

ORIGINAL HOUSE
BILL NO. 0059

ENROLLED ACT NO. 41, HOUSE OF REPRESENTATIVES

SIXTIETH LEGISLATURE OF THE STATE OF WYOMING
2010 BUDGET SESSION

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

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

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

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

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

(f) As used in this section:

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

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9-2-2607. Confidentiality of information; disclosure; reimbursement.

(a) Except as otherwise provided, information maintained pursuant to this article shall not be disclosed in a manner which reveals the identity of the employing unit or the individual. The confidentiality limitations of this section do not apply to transfers of information to the employing unit or the individual when the employing unit or individual who provided the requested information gives written permission for its release, or between the divisions of the department of workforce services so long as the transfer of information is not restricted by federal law, rule or contract. Any employee of the requesting department or agency who discloses information outside of the department in violation of federal or state law may be terminated without progressive discipline.

27-1-110. State rehabilitation council; membership; chairman.

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

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

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

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

(iv) At least one (1) vocational rehabilitative counselor;

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

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

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

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

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

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

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

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

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

(i) Individuals with disabilities;

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

(d) One (1) of the members shall be elected chairman by the members of the council. The appointive members shall hold office for the term specified. The council shall be nonpartisan. The governor may remove any council member as provided in W.S. 9-1-202.

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

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

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

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

27-13-101. Definitions.

(a) As used in this act:

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

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

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

Section 2.

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

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

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

(iii) Any contract, agreement or obligation entered into or assumed by the governor's office with respect to the Serve Wyoming, governor's council for employment and rehabilitation of the handicapped and the displaced worker and education programs, if the execution or assumption was within the lawful powers of the

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governor's office, be assumed by the department of workforce services;

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

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

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk