

# SENATE FILE

TH

SF0048

AN ACT to create W.S. 21-5-138; and to amend W.S. 21-5-103(a) (intro), (ii) and (vi), 21-5-116, 21-5-126, 21-5-130 and 21-5-131 relating to the Wyoming School District Organization Law; specifying additional criteria for school districts organized under law; prescribing reorganization in accordance with existing procedure subject to specified time limitations; specifying treatment of reorganized district bonded indebtedness; exempting countywide unified districts; and providing for an effective date.

Introduced by:

*Boyd F. Eddins*

## SENATE ACTION ON SENATE FILE

- 1113 ☒ Introduced  
 Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_  
☒ Read First Time and Ref. to Committee No. 4  
☐ Failed Introduction  
 Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_  
1122 Returned from Committee No. 4  
 with Recommendation:  
☒ Do Pass; ☐ Amend & Do Pass; ☐ Do Not Pass;  
☐ W/O Recomm; ☐ Re-Refer to Committee No. \_\_\_  
☐ Re-referred to Committee No. \_\_\_  
☐ Returned from Committee No. \_\_\_  
 with Recommendation:  
☐ Do Pass; ☐ Amend & Do Pass; ☐ Do Not Pass;  
☐ W/O Recomm; ☐ Re-Refer to Committee No. \_\_\_  
☐ Considered in Comm. of Whole  
☐ Amended  
☐ Recommended Do Pass  
☐ Failed Comm. of Whole  
☐ Indefinitely Postponed  
☐ Other: \_\_\_  
☐ Read Second Time  
☐ Amended  
☐ Do Pass  
☐ Do Not Pass  
☐ Accelerated to 3rd Rdg.  
☐ Read Third Time  
☐ Amended  
☐ Passed ☐ Failed  
 Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_  
☐ Held for Reconsideration  
☐ Motion to Reconsider  
☐ Passed ☐ Failed  
 Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_  
☐ Third Reading Vote  
 (On Reconsideration)  
☐ Passed ☐ Failed  
 Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_  
☐ Sent to House (No Amendments)  
☐ Sent to LSO for Engrossing  
☐ ENGROSSED  
☐ Sent to House

## SENATE ACTION CONT'D

- ☐ Received from House with Request to Concur in Amendments.  
☐ Senate Concurred in House Amendments.  
☐ Senate Did not Concur in House Amendments.  
☐ JCC# \_\_\_  
 Senate Members \_\_\_ Ch. House Members \_\_\_ Ch.  
☐ Request for New Committee.  
☐ Senate Did Not Adopt JCC# \_\_\_  
☐ Senate Adopted JCC# \_\_\_  
☐ House Adopted  
☐ House Did not Adopt  
☐ JCC# \_\_\_  
 Senate Members \_\_\_ Ch. House Members \_\_\_ Ch.  
☐ Request for New Committee.  
☐ Senate Did Not Adopt JCC# \_\_\_  
☐ Senate Adopted JCC# \_\_\_  
☐ House Adopted  
☐ House Did not Adopt  
☐ JCC# \_\_\_  
 Senate Members \_\_\_ Ch. House Members \_\_\_ Ch.  
☐ Request for New Committee.  
☐ Senate Did Not Adopt JCC# \_\_\_  
☐ Senate Adopted JCC# \_\_\_  
☐ House Adopted  
☐ House Did not Adopt  
☐ Sent for Enrolling  
☐ Received from LSO  
 SEA No. \_\_\_  
☐ Signed by President  
☐ Signed by Speaker  
☐ Approved by Governor  
 Chapter No. \_\_\_

(SEE REVERSE SIDE OF BILL JACKET FOR SUMMARY OF HOUSE ACTION)

SENATE FILE

0048

Received from Senate  
Read First Time and Ref. to  
Committee No. \_\_\_\_\_  
Returned from Committee No. \_\_\_\_\_  
with Recommendation:  
    ☐ Do Pass; ☐ Amend & Do  
    Pass; ☐ Do Not Pass;  
    ☐ W/O Recomm; ☐ Re-Refer  
    to Committee No. \_\_\_\_\_  
Re-referred to Committee No. \_\_\_\_\_  
Returned from Committee No. \_\_\_\_\_  
with Recommendation:  
    ☐ Do Pass; ☐ Amend & Do  
    Pass; ☐ Do Not Pass;  
    ☐ W/O Recomm; ☐ Re-Refer  
    to Committee No. \_\_\_\_\_  
Considered in Comm. of Whole  
    ☐ Amended  
    ☐ Recommended Do Pass  
    ☐ Failed Comm. of Whole  
    ☐ Indefinitely Postponed  
    ☐ Other: \_\_\_\_\_  
Read Second Time  
    ☐ Amended  
    ☐ Do Pass  
    ☐ Do Not Pass  
    ☐ Accelerated to 3rd Rdg.  
Read Third Time  
    ☐ Amended  
    ☐ Passed ☐ Failed  
        Aye \_\_\_\_\_ No \_\_\_\_\_ Ex \_\_\_\_\_ Ab \_\_\_\_\_  
    ☐ Held for Reconsideration  
\_\_\_\_ / \_\_\_\_\_ Motion to Reconsider  
    ☐ Passed ☐ Failed  
        Aye \_\_\_\_\_ No \_\_\_\_\_ Ex \_\_\_\_\_ Ab \_\_\_\_\_  
\_\_\_\_ / \_\_\_\_\_ Third Reading Vote  
    (On Reconsideration)  
    ☐ Passed ☐ Failed  
        Aye \_\_\_\_\_ No \_\_\_\_\_ Ex \_\_\_\_\_ Ab \_\_\_\_\_  
Sent to Senate  
Sent to LSO for ENROLLING

$\frac{9}{13}$  listed on Personal File.

(SEE REVERSE SIDE OF BILL JACKET FOR  
SUMMARY OF SENATE ACTION)

## THE LEGISLATURE OF THE STATE OF WYOMING

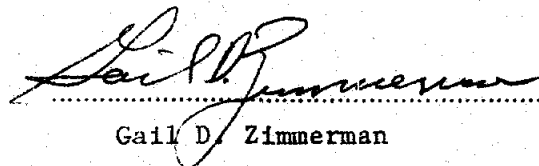
Senate

Cheyenne, January 22, 19<sup>93</sup>

Mr. President:

Your Committee No. 4 on EDUCATION  
to whom was referred SF No. 0048  
respectfully reports same back to the Senate with the recommendation that  
it DO PASS.

AYES: Senators Zimmerman  
Coe  
Kinney  
Maxfield  
Rankine



Gail D. Zimmerman

Chairman

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

1993

STATE OF WYOMING

93LSO-0316.01

SENATE FILE NO. 0048

School District Organization Law-3.

Sponsored by: Senator(s) EDDINS and Representative(s) TEMPEST

*Boyd L Eddins*

A BILL

for

1 AN ACT to create W.S. 21-5-138; and to amend W.S.  
 2 21-5-103(a)(intro), (ii) and (vi), 21-5-116, 21-5-126,  
 3 21-5-130 and 21-5-131 relating to the Wyoming School Dis-  
 4 trict Organization Law; specifying additional criteria for  
 5 school districts organized under law; prescribing reorga-  
 6 nization in accordance with existing procedure subject to  
 7 specified time limitations; specifying treatment of reor-  
 8 ganized district bonded indebtedness; exempting countywide  
 9 unified districts; and providing for an effective date.

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

11 Section 1. W.S. 21-5-138 is created to read:

- 1 -

**NO SIGNIFICANT EFFECT ON  
PERSONNEL IMPACT**

SF

48

1        21-5-138. Combination of districts based upon ADM;  
2        required reorganization by county committees; reorganiza-  
3        tion plan; state committee approval.

4        (a) Any unified or nonunified district with an aver-  
5        age daily membership as defined under W.S.  
6        21-13-101(a)(i), of five hundred (500) or less for three  
7        (3) consecutive school years, shall be combined with a  
8        contiguous unified district situated primarily within the  
9        same county as provided under this section. The state  
10       superintendent shall annually determine if any district  
11       qualifies for reorganization under this section and shall  
12       provide written notice of qualification to the board of  
13       trustees of each district within any county in which a  
14       qualifying district is primarily located. Notice by the  
15       state superintendent shall be provided not later than  
16       October 1 of the school year immediately following the  
17       three (3) year consecutive period used in determining  
18       qualification and shall clearly indicate the responsibili-  
19       ties imposed upon the districts by this section. The  
20       boards of trustees of each district within the county,  
21       acting as the county planning committee pursuant to W.S.  
22       21-5-130, shall following notification but not later than  
23       March 1 of that school year and subsequent to public

1 hearing requirements under W.S. 21-5-114(a)(ii), submit a  
2 plan to the state committee for reorganization within the  
3 county pursuant to this section. Contents of the submit-  
4 ted plan shall be as prescribed by W.S. 21-5-114 including  
5 trustee residence areas, and except for the time limita-  
6 tions imposed under this chapter, the plan shall conform  
7 to criteria and procedures specified by this chapter.

8 (b) The state committee shall review the submitted  
9 plan and shall within forty-five (45) days after receipt,  
10 approve or reject the plan in accordance with W.S.  
11 21-5-108(a)(vii). In addition, the state committee shall  
12 not approve any plan under which the combination of dis-  
13 tricts pursuant to this section results in five hundred  
14 (500) average daily membership or less as computed for  
15 student enrollments for the most recent school year. Any  
16 rejected plan shall be returned to the county planning  
17 committee together with recommendations for acceptance.  
18 The county planning committee shall resubmit a modified  
19 plan until approved by the state committee under this  
20 chapter. Upon approval, the state committee shall in  
21 accordance with W.S. 21-5-108, order the establishment of  
22 the reorganized district according to the approved plan.  
23 If a county planning committee fails to submit a plan

1     under this section or fails to submit an acceptable plan  
2     within thirty (30) days after notice of state committee  
3     rejection of the initial plan, the state committee shall  
4     reorganize the affected districts pursuant to this sec-  
5     tion.

6           (c) Following an order by the state committee filed  
7     with the county clerk pursuant to W.S. 21-5-108(a)(vii),  
8     the reorganized district shall be established in accor-  
9     dance with the effective date of the plan and W.S.  
10    21-5-117. The effective date of the plan shall be a date  
11    sufficient to enable operation of the reorganized district  
12    and election of initial district trustees by July 1 of the  
13    school year immediately following the school year in which  
14    the plan was developed. The old districts from which the  
15    new district was formed shall cease and the board of  
16    trustees of the reorganized district shall commence in the  
17    manner prescribed under W.S. 21-5-118. All real and per-  
18    sonal property of the former districts and the rights of  
19    district employees shall be transferred and protected as  
20    provided under W.S. 21-5-125 and 21-5-129.

21           (d) The average daily membership for any school year  
22    prior to July 1, 1992 shall not be used by the state  
23    superintendent in determining the qualification of any

1 district under this section.

2 Section 2. W.S. 21-5-103(a)(intro), (ii) and (vi),  
3 21-5-116, 21-5-126, 21-5-130 and 21-5-131 are amended to  
4 read:

5 21-5-103. Definitions.

6 (a) As used in this chapter: ~~;-unless-the-context~~  
7 ~~otherwise-requires-or-unless-otherwise-specifically-noted:~~

8 (ii) "Plan of organization" means a plan which  
9 would place all the territory of a county in one (1) or  
10 more unified school districts, ~~;-it-may-include~~ INCLUDING  
11 provision for establishing a unified district situated in  
12 two (2) or more counties AND INCLUDING THE COMBINATION OF  
13 TWO (2) OR MORE DISTRICTS PURSUANT TO W.S. 21-5-138;

14 (vi) "Effective date of the plan" means a date  
15 ~~on-or-before-April-15,-1977~~, when a plan of organization  
16 shall take effect.

17 21-5-116. Date for initial election of board of  
18 trustees of unified school district. SUBJECT TO W.S.  
19 21-5-138(c), the plan of organization shall include a date  
20 within a reasonable time following the proposal for the  
21 initial election of the board of trustees for each pro-



1 posed unified school district.

2 21-5-126. Approval of bond issues; outstanding  
3 indebtedness.

4 (a) No bond issue for school building construction  
5 may be submitted to the voters of a district until  
6 approval--of--said--bond--issue--is--obtained--from--the--county  
7 committee--involved--and--the--state--committee.--This--section  
8 shall--not--apply--to--any--unified--school--district.--No--bond  
9 issue--shall--be--voted--upon--within--a--county during the  
10 period between state committee approval of a plan of orga-  
11 nization and the effective date of that plan of organiza-  
12 tion unless all qualified electors within the proposed  
13 unified district have the opportunity to vote upon the  
14 proposition.

15 (b) IN ADDITION TO SUBSECTION (a) OF THIS SECTION,  
16 ANY OUTSTANDING BONDED INDEBTEDNESS OF A DISTRICT WHICH  
17 EXISTS ON AND AFTER THE DATE THE DISTRICT IS COMBINED WITH  
18 ANOTHER DISTRICT PURSUANT TO W.S. 21-5-138, SHALL NOT BE  
19 ALLOCATED TO THE RESIDENTS OF THE OTHER DISTRICT THROUGH  
20 IMPOSITION OF A TAX LEVY UNDER W.S. 21-13-713 UNTIL THE  
21 QUESTION IS SUBMITTED TO THE ELECTORS OF THAT DISTRICT IN  
22 ACCORDANCE WITH W.S. 21-13-701.

1        21-5-130. County boards of trustees to have powers  
2        and duties of former county committees; further organiza-  
3        tion of school districts. When a plan of organization for  
4        a county has been approved by the state committee and the  
5        new trustees have taken office, the boards of trustees of  
6        the unified districts in that county shall constitute a  
7        ~~committee with the powers and duties of~~ BE the former  
8        county committee. The committee may AND WHEN REQUIRED  
9        UNDER W.S. 21-5-138, SHALL submit to the state committee  
10       plans proposing organization of school districts which  
11       conform to the criteria and procedures set forth in this  
12       chapter, ~~but~~ EXCEPT AS PROVIDED UNDER W.S. 21-5-138, the  
13       time limits provided by this chapter shall not apply to  
14       any proposed further organization.

15        21-5-131. Exemptions from chapter. The-state--commit-  
16        tee--may--exempt--from--the-procedures-of-this-chapter Any  
17        countywide unified school district in-existence--prior--to  
18        the--effective--date-of-this-act-which-reasonably-complies  
19        with-the-criteria-of IS EXEMPT FROM this chapter.

20           Section 3. This act is effective July 1, 1993.

21 (END)