

THE STATE



OF WYOMING

ED HERSCHLER  
GOVERNOR

*No answer on file*



# State Conservation Commission

2219 CAREY AVENUE

PHONE (307) 777-7321

CHEYENNE, WYOMING 82002

**STAFF:**

BILL GENTLE  
CONSERVATION COMMISSION STATE EXECUTIVE

JOHN DREGE  
DISTRICT PROGRAM CONSULTANT

LOU WENZEL  
AG WATER QUALITY MANAGEMENT SPECIALIST

MARY NOWAK  
SECRETARY

SECRETARY

**COMMISSION MEMBERS:**

LARRY BOURRET  
CHAIRMAN (STATE AG. DEPT.)

CHARLES JAMIESON  
VICE-CHAIRMAN (AREA V DIRECTOR)

PETER MEIKE, JR.  
(AREA I DIRECTOR)

JAMES R.L. MAY  
(AREA II DIRECTOR)

STANLEY PREATOR  
(AREA III DIRECTOR)

EVE ADAMS  
(AREA IV DIRECTOR)

DR. HAROLD TUMA  
(U.W. AG. COLLEGE)

GEORGE CHRISTOPULOS  
(STATE ENGINEER'S OFFICE)

EUGENE HARDY  
(LIVESTOCK BOARD)

JOHN NILAND  
(D.E.P.A.D.)

May 9, 1980

Mr. Glenn Williams  
Attorney General's Office  
Capitol Building  
Cheyenne, Wyoming 82002

Dear Mr. Williams:

I have a question concerning the appropriate procedure the State Conservation Commission should take to fill supervisor vacancies in Conservation Districts.

Section 11-16-118 is confusing to me. The third sentence in part a. states, "Vacancies shall be filled for the unexpired term." The next sentence states, "Vacancies in the term of any supervisor shall be filled by appointment by the state commission upon the recommendations of the district supervisors, the appointee to serve until the next election at which time the vacancy shall be filled by the electors for the unexpired term." Should the appointee serve the full unexpired term as stated in the first sentence above or should he serve only until the next election at which time the vacancy should be filled by the electors?

In the past, vacancies have always been filled for the unexpired term. However, after re-reading the Conservation Districts Law, we are not sure what the procedure is.

I also have another problem; this one with elections.

Section 11-16-120(b) states that three supervisors shall be rural residents, one shall be an urban resident and one shall be at large. We presently have a situation in the Clear Water Conservation District where one of the three rural supervisors has sold his ranch and moved to town. So we now have two rural area residents, 2 urban residents, and one at large. Can the rural supervisor who moved continue to serve the remainder of his term?

Mr. Glen Williams  
May 9, 1980  
Page Two

Thanks for your help on these matters.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bill Gentle", with a long horizontal line extending to the right.

Bill Gentle  
Conservation Commission  
State Executive

BG:mn

cc: Larry J. Bourret, Chairman, State Conservation Commission  
Les Schuman, Chairman, Clear Water Conservation District



THE STATE OF WYOMING

MAY 21 1980

ED HERSCHLER  
GOVERNOR

In reply refer to:

## Attorney General

CHEYENNE, WYOMING 82002  
PHONE 307 777-7841

JOHN D. TROUGHTON  
ATTORNEY GENERAL

May 21, 1980

Mr. Bill Gentle  
Conservation Commission  
State Executive  
2219 Carey Avenue  
Cheyenne, WY 82001

Re: Section 11-16-118, 11-16-120(b)(a)(i)  
Supervisor vacancies in Conservation Districts

Dear Mr. Gentle:

By letter dated May 9, 1980, you have requested advice as to how Section 11-16-118(a) should be construed.

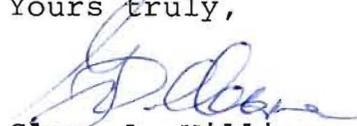
As I read the statutes, it would appear to me that in event of a vacancy, that the appointee should serve the full unexpired term formerly held by the original appointee. I reach this conclusion since the original appointee could serve only for a set time, and anyone who replaces him has only the right held by the original appointee.

You also present the situation where a supervisor originally appointed, has now moved from his rural residence and moved into the city. While Section 11-16-120(a)(i) provides for three rural and one urban and one at large supervisors, nothing is said concerning the facts presented. There are no provisions in the section relative to how a supervisor can be removed if he moves out of one of the designated areas, nor, is there provisions for his removal in case of default in his services.

It is my opinion that the purpose of the section is to provide a well-rounded office of supervisors, knowledgeable of the different aspects of the district and that just because one supervisor leaves an area of his selection, that he does not automatically forget his knowledge. It would be my suggestion that this supervisor be permitted to serve in his present capacity and then when his term is completed, elect a supervisor from the rural area.

**This letter of advice shall not be considered a formal Attorney General opinion and shall not be copied, reprinted or disseminated as such.**

Yours truly,

  
Glenn A. Williams  
Assistant Attorney General

GAW:kb