

SENATE FILE NO. SF0087

Consolidation of services-civil service.

Sponsored by: Senator(s) Burns and Schiffer and Representative(s) Berger, Iekel and Landon

A BILL

for

1 AN ACT relating to civil service; providing exemptions from  
2 civil service provisions for certain employees when  
3 services are provided through cooperative efforts as  
4 specified; crediting such civil servants with prior service  
5 for purposes of civil service provisions; making conforming  
6 amendments; and providing for an effective date.

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

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10 **Section 1.** W.S. 15-5-122 is created to read:

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12 **15-5-122. Fire and police services provided under**  
13 **cooperative agreements; exemption from civil service**  
14 **provisions; service credit.**

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1           (a) The examination, age, preference and initial  
2 employment criteria of W.S. 15-5-105 through 15-5-108 shall  
3 not apply to a person employed in a fire or police  
4 department if:

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6           (i) The person was employed by a fire or police  
7 department of a county, special district or municipality  
8 not subject to this article;

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10           (ii) The person becomes employed by a  
11 municipality subject to this article as a result of a  
12 contract or agreement between the municipality and the  
13 person's previous employing entity to jointly provide fire  
14 or police protection pursuant to W.S. 18-2-108, 16-1-101 or  
15 the Wyoming Joint Powers Act; and

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17           (iii) The new employing municipality agrees to  
18 apply the provisions of this section to the person.

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20           (b) A person meeting the conditions of subsection (a)  
21 of this section shall:

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23           (i) Be credited with his years of employment in  
24 his position for the previous employing entity for purposes

1 of classification under this article, including, but not  
2 limited to, the provisions of W.S. 15-5-109. Employment for  
3 the previous employing entity shall not be credited for  
4 purposes of W.S. 15-5-115, except as between persons  
5 employed pursuant to this section simultaneously;

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7 (ii) Not be considered to be employed in  
8 violation of the maximum age requirement for purposes of  
9 W.S. 15-5-204(d).

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11 **Section 2.** W.S. 15-5-107 and 15-5-115(a) are amended  
12 to read:

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14 **15-5-107. Employment and appointments generally;**  
15 **requirements; veterans; grading; reexamination.**

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17 Only those persons who are seventy-five percent (75%) or  
18 more proficient may be certified for employment, and if  
19 certified for employment in a fire department are adults  
20 under thirty-three (33) years of age, except this age  
21 requirement does not apply to any person employed as the  
22 chief of a department. The examination requirements of this  
23 section shall not apply to a person meeting the conditions  
24 of W.S. 15-5-122(a) if the person is employed by a police

1 department. The age and examination requirements of this  
2 section shall not apply to a person meeting the conditions  
3 of W.S. 15-5-122(a) if the person is employed by a fire  
4 department. All other things being equal, persons honorably  
5 discharged from the military service of the United States  
6 shall be given preference for employment over other  
7 candidates. Those examined shall be graded upon their  
8 examinations and their approved ratings or grades entered  
9 in a register. Those eligible shall remain on the registers  
10 two (2) years, except applicants for the police department  
11 shall remain on the register one (1) year, without  
12 reexamination and certification. However, the commission,  
13 in its discretion, may require further examination as to  
14 physical fitness, health and age qualifications prior to  
15 certifying the applicant to the governing body for  
16 employment.

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18 **15-5-115. Order of lay off when force reduced;**  
19 **reemployment of firemen.**

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21 (a) If the force or schedule of employees of a  
22 department is reduced, the person last certified for  
23 employment in the department or employed in the department  
24 in accordance with W.S. 15-5-122 shall be the first laid

1 off. If more than one (1) person were employed in  
2 accordance with W.S. 15-5-122 simultaneously, and those  
3 persons were employed after the person last certified for  
4 employment, the person with the least seniority for his  
5 previous employing entity shall be the first laid off.

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7 **Section 3.** This act is effective July 1, 2003.

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(END)