

ENROLLED ACT NO. 75, HOUSE OF REPRESENTATIVES

SIXTY-FIRST LEGISLATURE OF THE STATE OF WYOMING
2011 GENERAL SESSION

AN ACT relating to administration of government; providing for a study of state executive department positions; providing for reports; and providing for an effective date.

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

Section 1.

(a) The department of administration and information shall conduct a study of the classification and identification of state executive branch employees and the classification and identification of persons employed as directors, executive secretaries and deputy directors by boards and commissions in Wyoming. The study shall review those positions which are identified as at-will positions and positions which serve at the pleasure of the governor, an agency head or subordinate position, or a board or commission. The study shall also review those positions which would be affected by classifying or identifying all agency positions:

(i) At the level of division administrator or equivalent and higher levels of responsibility as at-will positions; and

(ii) Board or commission director, executive secretary and deputy director positions as at-will positions; and

(iii) If the governor determines further review is appropriate, at the level of program manager or equivalent and higher levels of responsibility as at-will positions.

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(b) In determining positions which are equivalent to an administrator or program manager the department shall consult with the governor's office and shall consider:

(i) The rate of pay for the position;

(ii) The need of the agency to be responsive in filling the position in order for the executive branch to fulfill service commitments to Wyoming citizens;

(iii) Duties and responsibilities of the position including accountability and human relations requirements;

(iv) The supervisory role of the position, if any, and the number of employees supervised;

(v) Knowledge, experience and skills in problem solving required of the position;

(vi) The position based on the agency's organizational structure.

(c) The study shall:

(i) Estimate costs associated with classifying and identifying positions as at-will positions as provided in this section;

(ii) Determine a process and timeline for implementing any modifications of positions to at-will positions;

(iii) Consider any federal requirements for positions in programs that are partly federally funded.

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(d) As used in this section "agency" means any board, commission, council, committee or office in the executive branch of state government except the offices listed in W.S. 9-2-1704(a) and the University of Wyoming.

Section 2. The study results shall be presented to the joint labor, health and social services interim committee and the joint appropriations interim committee not later than September 1, 2011. The committees shall review the study and determine whether the extension of at-will employment in the executive branch agencies and boards and commissions, as specified in this act, will enable the state to more effectively or more efficiently provide services to Wyoming citizens. The joint labor, health and social services interim committee shall develop legislation for introduction in the 2012 budget session as it determines appropriate to achieve that goal. Any legislation developed shall be provided to the joint appropriations interim committee not later than December 1, 2011 for review and comment as that committee determines appropriate.

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Section 3. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

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