

SENATE FILE NO. SF0010

Firefighters-employment and appointments.

Sponsored by: Senator(s) Coe and Mockler

A BILL

for

1 AN ACT relating to firefighters; modifying provisions  
 2 regulating employment and appointments; and providing for  
 3 an effective date.

4

5 *Be It Enacted by the Legislature of the State of Wyoming:*

6

7 **Section 1.** W.S. 15-5-107, 15-5-108,

8 15-5-122(a) (intro) and 15-5-204(d) are amended to read:

9

10 **15-5-107. Employment and appointments generally;**  
 11 **requirements; veterans; grading; reexamination.**

12

13 Only those persons who are seventy-five percent (75%) or  
 14 more proficient may be certified for employment. ~~and if~~  
 15 ~~certified for employment in a fire department are adults~~  
 16 ~~under thirty-three (33) years of age, except this age~~  
 17 ~~requirement does not apply to any person employed as the~~

1 ~~chief of a department~~ A local fire commission may establish  
2 a higher required proficiency, in which case only those  
3 persons meeting the higher standard shall be certified by  
4 the commission for employment. The examination requirements  
5 of this section shall not apply to a person meeting the  
6 conditions of W.S. 15-5-122(a) if the person is employed by  
7 a police department. The ~~age and~~ examination requirements  
8 of this section shall not apply to a person meeting the  
9 conditions of W.S. 15-5-122(a) if the person is employed by  
10 a fire department. All other things being equal, persons  
11 honorably discharged from the military service of the  
12 United States shall be given preference for employment over  
13 other candidates. Those examined shall be graded upon their  
14 examinations and their approved ratings or grades entered  
15 in a register. ~~Those~~ Eligible applicants for the fire  
16 department shall remain on the registers two (2) years,  
17 except the chief of each department may choose the option  
18 of a one (1) year register. Applicants for the police  
19 department shall remain on the register one (1) year,  
20 without reexamination and certification. However, the  
21 commission, in its discretion, may require further  
22 examination as to physical fitness, health and age  
23 qualifications prior to certifying the applicant to the  
24 governing body for employment.

1

2           **15-5-108. Employment and appointments generally;**  
3 **manner of filling positions.**

4

5 If a position is to be filled in either department, the  
6 governing body or chief of the department shall request  
7 from the commission the names of ~~three (3) eligible~~  
8 ~~persons, except in the case of police departments the names~~  
9 ~~of five (5) eligible persons.~~ shall be requested. Upon  
10 request, the commission shall certify for ~~fire~~ departments  
11 the names of the ~~three (3) and for police departments the~~  
12 five (5) qualified applicants having the highest percentage  
13 of proficiency, one (1) of whom shall be employed. If all  
14 persons certified are unsuitable for the position, the  
15 commission shall certify additional names, but the reason  
16 for certification of the additional names shall be stated  
17 in the certificate. If there are no registered, eligible  
18 applicants, the commission may allow provisional  
19 employment, or it may authorize the appointive authority to  
20 select a suitable person for examination, and if qualified,  
21 that person shall be certified for employment.

22

1           **15-5-122. Fire and police services provided under**  
2 **cooperative agreements; exemption from civil service**  
3 **provisions; service credit.**

4  
5           (a) The examination, ~~age,~~ preference and initial  
6 employment criteria of W.S. 15-5-105 through 15-5-108 shall  
7 not apply to a person employed in a fire or police  
8 department if:

9  
10           **15-5-204. Pensions; amounts; qualifications; when**  
11 **paid; disability benefits; disqualifications; examinations;**  
12 **disallowance; actions; adjustment.**

13  
14           (d) No fireman is entitled to draw a disability  
15 pension if the primary cause of the mental or physical  
16 disability which renders him unfit for active duty is  
17 alcoholism, dope addiction or an injury incurred as a  
18 result of the commission of a crime of a voluntary nature,  
19 or a mental or physical condition which existed at the time  
20 of his employment. ~~Firemen employed in violation of the~~  
21 ~~maximum age requirement specified in W.S. 15-5-107 are not~~  
22 ~~qualified to receive a disability pension.~~

23

1           **Section 2.** This act is effective July 1, 2005.

2

3

(END)