

HOUSE BILL NO. HB0084

Department of workforce services.

Sponsored by: Joint Labor, Health and Social Services  
Interim Committee

A BILL

for

1 AN ACT relating to the department of workforce services;  
2 reorganizing program authority as specified; conforming the  
3 reorganization of the department of workforce services to  
4 2002 House Enrolled Act 0047, as enacted by the  
5 legislature; 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. 9-2-2608 is created to read:

10

11 **9-2-2608. Department designation as the single state**  
12 **agency for public assistance.**

13

14 The governor may, after consultation with the director of  
15 the department, designate the department as the single  
16 state agency for the administration of the state plan for

1 public assistance to administer upon terms directed by the  
2 governor.

3

4 **Section 2.** W.S. 9-2-2101(a), 9-2-2103, 9-2-2601(a)  
5 and (b), 9-2-2602(b)(v) and (vi), 14-2-313(a)(iv),  
6 27-3-306(a)(i)(intro), 27-3-307(a)(i), 27-3-321(c), (d) and  
7 (f), 35-25-105(a)(ii), 35-27-102(g), 37-2-302,  
8 42-1-101(a)(ii) are amended to read:

9

10 **9-2-2101. Department of family services; duties and**  
11 **responsibilities; state grants; authority to contract for**  
12 **shelters; definitions; youth programs.**

13

14 (a) The department of family services is created.  
15 The department of family services is the state youth  
16 services authority and the authority for ~~public assistance~~  
17 ~~and~~ social services.

18

19 **9-2-2103. Allocation, transfer and abolition of**  
20 **powers, duties and functions within department.**

21

22 The governor may, after consultation with the director of  
23 the department and the departmental advisory council  
24 designate the department as the single state agency for the

1 administration of the state ~~plans~~plan for public  
2 ~~assistance and~~ social assistance to administer upon such  
3 terms ~~as directed by~~ the governor. ~~directs.~~

4

5 **9-2-2601. Department of workforce services; duties**  
6 **and responsibilities; agreements with other agencies**  
7 **authorized; definition.**

8

9 (a) The department of workforce services is created.  
10 The department is the authority for public assistance in  
11 the state which previously existed under the department of  
12 family services and for workforce services. The department  
13 is the successor agency for public employment and training  
14 services which previously existed under the department of  
15 employment. The department shall perform all functions  
16 previously performed by those programs.

17

18 (b) The department may submit a unified plan for the  
19 state to the appropriate federal agencies for work  
20 activities and programs as authorized under section 501 of  
21 the Workforce Investment Act of 1998, and may include, with  
22 the approval of the governor and the superintendent of  
23 public instruction, activities authorized under the Carl D.  
24 Perkins Vocational and Technical Education Act of 1998.

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2           **9-2-2602. Director of department; appointment;**  
3 **removal; duties.**

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5           (b) The director shall:

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7                   (v) With the assistance of the attorney general  
8 bring actions in the courts of the state in the name of the  
9 department for the enforcement of public welfare laws;

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11                   (vi) Promulgate reasonable rules and regulations  
12 in compliance with the Wyoming Administrative Procedure  
13 Act, for the implementation of all state and federal  
14 welfare laws; and

15

16           **14-2-313. Service of petition.**

17

18           (a) The petition shall be served on the following  
19 persons:

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21                   (iv) The department of family services if the  
22 child is or has been supported by public assistance funds.  
23 The department of family services shall notify the  
24 department of workforce services if the petition involves a

1 child who is or has been supported by public assistance  
2 funds.

3

4 **27-3-306. Eligibility requirements; waiver or**  
5 **amendment authorized; unemployed waiting period;**  
6 **registration and referral for suitable work.**

7

8 (a) An unemployed individual is eligible for benefits  
9 under this article for any week if he:

10

11 (i) Registers for work, with the department of  
12 workforce services and actively seeks work ~~and continues to~~  
13 ~~report to a department office~~ in accordance with  
14 regulations of the commission, unless he will be recalled  
15 to full-time work:

16

17 **27-3-307. Eligibility when enrolled in approved**  
18 **training program; standards for training program approval.**

19

20 (a) Notwithstanding W.S. 27-3-306(a)(iii) or  
21 27-3-311(a)(ii) and (iii) or any federal law relating to  
22 availability for, active search for, failure to apply for  
23 or refusal to accept suitable work, an otherwise eligible  
24 individual is eligible for benefits for any week if he is:

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(i) Enrolled in a training program approved by the department of employment or the department of workforce services pursuant to subsection (b) of this section; or

**27-3-321. Disclosure of food stamp overissuance required; notification; amount withheld; payment; applicability of provisions.**

(c) Any amount deducted and withheld under this section shall be paid by the department to the department of family-workforce services.

(d) Any amount deducted and withheld under subsection (b) of this section shall for all purposes be treated as if it were paid to the individual as unemployment compensation and paid by the individual to the department of family-workforce services as repayment of the individual's uncollected overissuance.

(f) This section applies only if arrangements have been made for reimbursement by the department of family-workforce services for the administrative costs incurred by the department under this section which are attributable to

1 the repayment of uncollected overissuances to the  
2 department of ~~family~~workforce services.

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4 **35-25-105. Health benefits plan committee; benchmark**  
5 **benefit package.**

6

7 (a) A health benefits plan committee shall be  
8 established no later than April 15, 1999. The committee  
9 shall be composed of ten (10) members, which include:

10

11 (ii) The director of the Wyoming department of  
12 ~~family~~workforce services or his designee;

13

14 **35-27-102. Public health nursing infant home**  
15 **visitation subprogram created; eligibility.**

16

17 (g) The public health nurses responsible for each  
18 county shall jointly for that county develop a list of  
19 programs, resources and providers to whom referrals may be  
20 made and the types of referrals that may be made to each  
21 entity. The lists shall be reviewed at least annually with  
22 the county health officer, the manager of the department of  
23 family services field office serving the county, the  
24 manager of the department of workforce services field

1 office serving the county, the preschool developmental  
2 disability program serving the county and the county or  
3 municipal human services agency or coordinator, if any.

4

5 **37-2-302. Eligibility; certification.**

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7 (a) The telephone assistance program shall only be  
8 used to provide for a single resident line at the principal  
9 residence of subscribers certified by the department of  
10 ~~family~~workforce services, its successor agency or the  
11 equivalent tribal authority, to the commission pursuant to  
12 W.S. 42-2-303(b) that the subscriber is eligible to receive  
13 services under either article 1 or 2 of chapter 2 or under  
14 chapter 4, title 42 of the Wyoming statutes.

15

16 (b) At least annually providers of residential  
17 regulated local exchange services shall submit the names of  
18 persons receiving program assistance to the department of  
19 ~~family~~workforce services, its successor agency or the  
20 equivalent tribal authority, for recertification that the  
21 persons receiving assistance are still eligible.

22

23 **42-1-101. Definitions; generally.**

24

1 (a) As used in this title:

2

3 (ii) "Department" means the department of ~~family~~  
4 workforce services;

5

6 **Section 3.** 2002 Wyoming Session Laws, Chapter 100,  
7 section 1(a)(ii)(A) through (E), (iii)(B) and (C) and (v)  
8 is amended to read:

9

10 **Section 1.**

11

12 (a) W.S. 9-2-2018 created the department of  
13 workforce services and required the director to  
14 submit a reorganization plan. Pursuant to W.S.  
15 9-2-2018(b), the department of workforce services  
16 reorganization plan dated October 15, 2001 and  
17 submitted to the legislature as required by law.  
18 The legislature hereby approves that plan for  
19 implementation beginning April 1, 2002. On that  
20 date, the governor may begin transferring  
21 programs specified in this section to the  
22 department of workforce services. The program  
23 transfers shall be substantially completed by

1 June 30, 2003. The implementation plan shall be  
2 subject to the following:

3  
4 (ii) The following programs are  
5 transferred from the department of family  
6 services to the department of workforce services  
7 as type 2 transfers:

8  
9 (A) Temporary assistance to needy  
10 families (TANF) block grant and TANF/work  
11 program;

12  
13 (B) Prosecution recovery  
14 investigation, collection and enforcement;

15  
16 (C) Quality control program;

17  
18 (D) Food stamp employment and  
19 training, including the electronic benefit  
20 transfer (EBT)/health passport (HPP) initiative;

21  
22 (E) Eligibility determination  
23 functions, including eligibility payment  
24 information computer systems (EPICS) food stamp

1 eligibility and child care subsidy program  
2 eligibility.

3

4 (iii) The following programs are  
5 transferred from the department of health to the  
6 department of workforce services as type 2  
7 transfers:

8

9 (B) Community services block  
10 grant;

11

12 (C) Senior community service  
13 employment program.

14

15 (v) The governor shall require the  
16 department of employment, department of family  
17 services, department of health, department of  
18 education, department of corrections, the Wyoming  
19 business council and the Wyoming community  
20 college commission to enter into memoranda of  
21 understanding developed by the department of  
22 workforce services to coordinate the delivery and  
23 enhancement of services promoting training and  
24 preparation of Wyoming citizens for employment.

1       The memoranda shall be developed with  
2       participation of the state entities specified,  
3       community college districts and other entities as  
4       determined appropriate by the department of  
5       workforce services;

6  
7       **Section 4.**   W.S. 9-2-2006(c)(i) and 9-2-2104(a)(vi)  
8       and (vii) are repealed.

9  
10       **Section 5.**   The governor may begin transferring  
11       programs specified in this act effective April 1, 2003. The  
12       program transfers shall be substantially completed by June  
13       30, 2003.

14  
15       **Section 6.**   This act is effective immediately upon  
16       completion of all acts necessary for a bill to become law  
17       as provided by Article 4, Section 8 of the Wyoming  
18       Constitution.

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(END)