

CHAPTER 10

Original Senate File No. 82

DEFINITION OF DAFC RESPONSIBILITY

AN ACT to create W.S. 9-3-2032; to amend W.S. 9-3-2001, 9-3-2002, 9-3-2014(c) introductory paragraph and (iv), 9-3-2021(a) and (b) introductory paragraph and by creating a new paragraph (xvi), 9-3-2022(a) introductory paragraph and (i) and (ii) and 9-3-2026(a)(i), (ii) and (v); and to repeal W.S. 9-3-2029 relating to the administration of the department of administration and fiscal control; providing that the department is to assist the governor in administering the executive branch of state government; providing definitions; providing that rules and regulations of the department shall not bind the legislature or the judiciary; providing that purchases of supplies or services by the legislature or the judiciary are subject to statutory requirements for competitive bidding or negotiated purchases or contracts; repealing an obsolete statute governing compensation of state employees; and providing for an effective date.

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

Section 1. W.S. 9-3-2032 is created to read:

9-3-2032. Purchasing by legislature and judiciary; approval; requirements. Purchases of supplies and services for the legislature shall be approved by the management council or its designee. Purchases of supplies and services for the judiciary shall be approved by the judges for their respective courts. Purchases by the legislature or the judiciary shall be made in accordance with the requirements and guidelines for competitive or negotiated purchases or contracts set forth in W.S. 9-3-2021(b)(xiv)(A) and (B).

Section 2. W.S. 9-3-2001, 9-3-2002, 9-3-2014(c) introductory paragraph and (iv), 9-3-2021(a) and (b) introductory paragraph and by creating a new paragraph (xvi), 9-3-2022(a) introductory paragraph and (i) and (ii) and 9-3-2026(a)(i), (ii) and (v) are amended to read:

9-3-2001. Created. There is created a department within the executive branch entitled "the department of administration and fiscal control".

9-3-2002. Definitions; powers generally; responsibility of governor acting through department.

(a) As used in this act:

(i) "Agency" or "state agency" means an office, department, board, commission or operating entity of the executive branch of state government;

(ii) "Department" means the department of administration and fiscal control;

(iii) "Executive branch" means the executive department of state government established by article 2, section 1 of the Wyoming constitution;

(iv) "Legislature" means the legislative department of state government established by article 2, section 1 of the Wyoming constitution;

(v) "Judiciary" means the judicial department of state government established by article 2, section 1 of the Wyoming constitution;

(vi) "This act" means W.S. 9-3-2001 through 9-3-2031.

(b) The department is empowered to assist the governor in discharging his duties as chief executive and administrative officer of the executive branch of government of the state of Wyoming. It shall be the responsibility of the governor through the department to:

(c) This act shall be construed to provide the governor, through the department, with a more coordinated and responsive system of

management of the executive branch of state government, and to preserve and protect the separation of powers mandated by article 2, section 1 of the Wyoming constitution. The legislature and the judiciary shall cooperate with the department and may utilize the services and assistance of the department to achieve economy in government, but procedures affecting the administration of the legislature shall be determined by the legislature and the management council, and procedures affecting the administration of the judiciary shall be determined by the judges for their respective courts, and they shall not be bound by rules and regulations promulgated by the department.

9-3-2014. Same; when department to commence preparation of standard budget estimates; entities to prepare expanded and exception budgets; form; information to be included; definitions.

(c) As used in W.S. 9-3-2001 through 9-3-2019:

(iv) "Entity" means any governmental unit, special district, corporation, partnership or person which will receive a legislative appropriation, directly or indirectly, excluding the legislature, the judiciary and the Wyoming highway department, game and fish department, counties, municipalities and school districts.

9-3-2021. Powers, duties and functions of purchasing and property control division; board of state supplies, superintendent of buildings and grounds, and surplus property agency abolished; creation and powers of surplus property section.

(a) The term "supplies" as used in this act means all furniture and fixtures, stationery, printing, paper, fuel and equipment of every kind required for use in the offices, service and functions performed by the several state agencies, and for repairing, heating and lighting the state buildings; and shall further include purchase of insurance and bonds from licensed Wyoming agents as required or deemed necessary, as hereinafter required.

(b) The department through the purchasing and property control division shall perform the following duties:

(xvi) Provide such assistance as may be requested by the legislature or the judiciary in the procurement of supplies and services.

9-3-2022. Powers, duties and functions of data services division; centralized accounting and data processing abolished.

(a) The department through its data services division shall:

(i) Develop and provide computer and data processing services to the judiciary, the legislature and to the several agencies of the state, excluding the University of Wyoming and community colleges, to encourage a more economical and efficient operation of their respective programs;

(ii) Provide uniform standards for the economical, efficient and coordinated utilization of data processing equipment, techniques and services by the several agencies of the state, the judiciary and the legislature;

9-3-2026. Duties of department performed through personnel division.

(a) The department through the personnel division shall perform the following duties:

(i) Establish and administer a personnel classification schedule covering all employees of state agencies, classifying positions into categories as determined by similarity of duties, authority, responsibilities and other relevant factors of employment;

(ii) Establish and administer a uniform and equitable compensation plan covering all employees of state agencies specifying the minimum, intermediate and maximum levels of pay for positions within each classification;

(v) Maintain a register of applications made by all persons seeking employment with a state agency. Each application shall be rated on the basis of suitability and qualifications without regard to political affiliation, race, color, sex, creed or age;

Section 3. W.S. 9-3-2029 is repealed.

Section 4. 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.

Approved February 2, 1979.