

December 2023

MANAGEMENT COUNCIL HANDBOOK

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INTRODUCTION

SCOPE AND PURPOSE.

The Management Council Handbook is prepared by the Legislative Service Office under the direction of the Management Council. It is intended to serve as an orientation for new Council members, a quick reference for current Council members and an information source for other members of the Legislature.

MANAGEMENT COUNCIL HANDBOOK

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CHAPTER I

STRUCTURE OF MANAGEMENT COUNCIL

1. MEMBERS.

After February 2022, the Management Council is composed of 10 members, five members from the Senate and five members from the House composed of leadership and an at-large member from each house as specified in Table 1. Prior to February 2022, the Management Council was made up of 13 members, including a "Wild Card" member that was selected by the 12 other statutory members and could not be a member of the same house or of the same party as the Chairman.

2. OFFICERS.

The Council elects the following officers:

CHAIRMAN - The Chairman is typically the presiding officer of one of the houses. The tradition of alternating the chairmanship between the houses is codified, and beginning February 2022, rotates each calendar year.

VICE CHAIRMAN - The statutory requirement is that the presiding officer of the opposite house from that of the Chairman serves as Vice Chairman.

3. MEETING SCHEDULE.

The Management Council meets as often as necessary to conduct business; there is generally a basic pattern for meetings during the course of the biennium as illustrated in Table 2.

TABLE 1

MANAGEMENT COUNCIL MEMBERSHIP

SENATE

President
Vice President
Majority Floor Leader
Minority Floor Leader
At Large Member Selected by the Senate

HOUSE

Speaker
Speaker Pro Tem
Majority Floor Leader
Minority Floor Leader
At Large Member Selected by the House

TABLE 2

ODD NUMBERED YEARS

January

General Session commences on Second Tuesday; Management Council has an organizational meeting during the first few days of the Session.

March or Early April

After the conclusion of the General Session, the Council meets to give approval for Interim Committee activities and budgets.

April through October

The Council generally meets at least once to consider Administrative Rule Reviews and conduct other business as necessary; routine business is often conducted by electronic mail.

Late November/Early December

The Council meets to review the budget and appropriations bill for the Legislature (Feed Bill), consider the Revisor's bill for introduction, review LSO staff compensation, consider Administrative Rule Reviews, and conduct other business as necessary.

EVEN NUMBERED YEARS

January	JAC budget hearings.
February	Budget Session commences on second Monday.
March or Early April	After the conclusion of the Budget Session, the Council meets to give approval for Interim Committee activities and budgets.
April through October	The Council generally meets at least once to conduct business as necessary; routine business is often conducted by electronic mail.
Late November/ December/January	The Council meets to review supplemental appropriations for the legislature (if any), to review the Revisor’s bill, to review LSO staff compensation, to consider Administrative Rule Reviews and to conduct other business as necessary.

4. GENERAL RESPONSIBILITIES.

In addition to the items specifically discussed in this handbook, the Management Council exercises general authority regarding matters of administration and policy relating to the Legislature, including special activities. In many cases, Council’s authority derives from its authority to direct the work of the LSO which implements administrative policy. The Management Council is also the focal point during the interim for discussion of the legislative process generally with a view toward modifying procedures and recommending rule changes as necessary.

Statutes also require Management Council to review proposed administrative rules and to provide recommendations on the rules to the Governor (see Chapter V of this Handbook).

5. LEGISLATIVE APPOINTMENTS

The Management Council has responsibility to make a number of appointments. It has been the practice of Council for a number of years, however, to delegate appointments to the Speaker and President with Council members being invited to submit recommendations for appointments.

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While some appointments are statutorily required, the Management Council, pursuant to W.S. 28-8-104, has ongoing authority to appoint select committees of the Legislature as it sees fit. Over the past several years, the Management Council has traditionally made the following appointments:

- Select Committee on Legislative Facilities, Technology and Process: 6 members: 3 House; 3 Senate. 2:1 party split
- Air Transportation Liaison Committee: 6 members (At least 1 from Joint Transportation Committee)
- State Building Commission Liaison: 4 members: 2 by President; 2 by Speaker (At least 1 from Joint Appropriations Committee)
- State Retirement Board Liaison: 4 members: 2 by President; 2 by Speaker

The Council also typically delegates the following statutory appointments to the President and Speaker:

- Enhanced and Improved Oil Recovery Commission: 1 Ex-officio member [W.S. 30-8-101(a)]

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CHAPTER II

SUPERVISION OF LEGISLATIVE SERVICE OFFICE

1. GENERALLY.

Pursuant to W.S. 28-8-102, the Legislative Service Office is under the direction of the Council for the purpose of day-to-day operations. The Council is authorized to promulgate rules for the internal management of the office. These rules are compiled in three publications entitled: "Legislative Service Office Personnel Rules;" "Management Council Policies;" and "Travel Regulations." These are usually updated as necessary to reflect changes made by the Council. Copies of these policy manuals are provided to each Management Council member and LSO staff member.

2. LEGISLATIVE SERVICE OFFICE STRUCTURE.

The Council appoints a director of the LSO who serves at the pleasure of the Council. The statutes technically provide that the director will appoint an assistant director for legislative services and an assistant director for audit, however, with Council approval that structure has not been utilized in many years. LSO is currently structured as indicated in the organizational chart available at: <https://wyoleg.gov/docs/LSOOrgChart.pdf>. Following is a brief overview of the staff structure:

Director's Office

Housed within the Director's Office are the Legislative Counsel, the LSO Fiscal Officer, the Legislative Librarian, and the Special Projects Manager.

The Legislative Counsel addresses among the most complex legal issues that confront the Wyoming Legislature. Along with the LSO Director, the Legislative Counsel assists the presiding officers and any committees appointed to investigate complaints lodged against members. The Legislative Counsel reviews and edits all LSO legal memoranda. The Legislative Counsel also provides guidance to legislators on conflict of interest and ethics questions, responds to public records requests and completes other project as assigned by the Director.

The Special Projects Manager is an employee with extensive knowledge of the workings of the legislative branch who oversees projects as assigned by the Director. These projects have included serving on the owner's team for the legislative branch during the Capitol Square project, working on governance issues for the joint management of the Capitol Square, and development of a comprehensive LSO staff onboarding and training program.

The Fiscal Officer handles all fiscal matters for the Legislature including payroll for legislators, the LSO staff and House and Senate staff, travel vouchers, payments for goods and services purchased, and maintenance of records of fiscal accounts.

The Legislative Librarian is responsible for the organization of all documents in the possession of LSO.

Legal Services Division

This Legal Services division provides bill and amendment drafting for committees and individual legislators. Members of this division serve as the staff of the Legislature's joint interim and select committees. Staff is responsible for providing legal research services to committees and individual legislators. The division also performs reviews of agency rules and regulations as required by law under the administrative rule review process.

Budget and Fiscal Division

The Budget and Fiscal division staffs the Joint Appropriations Committee, the Select Committee on Capital Financing and Investments, and other committees as assigned. In addition, Budget and Fiscal staff provides support to other committees and individual legislators on budget matters and state expenditures. The staff develops information on revenues for the Joint Revenue Committee and prepares estimates of fiscal impacts for proposed legislation. The Budget and Fiscal Administrator serves as co-chairman of the State's Consensus Revenue Estimating Group (CREG). The Budget and Fiscal division is also responsible for overseeing legislative activities related to K-12 school finance reform and for school capital construction and is staff to the various committees charged with K-12 education responsibilities.

Research/Evaluation Division

The Research and Evaluation Division conducts research and policy analysis on a variety of topics and responds to general research requests from committees and individual legislators. Typical research products include factsheets and research memoranda designed to succinctly summarize topics, as well as issue briefs and short reports which offer a more in-depth analysis of complex policy issues.

The Research and Evaluation Division also serves as the primary staff division for the Management Audit Committee. At the direction of the Committee, the Division conducts program evaluations of state government programs to analyze program effectiveness and efficiency. Topics considered by the Management Audit Committee for study may originate from Committee members, other committees, or other legislators.

Operations Division

Information Technology Section

The Information Technology section provides computer support for the LSO staff, the session staff, and the legislators. Computer support includes hardware and software purchase and maintenance, training, and application development. Technology staff provides support for the staff computers and the laptop computers provided to each legislator. The section is responsible for the operation and maintenance of the Legislature's bill drafting and tracking system and for maintaining the Wyoming Statutes database. Technology staff also maintains the legislative SharePoint system and legislative website, which allows the public access to a variety of legislative information, including the text of bills, committee and roll call votes during the session, and interim legislative committee activities.

Legislative Services Section

The Legislative Services section coordinates legislator training, media relations, legislative information management, visitor services at the Wyoming State Capitol Complex, and other civic education activities that promote understanding of and participation in the legislative process. In addition, staff provides operational support to the LSO staff, as well as to legislators regarding reimbursement for meetings, stationery, parking issues, and other administrative details. These staff members are also responsible for answering many general questions from the public about the Legislature.

Contract Employees and Contractors.

LSO has several employees who are paid an hourly rate and work during and around the session.

LSO occasionally hires contract employees on a short-term basis for special projects. LSO also occasionally hires independent contractors for special projects.

LSO also operates the student intern program under which students at the University of Wyoming and the community colleges provide assistance to legislators during the session for academic credit. The legislative budget contains funding for hiring an intern coordinator and providing a small amount of financial assistance to students to defray the expense of serving as an intern.

3. COUNCIL'S RELATIONSHIP WITH LSO.

The LSO "staffs" the Management Council by identifying issues that need to be presented for its consideration, analyzing those issues, and indicating alternative courses of action where appropriate.

4. LSO PERSONNEL POLICY AND COMPENSATION POLICY.

Council annually evaluates the LSO staff and sets compensation.

(a) Personnel Policy.

Following are key points regarding the current LSO personnel policy:

- (i) LSO staff is not subject to the personnel rules promulgated by the Department of Administration and Information for other state employees.
- (ii) LSO staff serve at the pleasure of the director and do not have permanent employee status as do Executive Branch employees who have been employed more than one year.
- (iii) Administrative/technical staff are entitled to overtime compensation as specified in the Wyoming Legislative Service Office Personnel Manual, but all other LSO staff are not.
- (iv) Leave rates and policy for LSO staff are essentially the same as those provided for Executive Branch employees.

(b) Compensation Philosophy.

- (i) LSO staff are not subject to the state compensation plan under which positions are graded and a salary range is established for each grade. LSO salaries are established by the Management Council.

LSO compensation adjustments are considered by the Council on a yearly basis and are generally made on an individual basis, not "across the board." No reclassifications occur without Council approval, though vacancies are filled as they occur.

5. HOUSE AND SENATE STAFFS.

(a) Session Staffing.

The Session staff for each house are technically employees of that house. Traditionally, the chief clerk is selected by the presiding officer. The chief clerk then selects a staff supervisor who is primarily responsible for hiring staff. These staff serve on a year to year basis and are paid a daily rate for each day worked. Rates are approved by the chief clerk and the presiding officer, with the entire session staff salary budget subject to Council and ultimately Legislative approval. The chief clerks attempt to ensure that pay rates for similar work in each house is comparable with that in the other.

(b) Session staff relationship with LSO.

Technically, session staff for both houses and the LSO have historically been separate and distinct entities. However, all three staffs worked closely together as a team to provide support to the Legislature. Due to the increasingly technical aspects of the legislative process, LSO staff are taking on more roles typically provided by session staff.

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CHAPTER III

LEGISLATIVE BUDGET

1. GENERALLY.

Historical practice - For many years, the budget for the Wyoming Legislature operated for the term of each Legislature; i.e., two calendar years, not two fiscal years as is the case for the other branches of government. This permitted each Legislature to determine its own budget.

1999 change - The Management Council directed that the legislative budget period be changed to a fiscal year basis to be consistent with the rest of state government.

LSO is required to maintain records of expenditures and make recommendations regarding development of the budget. LSO provides Council members with a quarterly financial report indicating expenditures by expense item.

2. BUDGET COMPONENTS.

Appendix B provides an explanation of each of the major budget items for the Legislature.

3. MAJOR CONTRACT EXPENSES.

The Legislature purchases several services by contract through the LSO with Council approval. Following is a list of these major contract expenses:

(a) Statutes and Supplements.

The Wyoming Legislature is required to maintain sets of statutes not only for the Legislature but also for state and local officials and the judiciary. Over 440 total sets of statutes are provided each biennium in accordance with law. A complete set of the statutes is distributed after each general session in perfect bound format. A cumulative supplement is published after each budget session.

Wyoming has contracted annually with Lexis Publishing for over 40 years to publish the Wyoming Statutes Annotated. Following a competitive bid process in 2022, LexisNexis was again awarded the contract to publish the Wyoming Statutes.

(b) Session Laws.

Session Laws are published annually. 1Vision is the current contractor.

(c) Other contracts - competitive bidding.

The Council has developed a policy over the years of bidding for other services as follows:

(i) Stationery (personalized legislative stationery)

This contract is to provide plain banner and personalized stationery for legislators. PBR Printing is the current contractor.

(ii) Photocopying services

This contract is to provide bulk photocopying of bills and other related major copying projects, e.g. budget books, legislative rules, etc. FedEx Office and Print Services, Inc. is the current contractor.

(iii) Photographic services

This contract is for photographic services to produce the composite photograph for each house. Lifestyle Photography is the current contractor.

(iv) Financial audit of legislative expenditures

Management Council Policy I.4 governing the LSO, requires a financial audit by a certified public accountant of the books of the legislature each biennium. This contract is bid with an option for an extension for an additional biennium. The CPA firm of McGee, Hearne, and Paiz is the current contractor.

(v) All other contracts currently in effect with LSO are listed at <https://www.wyoleg.gov/Legislature/LSOAbout>.

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CHAPTER IV

INTERIM COMMITTEE ACTIVITIES

1. SELECTION OF TOPICS/BUDGET PROCEDURES.
INTERIM COMMITTEE BUDGETS.

(a) Management Council Procedures.

The Management Council is responsible for approving interim committee studies and allocating funds available for interim work among the various joint interim committees.

Traditionally during the last week of the session, the Council requests the joint interim committees to submit suggested interim study topics. The LSO staff designated to work with the Committee will assist in preparing this submission. At a meeting shortly after the conclusion of the session, the Council approves topics and budgets for each Committee so that interim work can begin. The Council may adjust the approved topics and budgets during the course of the interim.

(b) Importance of Interim Work.

It is obvious that much of the important work of a part time citizen legislature must be accomplished through its interim committees. Ideally, these committees will take on the truly tough issues facing the state and through the course of intensive interim work, develop appropriate legislative responses. Faced with limited time and budget, however, the interim committee process cannot operate effectively unless the committees identify, prioritize, and select the most significant topics for interim study.

Due to the press of other business at the end of the session, interim committees sometimes are not able to identify the high priority topics or topics that are suitable for interim study. Sometimes interim studies are: (1) issues only one member of the committee is truly concerned with; (2) proposals to continue previous committee studies that never got off the ground or to rehash legislation that failed during the current session; (3) proposals to study broad "catch all" subjects; or (4) proposals to "monitor" some current or threatened federal program or activity which the legislature may be powerless to affect in any event.

The Council may wish to make suggestions to Committee Chairmen regarding possible topics for interim studies or at least suggest general priorities for interim studies.

In approving interim topics for study, the Council generally ensures that approved topics are not duplicative and that they fall within the jurisdiction of the Committee to which the topic was assigned.

2. AUTHORIZED EXPENDITURES.

Management Council Policy governing interim committees provides:

"Funds allocated to a joint interim committee shall be used entirely for committee expenses such as travel, salary and per diem for members, expenses for public hearings or such other expenses as the committee may request and the Management Council may authorize."

The most frequently asked questions relating to this policy involve the interim committee chairman's authority to approve expenditure of budgeted funds for a committee member to attend an in-state meeting, seminar or program other than a regular interim committee meeting.

In exercising this discretion, the chairman should ensure: (1) that the proposed expenditure is directly related to and will facilitate the committee's assigned work; and (2) that there will remain sufficient funds in the budget after the expenditure to allow the committee to complete its studies.

Questions concerning the appropriateness of any unusual expenditure should be discussed in advance with the director of the Legislative Service Office or the chairman of the Management Council.

(a) Monitoring the Committee's Budget; Budget Shortfalls.

The Legislative Service Office fiscal officer maintains a separate budget account for each interim committee. It is the chairman's responsibility to plan the committee's activities to stay within the allocated budget.

An interim committee may not expend funds in excess of its budget without the advance approval of the Management Council. However, Council policy allows the Committee to exceed the budget by not more than \$1500, where the excess results from the costs of the last meeting of the interim for the committee.

Approval of additional funding requests for an interim committee is not automatically given by the Council and much depends upon the nature of the request, the availability

of funds in the legislative budget, and the anticipated needs of the other interim committees.

(b) Prohibition Against Accepting Funds from Other Sources.

Management Council Policy governing interim committees provides in part:

"A joint interim committee may not apply for, receive or accept any grant, donation or gift of money for funding approved studies and work projects other than appropriations to the LSO or other appropriations specifically for that purpose."

(c) Limiting Reimbursement to Committee Members for Special Activities.

To conserve committee funds, committee chairmen occasionally limit the reimbursement which will be authorized for committee members participating in a particular activity, e.g., the chairman may authorize mileage and per diem, but not salary, for committee members participating in a tour. However:

- (i) The activity must be something other than a regular committee meeting, attendance at which entitles committee members to full payment of salary, mileage and per diem; and
- (ii) Committee members must be provided clear advance notice that they will not receive full reimbursement for attending the activity.

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CHAPTER V

ADMINISTRATIVE RULE REVIEWS

1. BACKGROUND.

Legislative review of agency rules is performed in some fashion by nearly every state. This topic is covered in detail in the Administrative Rule Review (ARR) Handbook, a copy of which has been distributed to every member of the Council. The handbook addresses the Management Council's role in the process and includes a flowchart of the overall process. The following is a brief overview of the process.

2. SUMMARY of the RULE REVIEW PROCESS

Notice of Proposed Rulemaking. LSO receives notice of intended adoption of all state agency rules. All proposed rules are posted on the legislative website. Additionally, for all "new rules" the sponsor of the enabling legislation and each standing committee which acted upon the legislation is provided notice of the proposed adoption of the "new rule."

Review by LSO. Recommendation to Council. Statute requires agencies provide LSO notice of the final adoption of each state agency rule. LSO reviews adopted rules and provides its review to the Management Council, the agency, the Attorney General's and Governor's offices within 15 days of receiving the notice of adoption. (If a Legislative session is ongoing, the rule reviews are not provided until after the session adjourns). The LSO rule review recommends consenting to the adoption of the rules or recommends some other action if a procedural or substantive problem is found. (**Note:** LSO will contact the agency and Attorney General's Office if a problem is identified and often at that point an agency may withdraw the proposed rule and restart the process; in which case no rule review is prepared.)

Council Action on Rules. E-mail Ballots. Rule reviews are e-mailed weekly to Council. By e-mail ballot, members may remove a rule from the "Consent List" for any reason. (**Note:** A member of the Council who has questions about a rule or needs additional information, may contact the LSO staff member who drafted the rule review. It is not necessary to remove the rule from the Consent List simply to have questions answered. Removal of a rule from the Consent List should mean that a Council Member has determined that some problem exists with respect to the rule, not merely that the member has a question.) Rules removed from the Consent List are considered at the next Council meeting. Rules not removed from the Consent List will be deemed to be approved by the Council. For non-Consent rules the Council by majority vote either adopts the LSO recommendation, rejects the LSO recommendation and approves the rule, or postpones action until the next Council meeting. This last alternative is

the default, should neither option (1) "adopt the LSO recommendation" nor option (2) "approval of the rule," receive a majority vote of Council.

Governor's Action on Rules. Options Available to Council. After Council takes action by e-mail ballot or at a meeting, the Council's recommendations are e-mailed to the Governor's Office, the agency and the Attorney General's Office. The Governor may: (1) Direct the agency to rescind the rules or to amend the rules to address the concerns raised in the LSO Rule Review or as otherwise specified by the Management Council; (2) Line item veto a portion of the rules; or (3) Approve the rules as proposed. If Council recommends the Governor direct the agency to rescind or modify a rule, the Governor is required by law to either follow the Council's recommendation or provide the Council written reasons why he decided not to do so. If the Council does not agree with the Governor's action it can: (1) Sponsor a Legislative Order, which is processed exactly like any other legislation, and if enacted into law, would render the questioned rule unenforceable; or (2) Introduce legislation clarifying legislative intent or directly prohibiting what the questioned rule authorized.

3. PRACTICAL BENEFITS OF THE ARR PROCESS.

At first glance, it may appear that the ARR process is of limited benefit given that many rules are already effective (signed by the Governor and filed with the Secretary of State) when the Council meets to consider them and that the Council cannot prohibit their implementation. Following is a list of practical benefits to the ARR process:

- (a) Rules can be promulgated only as a result of statutory authority. The ARR process ensures that the Legislature is made aware of and reviews every new rule and modification or repeal of existing rules undertaken by all executive agencies. This institutionalizes a procedure so that Council members and all other legislators know about all rules flowing from agency interpretation of statutes.
- (b) Since agencies know each rule will be reviewed and that they may have to appear before the Council, they are more likely to carefully interpret statutes in deciding to promulgate rules.
- (c) The ARR process provides an opportunity to correct rules which exceed constitutional or statutory authority without litigation. Issues raised in the course of discussions with the Attorney General's Office staff during the preparation of ARRs have resulted in numerous issues being resolved before the rule was even presented to the Council for consideration.
- (d) The Governor is provided an additional opportunity to reflect upon the statutory and constitutional soundness of agency rules. In many cases, Governors have agreed in whole or in part with the Council's recommendation and used the line item veto on rules or directed that rules be changed.

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- (e) In some cases, discussions about rules have resulted in the identification of administrative difficulties, policy concerns, and statutory inconsistencies. After identification, a variety of responses have occurred including the Council sponsoring legislation, the Council directing a Committee to consider legislation, and the Governor and the agency taking administrative action to address these issues.

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CHAPTER VI

INITIATIVE PROCESS

Under W.S. 22-24-105(b), the Secretary of State is required to provide any comments the Secretary may have regarding the form or contents on proposed legislation that is being considered through the initiative process. The Secretary of State is required to submit these comments to the proponents of the initiative at a conference not later than 14 calendar days after the initiative (proposed bill) has been submitted to the Secretary of State.

W.S. 22-24-105(b) also provides that the Secretary of State may request assistance from LSO, and other state agencies, in reviewing and preparing comments on the initiative. As a matter of practice, the Secretary of State always contacts LSO for assistance.

LSO may coordinate with the Attorney General's office in preparing its response. LSO's assistance is structured as follows:

1. COMMENTS RELATED TO STRUCTURE AND FORMAT.

These comments are intended to conform the proposed bill as nearly as practicable to existing bill drafting conventions currently followed by the Wyoming Legislature. Absolutely no substantive changes are intended by these comments.

2. COMMENTS RELATED TO CONFORMITY WITH EXISTING STATUTES.

These comments are intended to identify existing statutes that would be in conflict with the proposed bill if that bill were enacted into law.

No comments are generally offered as to whether the bill as written can be administered as a practical matter.

3. COMMENTS REGARDING CONSTITUTIONAL ISSUES RAISED BY THE BILL.

LSO identifies possible constitutional issues raised by this proposed bill since LSO also identifies such issues with respect to legislation proposed for consideration by the Wyoming Legislature. LSO does not research these issues and does not offer an opinion as to how a court of competent jurisdiction would rule with respect to them. Rather, these issues are offered only for consideration by the Secretary of State.

LSO provides a copy of each response to all members of the Management Council.

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APPENDIX A

LSO COMPENSATION APPROACH

Background

The Management Council establishes policy for the operation of LSO and is responsible for establishing LSO salaries. Traditionally, the LSO director meets with the Management Council in executive session and recommends salary adjustments for the staff. The Council takes action on those recommendations during that executive session and LSO salary adjustments become effective typically the first day of the month following the meeting. (The exception is for a new employee whose first salary adjustment becomes effective after the first year of employment.

LSO salaries and adjustments are completely separate from the executive and judicial branches. Executive branch salary adjustments affect an established compensation plan and have generally been effective on July 1.

Staffing Philosophy

The Wyoming Legislature has chosen to create and maintain a full-time, non-partisan central staff office that is significantly smaller even than those in other sparsely populated Western states with part-time, citizen Legislatures. This reflects a staffing philosophy that:

1. Requires LSO staff to handle a wide variety of issues and to deal effectively with elected officials, agency heads and senior agency staff, private sector representatives, media, and the public.
2. LSO staff responsibilities require analysis of complex problems and identification of solutions which are themselves complex. Significant analytical and technical skills are necessary for LSO staff to perform their responsibilities.
3. Long term retention of quality LSO staff is encouraged for several reasons. Legislative sessions are of short duration, and it takes several sessions (i.e., years) for staff to obtain experience with the legislative process and to understand the Legislature as an institution. Experienced staff can serve as an "institutional memory" and more quickly analyze problems and identify solutions when time is critical. Experienced staff can anticipate problems and legislative requests thereby providing more efficient and effective service.
4. The small size of the staff necessarily limits opportunities for promotion to supervisory positions.

5. While not political appointees, staff serve at the pleasure of the director without the protection of the state personnel system.
6. The appropriate role of legislative staff requires that staff opportunities for public recognition be limited.
7. No matter how controversial a matter may be, partisan and issue neutrality is required.

Finally, the small size of the staff creates a staffing environment that is not bureaucratic, but is very direct, nimble, strategic, creative, informal, and responsive.

Compensation Philosophy

Recognizing the foregoing, the Legislature should compensate its staff under the following principles:

1. As the Legislature's professional staff, LSO should continue to be compensated separately from the executive branch compensation plan, but should remain subject to Council policies.
2. LSO staff compensation may be comparable to that for executive branch positions with similar responsibilities but should also reflect the additional skills required and the conditions and limitations under which LSO staff operate.
3. LSO staff compensation should be performance based.
4. Recognizing the benefits of retaining quality staff long term and given the limited opportunities for advancement to supervisory positions within the LSO, the Council should consider periodic salary adjustments for long term staff with outstanding performance regardless of whether the individual is serving in a supervisory position.
5. It is recognized that economic conditions and other practical considerations will necessarily affect the extent to which these principles can be applied.

Compensation Procedure

1. The Council and the director should communicate this philosophy and these principles to the LSO staff.
2. The director should develop comparable salary information and proposed salary adjustments annually. The Chairman and Vice Chairman of Management Council will review LSO staff performance and expectations with the director. (Legislative staff work is not as readily quantifiable as the work product of many other positions in both the public and private sectors. Evaluation of legislative staff work is necessarily subjective.)

3. The Chairman, Vice Chairman, and director will present the recommendations to the Council in executive session. The director shall be present to respond to questions about staff responsibilities and performance but, at the discretion of the Council, may be absent during discussion of the director's performance.

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APPENDIX B

BUDGET COMPONENTS

BUDGET ITEM

EXPLANATION

SALARIES & EMP PAID BENEFITS

Salaries & Employer Paid Benefits
(Biennium)

Contains funds for salaries & statutory benefits for all LSO staff, including overtime for administrative staff & part-time session staff. Contains statutory salary funds & benefits for legislators during a legislative session (seven days per week while the Legislature is in session). Contains salary funds for legislators for interim activities as well as salary funds for legislators serving on the Joint Appropriations Committee during the budget hearings, which is seven days per week during budget hearings. Contains salary funds & benefits for staff hired to support both houses during the General Session, Budget Session & for salary during the interim for both years for planning, training, etc. Other than LSO full-time employees, all others receive only FICA and Workers Compensation as a benefit.

IN-STATE TRAVEL & PER DIEM

Travel

Contains funds for one round trip statutory mileage during the General Session & Budget Session for legislators & session staff who are not residents of Cheyenne. Contains funds for mileage for legislators for Interim Committee meetings & other approved in-state activities, as well as LSO staff in-state mileage expenses.

Per Diem

Contains funds for statutory per diem for legislators seven days a week during the session, for a travel day to & from the session & per diem for session staff who are not

Cheyenne residents. Contains funds for statutory per diem for legislators for Interim Committee meetings & other approved in-state activities as well as LSO staff in-state travel expenses.

OUT-OF-STATE TRAVEL & PER DIEM

Travel

Contains funds to be used for out-of-state transportation, including airfare, mileage, etc.

Per Diem

Contains funds to reimburse legislators & LSO staff for all other out-of-state travel expenses payable under regulations.

DUES

NCSL
Energy Council
CSG

Contains funds for membership fees in the organization specified i.e., National Conference of State Legislatures, Energy Council, and Council of State Governments.

REGISTRATIONS

Includes funds for registration fees for legislators & LSO staff for meetings of organizations of which the Legislature is a member & for staff training courses.

TELECOMMUNICATIONS/POSTAGE

Contains funds for telephone equipment & long distance charges for LSO, all session telephone services & credit card calls made by legislators. Includes postage for legislative business.

ETS SERVICES

This appropriation pays for the legislature network connections and backup of data on ETS servers.

GENERAL ADMINISTRATIVE SUPPORT

Contains funds for a wide variety of office supplies including copier leasing, furniture for all legislative facilities during both sessions & the interim. Includes printing expenses for

legislator stationery, business cards, bill jackets, etc. Includes lease agreements or service contracts for photocopiers owned or operated by the Legislature & for contract photocopying.

PRINTING:

Digest
Session Laws
Statutes

Contains funds for printing the Digests of the Journal, Sessions Laws & the Statutes.

BELOW THE LINE APPROPRIATIONS

These appropriations are contained in Section 2 and subsequent sections of the Feed Bill (“below” the standard legislative budget expenses in Section 1). They are generally considered non-reoccurring or special expenses of the legislature. Some appropriations involve a carry-over of funds for use by the legislature for school finance consulting services or potential litigation. Also included “below the line” is Management Council’s flex authority and the carry-over of all funds from the previous biennium’s Feed Bill.