

## HOUSE BILL NO. HB0252

Review of state executive department positions.

Sponsored by: Representative(s) Harvey, Berger, Buchanan,  
Lubnau and Miller and Senator(s) Bebout,  
Nicholas, P. and Scott

A BILL

for

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

4

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

6

7 **Section 1.**

8

9 (a) The department of administration and information  
10 shall conduct a study of the classification and  
11 identification of state executive branch employees and the  
12 classification and identification of persons employed as  
13 directors, executive secretaries and deputy directors by  
14 boards and commissions in Wyoming. The study shall review  
15 those positions which are identified as at-will positions  
16 and positions which serve at the pleasure of the governor,

1 an agency head or subordinate position, or a board or  
2 commission. The study shall also review those positions  
3 which would be affected by classifying or identifying all  
4 agency positions:

5

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

9

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

13

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

18

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

22

23 (i) The rate of pay for the position;

24

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

4

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

8

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

11

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

14

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

17

18           (c) The study shall:

19

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

23

1           (ii) Determine a process and timeline for  
2 implementing any modifications of positions to at-will  
3 positions.

4  
5           (d) As used in this section "agency" means any board,  
6 commission, council, committee or office in the executive  
7 branch of state government except the offices listed in  
8 W.S. 9-2-1704(a) and the University of Wyoming.

9  
10           **Section 2.** The study results shall be presented to  
11 the joint labor, health and social services interim  
12 committee and the joint appropriations interim committee  
13 not later than September 1, 2011. The committees shall  
14 review the study and determine whether the extension of at-  
15 will employment in the executive branch agencies and boards  
16 and commissions, as specified in this act, will enable the  
17 state to more effectively or more efficiently provide  
18 services to Wyoming citizens. The joint labor, health and  
19 social services interim committee shall develop legislation  
20 for introduction in the 2012 budget session as it  
21 determines appropriate to achieve that goal. Any  
22 legislation developed shall be provided to the joint  
23 appropriations interim committee not later than December 1,

1 2011 for review and comment as that committee determines  
2 appropriate.

3

4       **Section 3.** 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  
7 Constitution.

8

9

(END)