsel to  
5     the commissioner and the director as requested regarding  
6     the administration and operation of the dual banking sys-  
7     tem and the banking business in Wyoming.

8           (b) The state banking board shall consist of seven  
9     (7) members who shall be appointed by the governor. The  
10    director shall serve as an ex officio member of the board.  
11    Of the appointed members, four (4) shall be officers or  
12    directors of state banks chartered under the laws of  
13    Wyoming, at least one (1) shall be an officer or director  
14    of national banks chartered under the laws of the United  
15    States and authorized to do business in Wyoming, and two  
16    (2) members shall be residents of Wyoming who are not an  
17    officer or director of any bank. No member of the banking  
18    board shall have any interest, directly or indirectly, in  
19    a bank in which any other member of the banking board has  
20    any interest. Any member of the board who ceases to have  
21    the qualifications for which the member was appointed  
22    shall be disqualified to serve and a vacancy shall occur.

1           (c) Of the initial appointments to the banking board,  
2 one (1) member representing a state bank and one (1) mem-  
3 ber representing a national bank shall be appointed for a  
4 one (1) year term, one (1) member representing a state  
5 bank and one (1) member who is not an officer or director  
6 of any bank shall be appointed for a two (2) year term,  
7 and the remaining members shall be appointed for a three  
8 (3) year term. After the initial appointments, all  
9 appointments shall be for a three (3) year term. All  
10 appointments shall commence on July 1 of the year of  
11 appointment. Vacancies occurring because of disqualifica-  
12 tion, death, resignation, or for any reason, shall be  
13 filled by appointment for the unexpired portion of the  
14 term.

15           13-1-605. State banking board; meetings; compensa-  
16 tion; purpose.

17           (a) The board shall meet at least once each quarter  
18 of each calendar year, and at such other times as called  
19 by the commissioner. Members of the board shall receive  
20 no salary, but shall be paid mileage and per diem for  
21 attending board meetings in the same manner and amount as  
22 state employees.

1           (b) The banking board shall:

2                   (i) Consult with and assist the director in the  
3 appointment or the removal of the state banking commis-  
4 sioner;

5                   (ii) Consult with and advise the commissioner on  
6 strengths and weaknesses in the banking industry in  
7 Wyoming, and in the general economy of the state as  
8 reflected by the banking business;

9                   (iii) Recommend to the commissioner such changes  
10 in laws or regulations governing the banking industry as  
11 may be necessary to meet changes in the financial services  
12 industry;

13                   (iv) Assist the commissioner and the director in  
14 providing information to the legislature to support statu-  
15 tory reform necessary to maintain a strong, healthy bank-  
16 ing industry; and

17                   (v) Perform such other functions as requested by  
18 the commissioner to promote and maintain the dual banking  
19 system.

20           Section 2. W.S. 13-1-101(a) by creating new para-  
21 graphs (iii), (iv) and (vi) and by renumbering or amending

1 and renumbering (iii) as (v) and (iv) through (ix) as  
2 (vii) through (xii) is amended to read:

3 13-1-101. Definitions.

4 (a) As used in this act:

5 (iii) "BOARD" MEANS THE STATE BANKING BOARD;

6 (iv) "COMMISSIONER" MEANS THE STATE BANKING COM-  
7 MISSIONER;

8 ~~(iii)~~(v) "Customer" means any person having an  
9 account with a bank or for whom a bank has agreed to col-  
10 lect items including a bank carrying an account with  
11 another bank;

12 (vi) "DIRECTOR" MEANS THE DIRECTOR OF THE STATE  
13 DEPARTMENT OF AUDIT;

14 ~~(iv)~~(vii) "Financial institution" means a bank,  
15 guaranty capital savings and loan association, trust com-  
16 pany or state chartered credit union;

17 ~~(v)~~(viii) "Instrument" means a negotiable  
18 instrument as defined by W.S. 34-21-304 34.1-3-104;

19 ~~(vi)~~(ix) "Legal holiday" means:



1                   (A) Any day of public thanksgiving, mourn-  
2 ing or disaster proclaimed or appointed by the governor or  
3 president of the United States;

4                   (B) A day designated a holiday by W.S.  
5 8-4-101;

6                   (C) Sundays.

7                   ~~(viii)~~(x) "National banking association" or  
8 "national bank" means a banking association chartered by  
9 the United States;

10                   ~~(viii)~~(xi) "Officer" means any person designated  
11 an officer by the bylaws of a bank including any executive  
12 officer, the chairman of the board of directors, the  
13 chairman of the executive committee, the president, vice-  
14 president, cashier and any trust officer, assistant vice-  
15 president, assistant treasurer, assistant cashier, assis-  
16 tant comptroller or any person who performs the duties  
17 appropriate to those offices;

18                   ~~(ix)~~(xii) "This act" unless otherwise indicated  
19 means W.S. 13-1-101 through 13-10-111.

1       Section 3. This act is effective July 1, 1991.

2                               (END)

## THE LEGISLATURE OF THE STATE OF WYOMING

Senate

Cheyenne, February 12, 1991

Mr. President:

Your Committee No. 9 on MINERALS, BUSINESS AND ECONOMIC DEVELOPMENT  
 to whom was referred HB No. 0337 ENGROSSED

respectfully reports same back to the Senate with the recommendation that

it DO PASS with the following amendments:

Page 3 - Line 18 After "board" insert "." <sup>and</sup> delete remainder <sup>balance</sup> of line.

Page 3 - Line 19 Delete "~~director deem necessary~~" <sup>and change</sup>

Ayes: Senators Twiford, Cameron, Eddins, Fanos, Gulice

HB 0337 CS1/ TEC

*Done*

*[Signature]*  
 Chairman

HB0337SS1/

TO ENGROSSED COPY

Page 3-line 18

After "board" insert "." and delete balance  
of line.

Page 3-line 19

Delete line through ".". TWIFORD, CHAIRMAN

HB0337SS1/AE TO ENGROSSED COPY

- ✓ Page 3-line 18 After "board" insert "." and delete balance of line.
- ✓ Page 3-line 19 Delete line through ".". TWIFORD, CHAIRMAN

HB0337SW1/ACE TO ENGROSSED COPY/CORRECTED COPY

- ✓ Page 1-line 5 After "(xii)" insert "; and to repeal W.S. 13-2-204 and 13-2-205".
- ✓ Page 1-line 10 After "commissioner" insert ";" and delete balance of line.
- ✓ Page 1-line 11 Delete "capacity;"; before "and" insert "providing definitions; abolishing the financial institutions board; specifying legislative intent;".
- ✓ Page 2-line 6 Delete "administrative".
- ✓ Page 5-line 17 After "meet" delete balance of line.
- ✓ Page 5-line 18 Delete line through "as" insert "when".
- ✓ Page 5-line 19 After "commissioner" insert "or when requested by a majority of the members of the board".
- ✓ Page 6-line 16 Delete "and".
- ✓ Page 6-line 19 Delete "." insert ";".
- ✓ Page 6-After line 19 insert the following paragraph:  

"(vi) Perform the duties prescribed in W.S. 13-2-206 through 13-2-215."
- ✓ Page 8-line 6 Strike "-" insert "; AND".
- ✓ Page 8-After line 6 insert the following subparagraph:  

"(D) ANY DAY ON WHICH THE FEDERAL RESERVE BANKS ARE CLOSED FOR BUSINESS."
- ✓ Page 9-Before line 1 insert the following sections and renumber as necessary:

"Section 3. W.S. 13-2-204 and 13-2-205 are repealed.

Section 4. It is the intent of the legislature that all duties previously performed by the financial institutions board, which is abolished by this act, shall be performed by the state banking board after the effective date of this act." TRUE

House of Intro  
To Com. No. \_\_\_\_\_  
Stand Report Do Amd Not \_\_\_\_\_  
Com Whole Do Amd Not \_\_\_\_\_  
2nd Reading Amd \_\_\_\_\_  
3rd Reading Amd Pass Fail \_\_\_\_\_

Second House  
To Com No. \_\_\_\_\_  
Stand Report Do Amd Not \_\_\_\_\_  
Com Whole Do Amd Not \_\_\_\_\_  
2nd Reading Amd \_\_\_\_\_  
3rd Reading Amd Pass Fail \_\_\_\_\_

**INTRODUCED**

1991

STATE OF WYOMING

91LSO-0501.01

HOUSE BILL NO. 0337

State banking commissioner.

Sponsored by: Representative(s) MARTON and Senator(s) TRUE

A BILL

for

1 AN ACT to create W.S. 13-1-601 through 13-1-605; and to  
2 amend W.S. 13-1-101(a) by creating new paragraphs (iii),  
3 (iv) and (vi) and by renumbering or amending and renumber-  
4 ing (iii) as (v) and (iv) through (ix) as (vii) through  
5 (xii) relating to banks; providing for appointment of a  
6 state banking commissioner; establishing qualifications  
7 for the position of commissioner; defining the duties of  
8 the commissioner; providing for appointment of a state  
9 banking board to assist the director of the audit depart-  
10 ment and the state banking commissioner in an advisory  
11 capacity; and providing for an effective date.

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

1       Section 1. W.S. 13-1-601 through 13-1-605 are created  
2       to read:

3                               ARTICLE 6

4                               ADMINISTRATION

5       13-1-601. State banking commissioner; designation;  
6       appointment; removal. The administrative supervisor of the  
7       division of banking within the department of audit shall  
8       be designated the state banking commissioner. The commis-  
9       sioner shall be appointed by the director of the state  
10      department of audit, and shall serve at the pleasure of  
11      the director. The commissioner may be removed from office  
12      by the director in the same manner as the governor may  
13      remove a gubernatorial appointee as provided by W.S.  
14      9-1-202. The director shall advise and consult with the  
15      state banking board before appointing or removing the com-  
16      missioner.

17      13-1-602. State banking commissioner; qualifications;  
18      compensation.

19               (a) The commissioner shall have not less than seven  
20      (7) years experience in the commercial banking industry,  
21      or seven (7) years experience as an examiner or adminis-

1     trative officer with the federal deposit insurance corpo-  
2     ration, federal reserve system, office of the comptroller  
3     of the currency or a state banking regulatory department,  
4     or a combination thereof, with continually increasing  
5     administrative authority and responsibility throughout the  
6     period of experience.

7           (b) The salary of the commissioner shall be fixed by  
8     the director, after consultation with the state banking  
9     board, and within limits prescribed by the appropriation  
10    from the legislature.

11       13-1-603. State banking commissioner; powers and  
12    duties. The commissioner shall administer the laws and  
13    regulations governing the organization, operation, exami-  
14    nation, reorganization or dissolution of banks in Wyoming  
15    and shall perform the duties previously performed by the  
16    state examiner with respect to those laws and regulations.  
17    In conducting the affairs of the office, the commissioner  
18    may consult with the state banking board as he and the  
19    director deem necessary. The commissioner is directly  
20    responsible to and subject to the direction of the direc-  
21    tor.

22       13-1-604. State banking board created; purpose; mem-



1     bership; appointment; qualifications; term of office.

2           (a) There is created within the division of banking  
3     in the department of audit a state banking board. The  
4     board shall consult with and provide advice and counsel to  
5     the commissioner and the director as requested regarding  
6     the administration and operation of the dual banking sys-  
7     tem and the banking business in Wyoming.

8           (b) The state banking board shall consist of seven  
9     (7) members who shall be appointed by the governor. The  
10    director shall serve as an ex officio member of the board.  
11    Of the appointed members, three (3) shall be officers or  
12    directors of state banks chartered under the laws of  
13    Wyoming, two (2) shall be officers or directors of  
14    national banks chartered under the laws of the United  
15    States and authorized to do business in Wyoming, and two  
16    (2) members shall be residents of Wyoming who are not  
17    officers, directors or shareholders of any bank. No mem-  
18    ber of the banking board shall have any interest, directly  
19    or indirectly, in a bank in which any other member of the  
20    banking board has any interest. Any member of the board  
21    who ceases to have the qualifications for which the member  
22    was appointed shall be disqualified to serve and a vacancy  
23    shall occur.

1           (c) Of the initial appointments to the banking board,  
2 one (1) member representing a state bank and one (1) mem-  
3 ber representing a national bank shall be appointed for a  
4 one (1) year term, one (1) member representing a state  
5 bank and one (1) member who is not an officer, director or  
6 shareholder of any bank shall be appointed for a two (2)  
7 year term, and the remaining members shall be appointed  
8 for a three (3) year term. After the initial appoint-  
9 ments, all appointments shall be for a three (3) year  
10 term. All appointments shall commence on July 1 of the  
11 year of appointment. Vacancies occurring because of dis-  
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14 of the term.

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5                   (ii) Consult with and advise the commissioner on  
6 strengths and weaknesses in the banking industry in  
7 Wyoming, and in the general economy of the state as  
8 reflected by the banking business;

9                   (iii) Recommend to the commissioner such changes  
10 in laws or regulations governing the banking industry as  
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16 ing industry; and

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18 the commissioner to promote and maintain the dual banking  
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16 pany or state chartered credit union;

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1                   (A) Any day of public thanksgiving, mourn-  
2 ing or disaster proclaimed or appointed by the governor or  
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4                   (B) A day designated a holiday by W.S.  
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10                   ~~{viii}~~(xi) "Officer" means any person designated  
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12 officer, the chairman of the board of directors, the  
13 chairman of the executive committee, the president, vice-  
14 president, cashier and any trust officer, assistant vice-  
15 president, assistant treasurer, assistant cashier, assis-  
16 tant comptroller or any person who performs the duties  
17 appropriate to those offices;

18                   ~~{ix}~~(xii) "This act" unless otherwise indicated  
19 means W.S. 13-1-101 through 13-10-111.

1 Section 3. This act is effective July 1, 1991.

2 (END)

FISCAL NOTE

<u>Anticipated REVENUE to:</u>	<u>FY 1992</u>	<u>FY 1993</u>	<u>FY 1994</u>
_____	_____	_____	_____
_____	_____	_____	_____
TOTAL ESTIMATED REVENUE	_____	_____	_____

<u>Anticipated COST to:</u>	<u>FY 1992</u>	<u>FY 1993</u>	<u>FY 1994</u>
General Fund	\$15,000.00	+ 3%	+ 3%
TOTAL ESTIMATED COST	\$15,000.00	+ 3%	+ 3%

<u>Anticipated SAVINGS to:</u>	<u>FY 1992</u>	<u>FY 1993</u>	<u>FY 1994</u>
_____	_____	_____	_____
_____	_____	_____	_____
TOTAL ESTIMATED SAVINGS	_____	_____	_____

<u>Anticipated Change in Personnel:</u>	<u>FY 1992</u>	<u>FY 1993</u>	<u>FY 1994</u>
Full-Time	_____	_____	_____
Part-Time	_____	_____	_____
Temporary	_____	_____	_____
Time-Limited, Other	_____	_____	_____
TOTAL PERSONNEL IMPACT	_____	_____	_____