

*Appropriation*

# 2 - Appropriation  
93 LSO 0676

# HOUSE BILL 0017.

HOUSE BILL 0017

HB0017

AN ACT to amend W.S. 9-2-1019 by creating a new subsection (c) relating to personnel hearings; authorizing the state to seek judicial review of the decision of a personnel review board; and providing for an effective date.

*Dr. Hail*

Introduced by:

## HOUSE ACTION ON HOUSE BILL

1/12 ☐ Introduced  
Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_  
☐ Read First Time and Ref. to  
Committee No. 2  
☐ Failed Introduction  
Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_  
1/21 Returned from Committee No. 2  
with Recommendation:  
☐ Do Pass; ☒ Amend & Do  
Pass; ☐ Do Not Pass;  
☐ W/O Recomm; ☐ Re-Refer  
to Committee No. \_\_\_  
1/22 Re-referred to Committee No. \_\_\_  
Returned from Committee No. \_\_\_  
with Recommendation:  
☐ Do Pass; ☐ Amend & Do  
Pass; ☐ Do Not Pass;  
☐ W/O Recomm; ☐ Re-Refer  
to Committee No. \_\_\_  
1/22 Considered in Comm. of Whole  
☒ Amended  
☐ Recommended Do Pass  
☒ Failed Comm. of Whole  
☒ Indefinitely Postponed  
☐ Other: \_\_\_  
1/22 Read Second Time  
☐ Amended  
☐ Do Pass  
☐ Do Not Pass  
☐ Accelerated to 3rd Rdg.  
1/22 Read Third Time  
☐ Amended  
☐ Passed ☐ Failed  
Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_  
☐ Held for Reconsideration  
\_\_\_ / \_\_\_ Motion to Reconsider  
☐ Passed ☐ Failed  
Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_  
\_\_\_ / \_\_\_ Third Reading Vote  
(On Reconsideration)  
☐ Passed ☐ Failed  
Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_  
\_\_\_ / \_\_\_ Sent to Senate (No Amendments)  
\_\_\_ / \_\_\_ Sent to LSO for Engrossing  
ENGROSSED  
\_\_\_ / \_\_\_ Sent to Senate

## (HOUSE ACTION CONT'D)

\_\_\_ / \_\_\_ Received from Senate with  
Request to Concur in Amendments.  
\_\_\_ / \_\_\_ ☐ House Concurred in Senate  
Amendments.  
☐ House Did not Concur in Senate  
Amendments.  
\_\_\_ / \_\_\_ JCC# \_\_\_  
House Members Senate Members  
\_\_\_ Ch. \_\_\_ Ch.  
\_\_\_ / \_\_\_ ☐ Request for New Committee.  
\_\_\_ / \_\_\_ ☐ House Did Not Adopt JCC# \_\_\_  
\_\_\_ / \_\_\_ ☐ House Adopted JCC# \_\_\_  
☐ Senate Adopted  
☐ Senate Did not Adopt  
\_\_\_ / \_\_\_ JCC# \_\_\_  
House Members Senate Members  
\_\_\_ Ch. \_\_\_ Ch.  
\_\_\_ / \_\_\_ ☐ Request for New Committee.  
\_\_\_ / \_\_\_ ☐ House Did Not Adopt JCC# \_\_\_  
\_\_\_ / \_\_\_ ☐ House Adopted JCC# \_\_\_  
☐ Senate Adopted  
☐ Senate Did not Adopt  
\_\_\_ / \_\_\_ JCC# \_\_\_  
House Members Senate Members  
\_\_\_ Ch. \_\_\_ Ch.  
\_\_\_ / \_\_\_ ☐ Request for New Committee.  
\_\_\_ / \_\_\_ ☐ House Did Not Adopt JCC# \_\_\_  
\_\_\_ / \_\_\_ ☐ House Adopted JCC# \_\_\_  
☐ Senate Adopted  
☐ Senate Did not Adopt  
\_\_\_ / \_\_\_ Sent for Enrolling  
\_\_\_ / \_\_\_ Received from LSO  
HEA No. \_\_\_  
\_\_\_ / \_\_\_ Signed by Speaker  
\_\_\_ / \_\_\_ Signed by President  
\_\_\_ / \_\_\_ Approved by Governor  
Chapter No. \_\_\_

(SEE REVERSE SIDE OF BILL JACKET FOR  
SUMMARY OF SENATE ACTION)

**SENATE ACTION ON HOUSE BILL**

**NOTES: ADDITIONAL HOUSE / SENATE ACTION**

☐ Received from House  
☐ Read First Time and Ref. to Committee No. \_\_\_\_\_  
☐ Returned from Committee No. \_\_\_\_\_  
 with Recommendation:  
     ☐ Do Pass; ☐ Amend & Do Pass; ☐ Do Not Pass;  
     ☐ W/O Recomm; ☐ Re-Refer to Committee No. \_\_\_\_\_  
☐ Re-referred to Committee No. \_\_\_\_\_  
☐ Returned from Committee No. \_\_\_\_\_  
 with Recommendation:  
     ☐ Do Pass; ☐ Amend & Do Pass; ☐ Do Not Pass;  
     ☐ W/O Recomm; ☐ Re-Refer to Committee No. \_\_\_\_\_  
☐ Considered in Comm. of Whole  
     ☐ Amended  
     ☐ Recommended Do Pass  
     ☐ Failed Comm. of Whole  
     ☐ Indefinitely Postponed  
     ☐ Other: \_\_\_\_\_  
☐ Read Second Time  
     ☐ Amended  
     ☐ Do Pass  
     ☐ Do Not Pass  
     ☐ Accelerated to 3rd Rdg.  
☐ Read Third Time  
     ☐ Amended  
     ☐ Passed ☐ Failed  
         Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_  
     ☐ Held for Reconsideration  
 \_\_\_ / \_\_\_ Motion to Reconsider  
     ☐ Passed ☐ Failed  
         Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_  
 \_\_\_ / \_\_\_ Third Reading Vote  
     (On Reconsideration)  
     ☐ Passed ☐ Failed  
         Aye \_\_\_ No \_\_\_ Ex \_\_\_ Ab \_\_\_  
☐ Sent to House  
☐ Sent to ISO for ENROLLING

(SEE REVERSE SIDE OF BILL JACKET FOR SUMMARY OF HOUSE ACTION)

House of Intro				Second House			
To Com. No.				To Com No.			
_____	Stand Report	Do	Amd Not	_____	Stand Report	Do	Amd Not
_____	Com Whole	Do	Amd Not	_____	Com Whole	Do	Amd Not
_____	2nd Reading	Amd		_____	2nd Reading	Amd	
_____	3rd Reading	Amd	Pass Fail	_____	3rd Reading	Amd	Pass Fail

1993

STATE OF WYOMING

93LSO-0076.01

HOUSE BILL NO. 0017

State personnel hearings-review.

Sponsored by: JOINT APPROPRIATIONS INTERIM COMMITTEE

# A BILL

for

1 AN ACT to amend W.S. 9-2-1019 by creating a new subsection  
 2 (c) relating to personnel hearings; authorizing the state  
 3 to seek judicial review of the decision of a personnel  
 4 review board; and providing for an effective date.

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

6 Section 1. W.S. 9-2-1019 by creating a new subsection  
 7 (c) is amended to read:

8 9-2-1019. Personnel appeal hearings.

9 (c) THE DECISION OF A PERSONNEL REVIEW BOARD CONSTI-  
 10 TUTES THE FINAL AGENCY ACTION, BUT ANY PERSON, INCLUDING  
 11 THE STATE OF WYOMING, AGGRIEVED BY A DECISION OF A PERSON-

1     NEL REVIEW BOARD UNDER THIS SECTION MAY SEEK JUDICIAL  
2     REVIEW OF THAT DECISION IN THE DISTRICT COURT PURSUANT TO  
3     W.S. 16-3-114.

4             Section 2. This act is effective immediately upon  
5     completion of all acts necessary for a bill to become law  
6     as provided by Article 4, Section 8 of the Wyoming Consti-  
7     tution.

8                                     (END)

FISCAL NOTE

<u>Anticipated REVENUE to:</u>	<u>FY 1994</u>	<u>FY 1995</u>	<u>FY 1996</u>
_____	_____	_____	_____
_____	_____	_____	_____
TOTAL ESTIMATED REVENUE	_____	_____	_____

<u>Anticipated COST to:</u>	<u>FY 1994</u>	<u>FY 1995</u>	<u>FY 1996</u>
_____	_____	_____	_____
_____	_____	_____	_____
TOTAL ESTIMATED COST	_____	_____	_____

<u>Anticipated SAVINGS to:</u>	<u>FY 1994</u>	<u>FY 1995</u>	<u>FY 1996</u>
_____	_____	_____	_____
_____	_____	_____	_____
TOTAL ESTIMATED SAVINGS	_____	_____	_____

<u>Anticipated Change in Personnel:</u>	<u>FY 1994</u>	<u>FY 1995</u>	<u>FY 1996</u>
Full-Time	_____	_____	_____
Part-Time	_____	_____	_____
Temporary	_____	_____	_____
Time-Limited, Other	_____	_____	_____
TOTAL PERSONNEL IMPACT	_____	_____	_____

No significant fiscal or personnel impact.

## THE LEGISLATURE OF THE STATE OF WYOMING

## House of Representatives

HB0017#501/

Cheyenne, .....January 20....., 19.....93

Mr. Speaker:

Your Committee No. ....2..... on .....Appropriations.....  
 to whom was referred ..... H.B. .... No. .... 0017.....  
 respectfully reports same back to the House with the recommendation that it do pass  
 as amended.

See attached Schedule A

AYES

DeWitt  
 Bebout  
 Hansen  
 Simons  
 Wolfley  
 Tempest  
 Wallis

NOES

0

EXCUSED

0



Dick Wallis

Chairman



SCHEDULE A

- Page 1-line 4      After ";" insert "authorizing the award of  
back wages and attorney fees in cases of  
frivolous appeals;".
- Page 2-line 3      After "." insert "IF THE COURT DETERMINES  
THE APPEAL BY THE STATE IS FRIVOLOUS AND  
WITHOUT LEGAL MERIT THE COURT MAY AWARD  
BACK WAGES AND ATTORNEY'S FEES.".

AMENDMENT LIST

DATE 1/22

BILL NO. HB17

Circle One: COW 2nd 3rd

HB 0017 HSO1/A

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1 HB0017HS01/ *A*

2 Page 1-line 4 After ";" insert "authorizing the award of  
3 back wages and attorney fees in cases of  
4 frivolous appeals;".

5 Page 2-line 3 After "." insert "IF THE COURT DETERMINES  
6 THE APPEAL BY THE STATE IS FRIVOLOUS AND  
7 WITHOUT LEGAL MERIT THE COURT MAY AWARD  
8 BACK WAGES AND ATTORNEY'S FEES.". WALLIS,  
9 CHAIRMAN