

HOUSE BILL NO. HB0059

Workforce services amendments.

Sponsored by: Representative(s) Zwonitzer, Dn.

A BILL

for

1 AN ACT relating to workforce services; transferring
2 oversight of Serve Wyoming to department of workforce
3 services; amending department of workforce services
4 confidentiality provisions; revising the membership of and
5 transferring oversight of the governor's council for
6 employment and rehabilitation of the handicapped as
7 specified; transferring the displaced worker and education
8 program to the department of workforce services; updating
9 the entities to be consulted in preparing the displaced
10 worker and education statewide plan; and providing for an
11 effective date.

12

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

14

15 **Section 1.** W.S. 9-1-223(a) and (f)(ii), 9-2-2607(a),
16 27-1-110, 27-1-111, 27-1-112, 27-13-101(a)(iv) and
17 27-13-102(a)(intro) are amended to read:

1

2 **9-1-223. Serve Wyoming; composition; powers and**
3 **duties; definitions.**

4

5 (a) Serve Wyoming is transferred from the ~~department~~
6 ~~of workforce services to the~~ office of the governor to the
7 department of workforce services and shall operate as a
8 private not-for-profit corporation, as specified in this
9 section.

10

11 (f) As used in this section:

12

13 (ii) "Serve Wyoming" means the not-for-profit
14 corporation within the ~~governor's office~~ department of
15 workforce services to implement the purposes of the
16 National and Community Service Act of 1990.

17

18 **9-2-2607. Confidentiality of information; disclosure;**
19 **reimbursement.**

20

21 (a) Except as otherwise provided, information
22 maintained pursuant to this article shall not be disclosed
23 in a manner which reveals the identity of the employing
24 unit or the individual. The confidentiality limitations of

1 this section do not apply to transfers of information to
2 the employing unit or the individual or between the
3 divisions of the department of workforce services so long
4 as the transfer of information is not restricted by federal
5 law, rule or contract. Any employee of the requesting
6 department or agency who discloses information outside of
7 the department in violation of federal or state law may be
8 terminated without progressive discipline.

9

10 **27-1-110. State rehabilitation council; membership;**
11 **chairman.**

12

13 (a) There is established a permanent council within
14 the department of ~~employment~~ workforce services to be known
15 as the Wyoming governor's ~~council for employment and~~
16 ~~rehabilitation of the handicapped~~ state rehabilitation
17 council, to consist of: ~~at least twelve (12) members~~
18 ~~appointed by the governor. At least three (3) members of~~
19 ~~the council shall have handicapping conditions, and at~~
20 ~~least three (3) members shall be representative of private~~
21 ~~employers or employer's organizations. No member shall be a~~
22 ~~state employee.~~

23

1 (i) At least one (1) representative of the
2 statewide independent living council;

3
4 (ii) At least one (1) representative of a parent
5 training and information center;

6
7 (iii) At least one (1) representative of the
8 client assistance program;

9
10 (iv) At least one (1) vocational rehabilitative
11 counselor;

12
13 (v) At least one (1) representative of community
14 rehabilitation program service providers;

15
16 (vi) Four (4) representatives of business,
17 industry and labor;

18
19 (vii) At least two (2) representatives of
20 disability advocacy groups;

21
22 (viii) At least two (2) current or former
23 applicants of vocational rehabilitation services;

24

1 (ix) The administrator of the division of
2 vocational rehabilitation;

3

4 (x) At least one (1) representative of the
5 department of education;

6

7 (xi) At least one (1) representative of the
8 state workforce investment board.

9

10 (b) The director of the department of workforce
11 services shall be an ex officio, nonvoting member of the
12 state rehabilitation council.

13

14 (c) A majority of council members shall be persons
15 who are:

16

17 (i) Individuals with disabilities;

18

19 (ii) Not employed by the division of vocational
20 rehabilitation.

21

22 (d) One (1) of the members shall be elected chairman
23 by the members of the council. The appointive members shall
24 hold office for the term specified. The council shall be

1 nonpartisan. The governor may remove any council member as
2 provided in W.S. 9-1-202.

3

4 **27-1-111. Duties of council and department.**

5

6 The department of ~~employment~~ workforce services, with
7 advice of the council, shall carry on a continuing program
8 to promote the employment of physically, mentally,
9 emotionally and otherwise handicapped persons by creating
10 statewide interest in the rehabilitation and employment of
11 the handicapped and by obtaining and maintaining
12 cooperation from all public and private groups and
13 individuals in the field. The council shall work in
14 cooperation with the president's committee on employment of
15 the handicapped in order to more effectively carry out the
16 purposes of this act.

17

18 **27-1-112. Authority of council to receive gifts,**
19 **grants or donations.**

20

21 The department of ~~employment~~ workforce services, on behalf
22 of the council, is authorized to receive any gifts, grants
23 or donations made for any of the purposes of its program.

24

1 **27-13-101. Definitions.**

2

3 (a) As used in this act:

4

5 (iv) "Division" means the department of
6 ~~employment~~ workforce services;

7

8 **27-13-102. Powers and duties; rules and regulations.**

9

10 (a) The division shall, in conjunction with the
11 department of education, the ~~department of economic~~
12 ~~planning and development~~ business council, the ~~office of~~
13 ~~the commissioner of labor~~ department of employment, the
14 ~~employment security commission~~ workforce development
15 council, the University of Wyoming and the community
16 college commission, establish and maintain a plan to
17 implement the occupational transfer and retraining programs
18 and services for displaced workers created under this act.
19 The plan shall designate:

20

21 **Section 2.**

22

23 (a) It is the intention and direction of the
24 legislature that:

1

2 (i) All duties of the governor's office with
3 respect to the Serve Wyoming, governor's council for
4 employment and rehabilitation of the handicapped and the
5 displaced worker and education programs be transferred to
6 the department of workforce services;

7

8 (ii) All unexpended funds not otherwise
9 obligated and any other property, if any, of the governor's
10 office exclusively dedicated to the Serve Wyoming,
11 governor's council for employment and rehabilitation of the
12 handicapped and the displaced worker and education programs
13 be transferred to the department of workforce services;

14

15 (iii) Any contract, agreement or obligation
16 entered into or assumed by the governor's office with
17 respect to the Serve Wyoming, governor's council for
18 employment and rehabilitation of the handicapped and the
19 displaced worker and education programs, if the execution
20 or assumption was within the lawful powers of the
21 governor's office, be assumed by the department of
22 workforce services;

23

1 (iv) Any policy adopted by the governor's office
2 with respect to the Serve Wyoming, governor's council for
3 employment and rehabilitation of the handicapped and the
4 displaced worker and education programs remain in effect
5 unaltered as policy of the department of workforce services
6 until amended or repealed by the department of workforce
7 services.

8

9 **Section 3.** This act is effective July 1, 2010.

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11

(END)