

Jerringer

2 (2)

92 LSO - 0155

SENATE FILE 0078

SENATE FILE 0078

SF0078FT03
AN ACT to amend W.S. 9-2-1002(a) by creating a new paragraph (xi) and 9-2-1022(a)(xi) by creating a new subparagraph (E) relating to administration of government; providing for the hiring of state contractual employees as specified; providing for administration of the program; granting rulemaking authority; providing for the program to terminate unless extended by the legislature; providing for implementation of the act as specified; providing for the transfer of agency funds; providing a definition; and providing for an effective date.

Introduced by: *Jim Jerringer*

DATE	ACTION	DATE	ACTION
FEB 19 1992	RECEIVED 29-1-0-0	MAR 8 1992	RETURNED
	REFERRED TO COM. NO. 2		Recommended Amend and Do Pass 5 AYES 2 EXC.
	DELIVERED TO COM. NO. 2	MAR 9 1992	CONSIDERED IN COM. OF WHOLE
			Standing Com. Amendment SF 78 H51/AE Adopted
FEB 26 1992	STANDING COMM. REPORT		Recommended to pass
	RECOMMEND AMEND AND DO PASS	MAR 10 1992	READ SECOND TIME
FEB 26 1992	CONSIDERED IN COM. OF WHOLE		Amended as follows SF 78 H421/AE Adopted
	STANDING COM. AMEND. ADOPTED	MAR 11 1992	READ THIRD TIME
	DO PASS SF0078551/A		Amended as follows SF 78 H31/AE Adopted
	READ SECOND TIME		Amended as follows SF 78 H32/AE Adopted
FEB 27 1992	DO PASS		PASSED AYES 50 NOES 4 EXCUSED 0 ABSENT 0
	READ THIRD TIME		Sent to Senate
FEB 28 1992	AMENDED AS FOLLOWS SF0078931/A	MAR 12 1992	Received Amended
	PASSED AYES 27 NOES 2 EXCUSED 0 ABSENT 0		Senate did concur on House Amendment AYES 32 NOES 0 EXCUSED 0 ABSENT 0
	Sent to LSO		Delivered to Enrolling Section
	ENGROSSED		Received
02-28-92			Delivered to Enrolling Section
03-02-92	Sent to House	3/17/92	SEN. NO. 40
			SIGNED BY PRESIDENT MAR 13 1992
			SIGNED BY SPEAKER
			APPROVED BY GOVERNOR
MAR 2 1992	RECEIVED FROM SENATE		Chapter No 71
	READ FIRST TIME		
	REFERRED TO COM. NO. 2		
	DELIVERED TO COM. NO. 2		

CONTINUED ON BACK

SENATE ROLL CALL FIFTY-FIRST WYOMING LEGISLATURE

	Ayes	Noes	Excused	Absent
APPLEGATE	✓			
BURKE	✓			
BYRD		✓		
CAMERON		✓		
COE	✓			
DIXON	✓			
EDDINS	✓			
ENZI	✓			
FANOS	✓			
GERINGER	✓			
GRIEVE	✓			
GUICE	✓			
HEALY	✓			
HERBST	✓			
HOWARD	✓			
KINNEY	✓			
KINNISON	✓			
LALONDE	✓			
MALDONADO	✓			
PECK	✓			
PERRY	✓			
PREVEDEL	✓			
REESE	✓			
SCOTT	✓			
TRUB				
TWIFORD	✓			
VINICH	✓			
YORDY	✓			
ZIMMER	✓			
ZIMMERMAN	✓			
MR. PRESIDENT	✓			

PRESENT _____ AYES 28
 NOES 2
 EXCUSED _____
 ABSENT _____
 TOTAL 30

Sen. Geringer

SF 78 Introd. Date 2-19-72

SENATE ROLL CALL

FIFTY-FIRST WYOMING LEGISLATURE

	Ayes	Noes	Excused	Absent
APPLEGATE	✓			
BURKE	✓			
BYRD	✓			
CAMERON	✓			
COE	✓			
DIXON	✓			
EDDINS	✓			
ENZI	✓			
FANOS	✓			
GERINGER	✓			
GRIEVE	✓			
GUICE	✓			
HEALY	✓			
HERBST	✓			
HOWARD	✓			
KINNEY	✓			
KINNISON	✓			
LALONDE	✓			
MALDONADO	✓			
PECK	✓			
PERRY	✓			
PREVEDEL	✓			
REESE	✓	✓		
SCOTT	✓			
TRUE				
TWIFORD	✓			
VINICH	✓			
YORDY	✓			
ZIMMER	✓			
ZIMMERMAN	✓			
MR. PRESIDENT	✓			

PRESENT _____	AYES <u>29</u>
	NOES <u>1</u>
	EXCUSED _____
	ABSENT _____
	TOTAL <u>30</u>

SF 78 Concur Date 3-12-92 *Sen. Geringer*

SENATE ROLL CALL FIFTY-FIRST WYOMING LEGISLATURE

	Ayes	Noes	Excused	Absent
APPLEGATE	✓			
BURKE	✓			
BYRD	✓			
CAMERON	✓			
COE	✓			
DIXON	✓			
EDDINS	✓			
ENZI	✓			
FANOS	✓			
GERINGER	✓			
GRIEVE	✓			
GUICE	✓			
HEALY	✓			
HERBST	✓			
HOWARD	✓			
KINNEY	✓			
KINNISON	✓			
LALONDE	✓			
MALDONADO	✓			
PECK	✓			
PERRY	✓			
PREVEDEL	✓			
REESE	✓			
SCOTT	✓			
TRICE				
TWIFORD	✓			
VINICH	✓			
YORDY	✓			
ZIMMER	✓			
ZIMMERMAN	✓			
MR. PRESIDENT	✓			

PRESENT _____ AYES 30
 NOES _____
 EXCUSED _____
 ABSENT _____
 TOTAL 30

1978 Third Reading Date 3/11/92

HOUSE ROLL CALL FIFTY-FIRST WYOMING LEGISLATURE

Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent	
	✓			ALDEN	✓				MILLER
✓				ANDERSON	✓				O'TOOLE
✓				ARNOLD	✓				PERKINS, D.
✓				BEBOUT	✓	✓			PERKINS, J.
✓				BENSEL	✓				PHELAN
	✓			BLACKWELL		✓			PLANT
✓				BODINE	✓				RANKINE
✓				BOWRON		✓			RATLIFF
	✓			BUDD	✓				ROHRBACH
✓				CALL		✓			RYCKMAN
✓				CHAMBERLAIN		✓			SCHWOPE
				GROSS	✓				SHIPPY
✓				CUBIN	✓				SHREVE
✓				DEWITT	✓				SIMONS
✓				DUNNUCK		✓			SULLIVAN
✓				GAMS	✓				TEMPEST
	✓			GARCIA	✓				TIBBS
✓				GOODENOUGH	✓				TIPPETS
✓				GRANT		✓			TIPTON
✓				HACKER	✓				TYSDAL
✓				HAGEMAN	✓				VASEY
	✓			HANSEN	✓				VLASTOS
✓				HARRIS	✓				WALLIS
	✓			HARRISON, F.	✓				WATSON
✓				HARRISON, R.	✓				WOLD
✓				HINCHEY	✓				WOLFLEY
✓				HINES	✓				WRIGHT
	✓			HONAKER	✓				ZUMBRUNNEN
✓				HUMPHREY	✓				MR. SPEAKER
✓				KUNZ					
✓				LAW					
✓				LUMMIS					
✓				MACMILLAN, P.					
✓				MARTON					
✓				MCMILLAN, B.					
✓				MICHELI					

AYES 50 PRESENT _____
 NOES 14
 EXCUSED _____
 ABSENT _____
 TOTAL 64
 LESS _____

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 ___

INTRODUCED

1992

STATE OF WYOMING

92LSO-0455.01

SENATE FILE NO. 0078

Contract state employees.



Sponsored by: Senator(s) GERINGER

A BILL

for

1 AN ACT to amend W.S. 9-2-1002(a) by creating a new para-
 2 graph (xi) and 9-2-1022(a)(xi) by creating a new subpara-
 3 graph (E) relating to administration of government; pro-
 4 viding for the hiring of state contractual employees as
 5 specified; providing for administration of the program;
 6 granting rulemaking authority; providing for implementa-
 7 tion of the act as specified; providing for the transfer
 8 of agency funds; providing a definition; and providing for
 9 an effective date.

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

11 Section 1. W.S. 9-2-1002(a) by creating a new para-
 12 graph (xi) and 9-2-1022(a)(xi) by creating a new subpara-

1 graph (E) are amended to read:

2 9-2-1002. Definitions; powers generally; duties of
3 governor; provisions construed; cooperation with legisla-
4 ture and judiciary; divisions enumerated.

5 (a) As used in this act:

6 (xi) "CONTRACT EMPLOYEE" MEANS AN EMPLOYEE WHO
7 IS HIRED BY ANY AGENCY FOR A SPECIFIC PERIOD OF TIME, PUR-
8 SUANT TO RULES PROMULGATED BY THE PERSONNEL DIVISION IN
9 W.S. 9-2-1022(a) (xi) (E).

10 9-2-1022. Duties of department performed through per-
11 sonnel management division.

12 (a) Subject to subsection (b) of this section, the
13 department through the personnel management division
14 shall:

15 (xi) Promulgate reasonable rules:

16 (E) NECESSARY TO ADMINISTER A PROGRAM
17 WHEREBY CONTRACT EMPLOYEES MAY BE UTILIZED BY AGENCIES TO
18 MEET PROGRAMMATIC NEEDS.

19 Section 2.

1 (a) In implementing the requirements of this act, the
2 personnel division of the department of administration and
3 information shall consider the following factors:

4 (i) Effective July 1, 1993, contract employees
5 shall be utilized only when approved by the legislature
6 through the budget process;

7 (ii) Contracts for contract employees shall not
8 exceed one (1) year, and may be renewed with the same
9 individual for a period not to exceed a total of three (3)
10 years;

11 (iii) No contract shall be entered into, nor
12 negotiations with an individual completed, until the con-
13 tract has been approved in writing by the personnel divi-
14 sion and the attorney general. Failure to obtain the nec-
15 essary approvals, as reflected by signatures on each con-
16 tract entered into, shall result in no payment being pro-
17 cessed under the contract;

18 (iv) Contract employees who are otherwise eligi-
19 ble shall receive the same benefits as are available to
20 other employees, including accrual of leave, group insur-
21 ance benefits, participation in the state retirement sys-
22 tem, and coverage under the workers' compensation system;

1 (v) The employing agency shall pay all applica-
2 ble state and federal taxes on behalf of contract employ-
3 ees.

4 (b) The rules for the contract employee program shall
5 consider an appropriate method for considering the eligi-
6 bility of a contract employee for appointment to a perma-
7 nent position, should a permanent position be available at
8 the termination of the contract, but nothing in this bill
9 or in the rules promulgated by the division shall be
10 deemed to create an expectation of continued employment.

11 (c) The personnel division shall consider a method
12 for evaluating existing agency contracts for services, and
13 for converting the contracts into "contract employee"
14 positions as necessary to comply with federal tax require-
15 ments for the current fiscal year.

16 Section 3. To the extent necessary to implement the
17 provisions of this bill, and upon certification by both
18 the personnel and budget divisions of the department of
19 administration and information that "contract employees,"
20 as defined by W.S. 9-2-1002(a)(xi) are involved, agencies
21 may transfer funds in contractual services (900 series)
22 which are associated with specific contracts for services

1 to personal services (100 series), to cover costs associ-
2 ated with contract employees.

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

7 (END)

FISCAL NOTE

<u>Anticipated REVENUE to:</u>	<u>FY 1993</u>	<u>FY 1994</u>	<u>FY 1995</u>
_____	_____	_____	_____
_____	_____	_____	_____
TOTAL ESTIMATED REVENUE	_____	_____	_____

<u>Anticipated COST to:</u>	<u>FY 1993</u>	<u>FY 1994</u>	<u>FY 1995</u>
_____	_____	_____	_____
_____	_____	_____	_____
TOTAL ESTIMATED COST	_____	_____	_____

<u>Anticipated SAVINGS to:</u>	<u>FY 1993</u>	<u>FY 1994</u>	<u>FY 1995</u>
_____	_____	_____	_____
_____	_____	_____	_____
TOTAL ESTIMATED SAVINGS	_____	_____	_____

<u>Anticipated Change in Personnel:</u>	<u>FY 1993</u>	<u>FY 1994</u>	<u>FY 1995</u>
Full-Time	_____	_____	_____
Part-Time	_____	_____	_____
Temporary	_____	_____	_____
Time-Limited, Other	_____	_____	_____
TOTAL PERSONNEL IMPACT	_____	_____	_____

No significant fiscal or personnel impact.

SF 78

THE LEGISLATURE OF THE STATE OF WYOMING

House of Representatives

SF 0078 H.S. 1/

(TEC)

Cheyenne, March 5, 1992.

Mr. Speaker:

Your Committee No. 2 on APPROPRIATIONS

to whom was referred S.F. No. 0078 ENGROSSED

respectfully reports same back to the House with the recommendation that it DO PASS
with the following amendment:

See attached Schedule A.

AYES

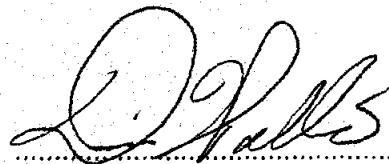
Alden
Wolfley
Tysdal
Tempest
Wallis

NOES

0

EXCUSED

Humphrey
Ratliff



DICK WALLIS

Chairman

JWP

SCHEDULE A
SF0078 ENGROSSED

Page 3 - lines 7 through 9

Delete entirely and renumber subsequent paragraphs accordingly.

THE LEGISLATURE OF THE STATE OF WYOMING

Senate

Cheyenne, February 25, 1992, 19.....

Mr. President:

Your Committee No. 2 on APPROPRIATIONS.....

to whom was referred SF No. 0078.....

respectfully reports same back to the Senate with the recommendation that

"it DO PASS with the following amendment:"

Page 2 - line 7 Delete "SPECIFIC" and insert "LIMITED".

Page 3 - line 4 Delete "1993" and insert "1992".

Page 3 - line 7 After "(ii)" insert "Contract employees shall not exceed the vacant positions for the agency and must be reported by program to the legislature annually."

After line 6 insert the following paragraph and renumber subsequent paragraphs accordingly.

Renumber accordingly.

Page 3 - line 8 After "year" delete balance of line.

Page 3 - lines 9 & 10 Delete entire line.

Page 3 - line 22 After "term" insert "coverage under unemployment compensation insurance system."

through Page 4 - line 4 After "(b)" delete balance of line.

Page 4 - lines 5 & 7 Delete entire line.

Page 4 - line 8 Delete "the termination of the contract, but" line through "but".

Page 4 - line 8 Delete "nothing" and insert "Nothing".

- AYES: SEN. GERINGER
SEN. ZIMMERMAN
SEN. VINICH
SEN. PREVEDEL
SEN. ENZI

SF 0078 SS1/
Done

James E. Geringer
Senator James E. Geringer
Chairman

SF0078SS1/

Page 2-line 7 Delete "SPECIFIC" insert "LIMITED".

Page 3-line 4 Delete "July 1, 1993" insert "July 1, 1992".

Page 3-After line 6 insert the following paragraph and renumber subsequent paragraphs accordingly:

"(ii) Contract employees shall not exceed the vacant positions for the agency and shall be annually reported by program to the legislature;".

Page 3-line 8 After "year" insert ";" and delete balance of line.

Page 3-lines 9 and 10 Delete.

Page 3-line 22 After "," insert "coverage under unemployment compensation".

Page 4-line 4 After "(b)" Delete.

Page 4-lines 5 through 7 Delete.

Page 4-line 8 Delete line through "but". GERINGER,
CHAIRMAN

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 ___

ENGROSSED

1992

STATE OF WYOMING

92LSO-0455.ENG

SENATE FILE NO. 0078

Contract state employees.

Sponsored by: Senator(s) GERINGER

A BILL

for

1 AN ACT to amend W.S. 9-2-1002(a) by creating a new para-
 2 graph (xi) and 9-2-1022(a)(xi) by creating a new subpara-
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 5 specified; providing for administration of the program;
 6 granting rulemaking authority; providing for implementa-
 7 tion of the act as specified; providing for the transfer
 8 of agency funds; providing a definition; and providing for
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11 Section 1. W.S. 9-2-1002(a) by creating a new para-
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1 graph (E) are amended to read:

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3 governor; provisions construed; cooperation with legisla-
4 ture and judiciary; divisions enumerated.

5 (a) As used in this act:

6 (xi) "CONTRACT EMPLOYEE" MEANS AN EMPLOYEE WHO
7 IS HIRED BY ANY AGENCY FOR A LIMITED PERIOD OF TIME, PUR-
8 SUANT TO RULES PROMULGATED BY THE PERSONNEL DIVISION IN
9 W.S. 9-2-1022(a)(xi)(E).

10 9-2-1022. Duties of department performed through per-
11 sonnel management division.

12 (a) Subject to subsection (b) of this section, the
13 department through the personnel management division
14 shall:

15 (xi) Promulgate reasonable rules:

16 (E) NECESSARY TO ADMINISTER A PROGRAM
17 WHEREBY CONTRACT EMPLOYEES MAY BE UTILIZED BY AGENCIES TO
18 MEET PROGRAMMATIC NEEDS.

19 Section 2.

1 (a) In implementing the requirements of this act, the
2 personnel division of the department of administration and
3 information shall consider the following factors:

4 (i) Effective July 1, 1992, contract employees
5 shall be utilized only when approved by the legislature
6 through the budget process;

7 (ii) Effective July 1, 1993, contract employees
8 shall not exceed the vacant positions for the agency and
9 shall be annually reported by program to the legislature;

10 (iii) Contracts for contract employees shall not
11 exceed one (1) year;

12 (iv) No contract shall be entered into, nor
13 negotiations with an individual completed, until the con-
14 tract has been approved in writing by the personnel divi-
15 sion and the attorney general. Failure to obtain the nec-
16 essary approvals, as reflected by signatures on each con-
17 tract entered into, shall result in no payment being pro-
18 cessed under the contract;

19 (v) Contract employees who are otherwise eligi-
20 ble shall receive the same benefits as are available to
21 other employees, including accrual of leave, group insur-

1 ance benefits, participation in the state retirement sys-
2 tem, coverage under unemployment compensation and coverage
3 under the workers' compensation system;

4 (vi) The employing agency shall pay all applica-
5 ble state and federal taxes on behalf of contract employ-
6 ees.

7 (b) Nothing in this bill or in the rules promulgated
8 by the division shall be deemed to create an expectation
9 of continued employment.

10 (c) The personnel division shall consider a method
11 for evaluating existing agency contracts for services, and
12 for converting the contracts into "contract employee"
13 positions as necessary to comply with federal tax require-
14 ments for the current fiscal year.

15 Section 3. To the extent necessary to implement the
16 provisions of this bill, and upon certification by both
17 the personnel and budget divisions of the department of
18 administration and information that "contract employees,"
19 as defined by W.S. 9-2-1002(a)(xi) are involved, agencies
20 may transfer funds in contractual services (900 series)
21 which are associated with specific contracts for services
22 to personal services (100 series), to cover costs associ-

1 ated with contract employees.

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

6 (END)

Adopted Senate Amendments

SF78 ①

FEB 26 1992

SF0078SS1/A

- *Page 2-line 7 Delete "SPECIFIC" insert "LIMITED".
- *Page 3-line 4 Delete "July 1, 1993" insert "July 1, 1992".
- *Page 3-After line 6 insert the following paragraph and renumber subsequent paragraphs accordingly:

"(ii) Contract employees shall not exceed the vacant positions for the agency and shall be annually reported by program to the legislature;"
- *Page 3-line 8 After "year" insert ";" and delete balance of line.
- *Page 3-lines 9 and 10 Delete.
- *Page 3-line 22 After "," insert "coverage under unemployment compensation".
- *Page 4-line 4 After "(b)" Delete.
- *Page 4-lines 5 through 7 Delete.
- *Page 4-line 8 Delete line through "but". GERINGER, CHAIRMAN

FEB 28 1992

SF0078S31/A

- *Page 3-After line 6 in the Standing Committee Amendment (SF0078SS1/(A) to this line, After "(ii)" insert "Effective July 1, 1993,". ENZI, ZIMMERMAN

SF 78

1 SF0078HS1/AE TO ENGROSSED COPY
 2 ✓ Page 3-lines 7 through 9 Delete entirely and renumber subse-
 3 quent paragraphs accordingly. WALLIS,
 4 CHAIRMAN

Adopted

1 SF0078H21/AE TO ENGROSSED COPY
 2 ✓ Page 3-lines 4 through 6 Delete entirely and renumber subse-
 3 quent paragraphs accordingly. ARNOLD

Adopted

1 SF0078H31/AE TO ENGROSSED COPY
 2 ✓ Delete the Arnold second reading amendment (SF0078H21/AE).
 3 WALLIS.

Adopted

1 SF0078H32/AE TO ENGROSSED COPY
 2 ✓ Page 1-line 6 After ";" insert "providing for the program
 3 to terminate unless extended by the legis-
 4 lature;".
 5 ✓ Page 2-line 18 Before "." insert "UNTIL JULY 1, 1994".
 6 ✓ Page 4-After line 14 Insert:
 7 "(d) The contract employee program authorized by this
 8 act shall terminate July 1, 1994, unless extension of the
 9 program is specifically authorized by the legislature."
 10 ALDEN

Adopted