

HOUSE BILL NO. HB0084

Department of workforce services.

Sponsored by: Joint Labor, Health and Social Services  
Interim Committee

A BILL

for

1 AN ACT relating to the department of workforce services;  
2 reorganizing program authority as specified; conforming the  
3 reorganization of the department of workforce services to  
4 2002 House Enrolled Act 0047, as enacted by the  
5 legislature; requiring a plan and reports; and providing  
6 for an effective date.

7

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

9

10 **Section 1.** W.S. 9-2-2608 is created to read:

11

12 **9-2-2608. Department designation as the single state**  
13 **agency for public assistance.**

14

15 The governor may, after consultation with the director of  
16 the department, designate the department as the single

1 state agency for the administration of the state plan for  
2 public assistance to administer upon terms directed by the  
3 governor.

4

5 **Section 2.** W.S. 9-2-2101(a), 9-2-2103, 9-2-2601(a)  
6 and (b), 9-2-2602(b)(v) and (vi), 14-2-313(a)(iv),  
7 27-3-306(a)(i)(intro), 27-3-307(a)(i), 27-3-321(c), (d) and  
8 (f), 35-25-105(a)(ii), 35-27-102(g), 37-2-302,  
9 42-1-101(a)(ii) are amended to read:

10

11 **9-2-2101. Department of family services; duties and**  
12 **responsibilities; state grants; authority to contract for**  
13 **shelters; definitions; youth programs.**

14

15 (a) The department of family services is created.  
16 The department of family services is the state youth  
17 services authority and the authority for ~~public assistance~~  
18 ~~and~~ social services.

19

20 **9-2-2103. Allocation, transfer and abolition of**  
21 **powers, duties and functions within department.**

22

23 The governor may, after consultation with the director of  
24 the department and the departmental advisory council

1 designate the department as the single state agency for the  
2 administration of the state ~~plans~~plan for public  
3 ~~assistance and~~ social assistance to administer upon such  
4 terms ~~as directed by~~ the governor. directs.

5  
6 **9-2-2601. Department of workforce services; duties**  
7 **and responsibilities; agreements with other agencies**  
8 **authorized; definition.**

9  
10 (a) The department of workforce services is created.  
11 The department is the authority for public assistance in  
12 the state which previously existed under the department of  
13 family services and for workforce services. The department  
14 is the successor agency for public employment and training  
15 services which previously existed under the department of  
16 employment. The department shall perform all functions  
17 previously performed by those programs.

18  
19 (b) The department ~~may~~shall submit a unified plan  
20 for the state to the appropriate federal agencies for work  
21 activities and programs as authorized under section 501 of  
22 the Workforce Investment Act of 1998, and may include, with  
23 the approval of the governor and the superintendent of

1 public instruction, activities authorized under the Carl D.  
2 Perkins Vocational and Technical Education Act of 1998.

3

4 **9-2-2602. Director of department; appointment;**  
5 **removal; duties.**

6

7 (b) The director shall:

8

9 (v) With the assistance of the attorney general  
10 bring actions in the courts of the state in the name of the  
11 department for the enforcement of public welfare laws;

12

13 (vi) Promulgate reasonable rules and regulations  
14 in compliance with the Wyoming Administrative Procedure  
15 Act, for the implementation of all state and federal  
16 welfare laws; and

17

18 **14-2-313. Service of petition.**

19

20 (a) The petition shall be served on the following  
21 persons:

22

23 (iv) The department of family services if the  
24 child is or has been supported by public assistance funds.

1 The department of family services shall notify the  
2 department of workforce services if the petition involves a  
3 child who is or has been supported by public assistance  
4 funds.

5

6 **27-3-306. Eligibility requirements; waiver or**  
7 **amendment authorized; unemployed waiting period;**  
8 **registration and referral for suitable work.**

9

10 (a) An unemployed individual is eligible for benefits  
11 under this article for any week if he:

12

13 (i) Registers for work, with the department of  
14 workforce services and actively seeks work ~~and continues to~~  
15 ~~report to a department office~~ in accordance with  
16 regulations of the commission, unless he will be recalled  
17 to full-time work:

18

19 **27-3-307. Eligibility when enrolled in approved**  
20 **training program; standards for training program approval.**

21

22 (a) Notwithstanding W.S. 27-3-306(a)(iii) or  
23 27-3-311(a)(ii) and (iii) or any federal law relating to  
24 availability for, active search for, failure to apply for

1 or refusal to accept suitable work, an otherwise eligible  
2 individual is eligible for benefits for any week if he is:

3

4 (i) Enrolled in a training program approved by  
5 the department of employment or the department of workforce  
6 services pursuant to subsection (b) of this section; or

7

8 **27-3-321. Disclosure of food stamp overissuance**  
9 **required; notification; amount withheld; payment;**  
10 **applicability of provisions.**

11

12 (c) Any amount deducted and withheld under this  
13 section shall be paid by the department to the department  
14 of family-workforce services.

15

16 (d) Any amount deducted and withheld under subsection  
17 (b) of this section shall for all purposes be treated as if  
18 it were paid to the individual as unemployment compensation  
19 and paid by the individual to the department of family  
20 workforce services as repayment of the individual's  
21 uncollected overissuance.

22

23 (f) This section applies only if arrangements have  
24 been made for reimbursement by the department of family

1 workforce services for the administrative costs incurred by  
2 the department under this section which are attributable to  
3 the repayment of uncollected overissuances to the  
4 department of ~~family~~workforce services.

5

6 **35-25-105. Health benefits plan committee; benchmark**  
7 **benefit package.**

8

9 (a) A health benefits plan committee shall be  
10 established no later than April 15, 1999. The committee  
11 shall be composed of ten (10) members, which include:

12

13 (ii) The director of the Wyoming department of  
14 ~~family~~workforce services or his designee;

15

16 **35-27-102. Public health nursing infant home**  
17 **visitation subprogram created; eligibility.**

18

19 (g) The public health nurses responsible for each  
20 county shall jointly for that county develop a list of  
21 programs, resources and providers to whom referrals may be  
22 made and the types of referrals that may be made to each  
23 entity. The lists shall be reviewed at least annually with  
24 the county health officer, the manager of the department of

1 family services field office serving the county, the  
2 manager of the department of workforce services field  
3 office serving the county, the preschool developmental  
4 disability program serving the county and the county or  
5 municipal human services agency or coordinator, if any.

6

7 **37-2-302. Eligibility; certification.**

8

9 (a) The telephone assistance program shall only be  
10 used to provide for a single resident line at the principal  
11 residence of subscribers certified by the department of  
12 ~~family~~workforce services, its successor agency or the  
13 equivalent tribal authority, to the commission pursuant to  
14 W.S. 42-2-303(b) that the subscriber is eligible to receive  
15 services under either article 1 or 2 of chapter 2 or under  
16 chapter 4, title 42 of the Wyoming statutes.

17

18 (b) At least annually providers of residential  
19 regulated local exchange services shall submit the names of  
20 persons receiving program assistance to the department of  
21 ~~family~~workforce services, its successor agency or the  
22 equivalent tribal authority, for recertification that the  
23 persons receiving assistance are still eligible.

24

1           **42-1-101. Definitions; generally.**

2

3           (a) As used in this title:

4

5                   (ii) "Department" means the department of ~~family~~  
6 workforce services;

7

8           **Section 3.** 2002 Wyoming Session Laws, Chapter 100,  
9 section 1(a)(ii)(A) through (E), (iii)(B) and (C) and (v)  
10 is amended to read:

11

12           **Section 1.**

13

14           (a) W.S. 9-2-2018 created the department of workforce  
15 services and required the director to submit a  
16 reorganization plan. Pursuant to W.S. 9-2-2018(b), the  
17 department of workforce services reorganization plan dated  
18 October 15, 2001 and submitted to the legislature as  
19 required by law. The legislature hereby approves that plan  
20 for implementation beginning April 1, 2002. On that date,  
21 the governor may begin transferring programs specified in  
22 this section to the department of workforce services. The  
23 program transfers shall be substantially completed by June

1 30, 2003. The implementation plan shall be subject to the  
2 following:

3

4 (ii) The following programs are transferred from  
5 the department of family services to the department of  
6 workforce services as type 2 transfers:

7

8 (A) Temporary assistance to needy families  
9 (TANF) block grant and TANF/work program;

10

11 (B) Prosecution recovery investigation,  
12 collection and enforcement;

13

14 (C) Quality control program;

15

16 (D) Food stamp employment and training,  
17 including the electronic benefit transfer (EBT)/health  
18 passport (HPP) initiative;

19

20 (E) Eligibility determination functions,  
21 including eligibility payment information computer systems  
22 (EPICS) food stamp eligibility and child care subsidy  
23 program eligibility.

24

1 (iii) The following programs are transferred  
2 from the department of health to the department of  
3 workforce services as type 2 transfers:

4  
5 (B) Community services block grant;

6  
7 (C) Senior community service employment  
8 program.

9  
10 (v) The governor shall require the department of  
11 employment, department of family services, department of  
12 health, department of education, department of corrections,  
13 the Wyoming business council and the Wyoming community  
14 college commission to enter into memoranda of understanding  
15 developed by the department of workforce services to  
16 coordinate the delivery and enhancement of services  
17 promoting training and preparation of Wyoming citizens for  
18 employment. The memoranda shall be developed with  
19 participation of the state entities specified, community  
20 college districts and other entities as determined  
21 appropriate by the department of workforce services;

22  
23 **Section 4.** W.S. 9-2-2006(c) (i) and 9-2-2104(a) (vi)  
24 and (vii) are repealed.

1

2           **Section 5.**       The governor may begin transferring  
3 programs specified in this act effective April 1, 2003. The  
4 program transfers shall be substantially completed by June  
5 30, 2004.

6

7           **Section 6.**

8

9           (a) No later than June 30, 2003, the department of  
10 workforce services shall report to the joint labor, health  
11 and social services interim committee and the governor with  
12 respect to the department's progress toward a streamlined  
13 delivery system of public assistance and workforce  
14 training. The report shall outline changes in the delivery  
15 system undertaken as a result of the passage of 2002  
16 Wyoming Session Laws, Chapter 100, and changes in the  
17 delivery system as required by this act, and examine  
18 differences in efficiencies resulting from the transfer of  
19 authority to the department of workforce services.

20

1           (b) No later than September 30, 2003, the department  
2 of workforce services shall report to the joint labor,  
3 health and social services interim committee and the  
4 governor with respect to any statutory changes the  
5 department proposes that would transfer additional programs  
6 to, or from, the department subsequent to the enactment of  
7 2002 Wyoming Session Laws, Chapter 100, and this act.  
8 Specifically, the department shall establish reportable  
9 benchmarks that the proposed changes would make with  
10 respect to progress toward the streamlined delivery of  
11 assistance and workforce training services. No later than  
12 September 30, 2003, the governor shall report to the  
13 legislature whether it is advisable and practicable to  
14 transfer additional programs from the department of  
15 employment to the department of workforce services.

16

17           **Section 7.** This act is effective immediately upon  
18 completion of all acts necessary for a bill to become law  
19 as provided by Article 4, Section 8 of the Wyoming  
20 Constitution.

21

22

(END)