

ENROLLED ACT NO. 112, HOUSE OF REPRESENTATIVES

FIFTY-NINTH LEGISLATURE OF THE STATE OF WYOMING  
2007 GENERAL SESSION

AN ACT relating to the Wyoming livestock board; authorizing additional salaries, additional insurance contributions and additional retirement contributions for brand inspectors; providing an appropriation; specifying use of the appropriation; and providing for an effective date.

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

**Section 1.** W.S. 9-2-1022(a)(xi)(F)(IV), 9-3-211 by creating a new subsection (c) and 9-3-412(b) are amended to read:

**9-2-1022. Duties of department performed through human resources division.**

(a) Subject to subsection (b) of this section, the department through the human resources division shall:

(xi) Promulgate reasonable rules:

(F) Necessary to administer a program whereby at-will contract employees may be utilized by agencies to meet programmatic needs. These rules shall be structured so that:

(IV) Notwithstanding subdivision (III) of this subparagraph, if the employment contract so provides, an at-will, year-round, full-time brand inspection contract employee authorized to carry out the duties specified by W.S. 11-20-201 may be eligible for membership in the state employees' and officials' group insurance plan in accordance with W.S. 9-3-207, and the state retirement system under W.S. 9-3-412, provided the employee pays the total premium or total contribution required, or the portion of the premium or contribution, if

any, the employment contract directs the employee to pay and the employee's wages under the contract are reported on an Internal Revenue Service Form W-2 Wage and Tax Statement. The Wyoming livestock board shall have sole discretion to determine the amount of the total premium or contribution to be paid by the employee and the amount to be paid by the board, if any. The amounts shall be stated in the employment contract. The time limitations provided in ~~subparagraph (F)~~ subdivision (V) of this ~~paragraph~~ subparagraph shall not apply to any employee under this subdivision;

**9-3-211. Deductions from salaries of monthly contributions by employees and officials; establishment of procedure.**

(c) Notwithstanding any other provision of the State Employees' and Officials' Group Insurance Act and for the contributions provided by W.S. 9-2-1022(a)(xi)(F)(IV), the contributions required by subsection (a) of this section may be paid by the Wyoming livestock board for state employee members in order to be treated as employer contributions for the sole purpose of determining tax treatment under the United States Internal Revenue Code, section 414(h). The amounts shall be stated in the employment contract.

**9-3-412. Members' contributions; payroll deductions; employer authorized to pay employee's share.**

(b) From and after July 1, 1983 and except as provided by W.S. 9-2-1022(a)(xi)(F)(III) or (IV), the contributions required by subsection (a) of this section shall be paid by the employer for state employee members and may be paid by the employer for member employees of political subdivisions of this state in order to be treated as employer contributions for the sole purpose of determining tax treatment under the United States Internal Revenue Code, section 414(h). Unless otherwise specified by contract, any contract employee authorized to participate in the state retirement system under W.S. 9-2-1022(a)(xi)(F)(III) ~~or (IV)~~ shall pay the entire member contribution and the entire employer contribution under W.S. 9-3-413. From and after July 1, 2007 and for the contributions as provided by W.S. 9-2-1022(a)(xi)(F)(IV), the contributions required by subsection (a) of this section may be paid by the Wyoming livestock board for

state employee members in order to be treated as employer contributions for the sole purpose of determining tax treatment under the United States Internal Revenue Code, section 414(h). The amounts shall be stated in the employment contract.

**Section 2.**

(a) There is appropriated a total of one million three hundred thirty-seven thousand six hundred seventy-five dollars (\$1,337,675.00) from the general fund to the Wyoming livestock board to fund approximately thirty-five percent (35%) of operations of the brand inspection program for the period of July 1, 2007 through June 30, 2008.

(b) The number of employees hired by the Wyoming livestock board for the brand inspection program shall be limited to those authorized by legislative appropriation. For the period of July 1, 2007 through June 30, 2008, the maximum number of employees shall be one (1) full-time employee, sixty (60) full-time at-will contract employees and thirty-eight (38) part-time at-will contract employees.

(c) Beginning July 1, 2007, and subject to the prior approval of the department of administration and information's budget office, the Wyoming livestock board is authorized to provide cost-of-living adjustments, salaries, mileage, retirement benefits and other expenses for the brand inspection program so long as the new budget can be fully supported by actual anticipated revenues together with the appropriation provided in subsection (a) of this section.

(d) The Wyoming livestock board shall require and collect daily time sheets from all brand inspectors accurately accounting for the amount of time brand inspectors spend on all duties, including public benefit activities. These activities and percentages shall be reviewed and summarized annually by the department of administration and information budget office.

**Section 3.** This act is effective July 1, 2007.

(END)

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Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the House.

\_\_\_\_\_  
Chief Clerk