

**SCHOOL LAWS OF
THE STATE
OF WYOMING**

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School Laws of the State of Wyoming by K. O. Clark

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School Laws of Wyoming

Shall Have Free Access to State Offices—For What Purpose.

Sec. 83. The governor shall have free access to the office of any state officer for the inspection and examination of all books, papers, records and proceedings. [S. L. 1890-91, Ch. 95, Sec. 5.]

May Require Reports to Be Made to Him—When.

Sec. 84. The governor, or either house of the legislature, may, when in the opinion of either of them, the public interest demands the same, require any state officer, commission or board of a state institution, to communicate in writing any information concerning any subject pertaining to such office, commission or board, as the case may be. [S. L. 1890, Ch. 5, Sec. 2.]

Custodian of Bonds.

Sec. 106. The secretary of state shall be the custodian of all bonds of state officers, excepting his own. If at any time the sureties or any of them upon any official bond shall die, remove from this state, become insolvent or from any other cause cease to possess the qualifications required by law, the secretary of state shall require the officer giving such bond to give a new bond with such sureties as are required by law. [R. S. 1887, Sec. 1687.]

Investments of Land Funds.

Sec. 125. All permanent funds arising from the sale of state lands and any permanent addition thereto, may, and whenever practicable, shall be invested by the treasurer of the state with the approval of the governor and attorney general, in bonds of the United States or of the state of Wyoming, or in bonds issued by school districts within the state or registered coupon county bonds of the state or registered coupon municipal bonds, issued by any corporate city or town in the state of Wyoming, or interest bearing warrants of his state. The interest only shall be used for the purpose for which the grant of lands was made. Provided, That all funds belonging to the state for public school purposes, the interest and income

of which only are to be used, shall be invested only in bonds issued by school districts or registered county bonds of the state or state sureties of this state or of the United States. [S. L. 1903, Ch. 30, Sec. 1.]

How Invested.

Sec. 126. Whenever in pursuance of any law of the state, authorizing such investment, the state treasurer shall propose to invest any of the permanent state land funds in bonds of any school district in the state, or registered bonds of any county in this state, he shall be and he is hereby authorized, if in his judgment it shall be desirable or necessary to do so, to offer and pay for any such bonds out of any such permanent funds, a premium for the same in such reasonable amount as shall be deemed proper and necessary to secure such bonds. Provided, That the treasurer shall not pay for any such bond a price in excess of their market value at the time of purchase. Such premium so paid to be thereafter returned to the permanent fund from which it shall have been taken out of the first interest moneys received on such bonds, until the permanent fund is entirely reimbursed for the amount of the premium so paid. [S. L. 1897, Ch. 67.]

SUPERINTENDENT OF PUBLIC INSTRUCTION.

General Duties.

Sec. 133. The duties of superintendent of public instruction shall be as follows: He shall file all papers, reports and public documents transmitted to him by the school officers of the several counties, each year, separately, and hold the same in readiness to be exhibited to the governor, or to any committees of either house of the legislature, and shall keep a fair record of all matters pertaining to the business of his office. He shall have a general supervision of all the district schools of the state, and shall see that the school system is, as early as practicable, put into uniform operation. He shall prepare and have printed suitable forms for all reports required by law and shall transmit the same, with such instructions in reference to the course of studies as he may judge advisable, to the several officers entrusted with their management and care. He shall make all further rules and regulations that may be necessary to carry the law into full effect, according to its spirit and intent, which shall have the same force and effect as though contained herein. [R. S. 1887, Sec. 3906.]

Disposition of Donated Books, Maps, and School Apparatus.

Sec. 134. One copy of all books, maps, charts or school apparatus, which may be received by the superintendent of public instruction from publishers, inventors or manufacturers, shall be placed by him in the public library of the state. [R. S. 1887, Sec. 3907.]

Distribution of School Funds.

Sec. 135. On or before the 31st day of March in every year, if there shall be any money to the credit of the income fund, for the use of public schools, in the state treasury, including the rents of the unsold school lands, the state superintendent of public instruction shall distribute such income among the several counties of the state according to the number of children of school age in each, the same to be determined by reference to the last preceding annual reports furnished to the state superintendent of public instruction by the several county superintendents of schools. Such moneys so distributed shall be paid to the county treasurer of each county by the state treasurer, upon the requisition to that effect by the state superintendent of public instruction, which said requisition shall state the county entitled thereto, together with the amount, and the fund out of which it is to be paid; and the superintendent of public instruction shall at the same time notify each superintendent of schools that such distribution has been made; such requisition shall be accompanied by a warrant of the auditor upon the treasurer covering the amount of the requisition in each case, and the superintendent of public instruction shall file such requisition with the auditor and a copy of the same with the treasurer. Upon such distribution being made and said money being paid to the respective county treasurers, the county superintendent of schools in each county shall cause such money to be distributed among the several school districts in the county pro rata in the same manner and in the same proportion as the regular county school tax is required by law to be distributed. Provided, however, That any law with reference to the distribution of the county school tax which provides for a certain amount to be paid to each school district before the pro rata distribution of the balance is made shall not apply in the case of the distribution of said money; Provided, further, That no apportionment from said state fund shall be made to any school district for a year in which a school has not been maintained therein for at least three months. [S. L. 1895, Ch. 53, Sec. 1; R. S. 1899, Sec. 93.]

Salaries—Shall Deposit Fees.

Sec. 136. Until otherwise provided by law, the governor shall receive an annual salary of four thousand dollars; the secretary of state, state auditor, state treasurer, and superintendent of public instruction, shall each receive an annual salary of three thousand dollars; and the salaries of any of said officers shall not be increased or diminished during the period for which they were elected, and all fees and profits arising from any of said offices shall be covered into the state treasury. [S. L. 1909, Ch. 54, Sec. 1.]

Shall Reside at Seat of Government.

Sec. 137. All officers hereafter elected to the offices mentioned in Section 136 shall reside at the seat of government, and shall keep their offices at the state capitol. [S. L. 1909, Ch. 54, Sec. 2.]

Attorney General Legal Advisor.

Sec. 145. The attorney general shall prosecute and defend all suits that may be instituted by or against the state of Wyoming, the prosecution and defense of which is not otherwise provided for by law, and he shall represent the state in all criminal cases in the supreme court, and shall defend all suits brought against the state officers in their official relations, except suits brought against them by the state. He shall be required to attend to the interests of the state in all suits, actions or claims in which the state is or may become interested in either the supreme court of the state, or in any of the United States courts. He shall be the legal adviser of all elective and appointive state officers, and of the prosecuting attorneys of the several counties of the state, and shall, when requested, give written opinions upon questions submitted to him by such officers, and by either branch of the legislature, when in session. He shall also, within thirty days next preceding the meeting of the legislature, make a report to the governor of the condition of affairs of his department, and in said report make such suggestions as shall appear to him calculated to improve the laws of the state, and shall communicate to the governor or either house of the legislature, whenever requested, any information concerning his office. It shall be the duty of the attorney general to pay over to the state treasurer all funds that may come into his hands by reason of the duties of his office. [S. L. 1899, Ch. 22, Sec. 5.]

Limitation of Expense.

Sec. 249. No state officer shall be authorized to create any expense of any kind or character as a charge against the

state in excess of the amount expressly provided for his use as a contingent fund. Any officer creating an expense in excess of such amount shall be responsible for such expenditure under his official bond; Provided, further, That the various contingents must be made to cover the full period of two years for which they are appropriated, and that any outgoing officer who shall not, when his term of office expires, have on hand the full sum of one-eighth of his entire contingent, to cover the period to the first day of the following April, shall be considered delinquent, and shall be held responsible as above provided. [S. L. 1899, Ch. 35, Sec. 3.]

Penalty.

Sec. 250. Any person or persons, or board, who shall violate any of the provisions of the preceding section, shall, upon conviction thereof, be deemed guilty of a misdemeanor, and shall be fined in the sum not to exceed two hundred dollars. [S. L. 1899, Ch. 35, Sec. 5.]

Receipts to Be Attached to Vouchers.

Sec. 251. When an appropriation is made by law as a contingent fund for any office or officer, or board, or for any other purpose, to be expended for the state, the officer or board having charge of such fund shall keep an account therewith, showing when, to whom, and for what purpose any portion of said fund has been expended; which account shall always be open to public inspection; and every officer or person presenting any voucher to any board for allowance, or to the auditor for payment, shall have fixed thereunto receipts for all moneys expended; and any and all claims failing to comply with this provision shall be rejected by the auditor, or any of said boards to which such claims shall be presented; if any officer or person shall make or present any voucher for a greater sum of money than was actually paid or expended for the purpose stated or indicated in or by such voucher, he shall upon conviction thereof, be deemed guilty of embezzlement of the amount so falsely included in such voucher in the excess actually paid or expended, and shall be imprisoned in the penitentiary not less than five years. [S. L. 1899, Ch. 35, Sec. 4.]

Contingent Fund.

Sec. 252. Whenever an appropriation is made as a contingent fund for the use of any state office, officer, board or commission to be expended for the state, the officer, board, commission or other agency having charge of such fund shall keep an accurate account thereof showing when and to whom

and for what purpose any portion of said fund has been expended and when such expenditure is made as an incident to travel on business of the state, a statement as to the nature and purpose of such travel, which account shall always be open for public inspection. Every such officer, board, commission or other agency having charge of such fund shall file with the secretary of state not later than the 30th day of November in even numbered years, a certified transcript of all items and explanations appearing upon the original expense vouchers theretofore filed with the state auditor for payment, all of which shall be reconciled with the account of the state auditor at the close of business upon the date mentioned. [S. L. 1909, Ch. 125, Sec. 1.]

Publication of Accounts.

Sec. 253. It shall be the duty of the secretary of state to compile and publish in pamphlet form as a public document, all certified transcripts of accounts filed in his office pursuant to Section 252 for general distribution and to deliver a copy thereof to each member of the legislature on or before the first day of the next succeeding session. The cost of such publication shall be paid out of the fund appropriated for legislative printing, the number of copies not to exceed three hundred. [S. L. 1909, Ch. 125, Sec. 2.]

Penalty.

Sec. 254. Any state officer, or any member of any state board of commission who shall fail to comply with the provisions of the two preceding sections, shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars. [S. L. 1909, Ch. 125, Sec. 3.]

Fiscal Officers to Balance Accounts.

Sec. 260. All fiscal officers of the state shall balance their respective accounts at noon on the 31st day of March, and at noon on the 30th day of September in each year. [S. L. 1888, Ch. 54, Sec. 1.]

Annual Fiscal Reports to Governor.

Sec. 261. On or before the first day of November, annually, each fiscal officer of the state shall report in writing, to the governor, the condition of his department, as required by law, covering the period since the last report, and up to and including the 30th day of September. [S. L. 1888, Ch. 54, Sec. 3.]