

HOUSE BILL NO. HB0076

Livestock brand inspectors.

Sponsored by: Joint Agriculture, Public Lands and Water
Resources Interim Committee

A BILL

for

1 AN ACT relating to the Wyoming livestock board; authorizing
2 additional salaries, additional insurance contributions and
3 additional retirement contributions for brand inspectors;
4 providing an appropriation; specifying use of the
5 appropriation; and providing for an effective date.

6

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

8

9 **Section 1.** W.S. 9-2-1022(a)(xi)(F)(IV), 9-3-211 by
10 creating a new subsection (c) and 9-3-412(b) are amended to
11 read:

12

13 **9-2-1022. Duties of department performed through**
14 **human resources division.**

15

1 (a) Subject to subsection (b) of this section, the
2 department through the human resources division shall:

3
4 (xi) Promulgate reasonable rules:

5
6 (F) Necessary to administer a program
7 whereby at-will contract employees may be utilized by
8 agencies to meet programmatic needs. These rules shall be
9 structured so that:

10
11 (IV) Notwithstanding subdivision (III)
12 of this subparagraph, if the employment contract so
13 provides, an at-will, year-round, full-time brand
14 inspection contract employee authorized to carry out the
15 duties specified by W.S. 11-20-201 may be eligible for
16 membership in the state employees' and officials' group
17 insurance plan in accordance with W.S. 9-3-207, and the
18 state retirement system under W.S. 9-3-412, provided the
19 employee pays the total premium or total contribution
20 required, or the portion of the premium or contribution, if
21 any, the employment contract directs the employee to pay
22 and the employee's wages under the contract are reported on
23 an Internal Revenue Service Form W-2 Wage and Tax
24 Statement. The Wyoming livestock board shall have sole

1 discretion to determine the amount of the total premium or
2 contribution to be paid by the employee and the amount to
3 be paid by the board, if any. The amounts shall be stated
4 in the employment contract. The time limitations provided
5 in ~~subparagraph (F)~~ subdivision (V) of this ~~paragraph~~
6 subparagraph shall not apply to any employee under this
7 subdivision;

8
9 **9-3-211. Deductions from salaries of monthly**
10 **contributions by employees and officials; establishment of**
11 **procedure.**

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13 (c) Notwithstanding any other provision of the State
14 Employees' and Officials' Group Insurance Act and for the
15 contributions provided by W.S. 9-2-1022(a)(xi)(F)(IV), the
16 contributions required by subsection (a) of this section
17 may be paid by the Wyoming livestock board for state
18 employee members in order to be treated as employer
19 contributions for the sole purpose of determining tax
20 treatment under the United States Internal Revenue Code,
21 section 414(h). The amounts shall be stated in the
22 employment contract.

23

1 **9-3-412. Members' contributions; payroll deductions;**
2 **employer authorized to pay employee's share.**

3
4 (b) From and after July 1, 1983 and except as
5 provided by W.S. 9-2-1022(a)(xi)(F)(III) or (IV), the
6 contributions required by subsection (a) of this section
7 shall be paid by the employer for state employee members
8 and may be paid by the employer for member employees of
9 political subdivisions of this state in order to be treated
10 as employer contributions for the sole purpose of
11 determining tax treatment under the United States Internal
12 Revenue Code, section 414(h). Unless otherwise specified
13 by contract, any contract employee authorized to
14 participate in the state retirement system under W.S.
15 9-2-1022(a)(xi)(F)(III) ~~or (IV)~~ shall pay the entire member
16 contribution and the entire employer contribution under
17 W.S. 9-3-413. From and after July 1, 2007 and for the

18 contributions as provided by W.S. 9-2-1022(a)(xi)(F)(IV),
19 the contributions required by subsection (a) of this
20 section may be paid by the Wyoming livestock board for
21 state employee members in order to be treated as employer
22 contributions for the sole purpose of determining tax
23 treatment under the United States Internal Revenue Code,

1 section 414(h). The amounts shall be stated in the
2 employment contract.

3
4 **Section 2.**

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6 (a) There is appropriated a total of one million
7 three hundred thirty-seven thousand six hundred seventy-
8 five dollars (\$1,337,675.00) from the general fund to the
9 Wyoming livestock board to fund the recommendations from
10 the legislative-executive task force authorized by 2006
11 Wyoming Session Laws, Chapter 39, Section 3 as follows:

12
13 (i) Of this appropriation four hundred twenty-
14 three thousand five hundred twenty-five dollars
15 (\$423,525.00) shall be for cost-of-living adjustments for
16 salary and benefit packages for sixty (60) full-time at-
17 will employee contract brand inspection personnel to be
18 used as follows:

19
20 (A) Two hundred ninety-two thousand two
21 hundred dollars (\$292,200.00) for a four hundred dollar
22 (\$400.00) per month salary increase for fifty-three (53)
23 full-time brand inspectors and for a four hundred fifty

1 dollar (\$450.00) per month salary increase for seven (7)
2 brand inspection supervisors;

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4 (B) One hundred thirty-one thousand three
5 hundred twenty-five dollars (\$131,325.00) to fund the
6 employee contribution for the full-time brand inspection
7 personnel who participate in the Wyoming state retirement
8 program.

9

10 (ii) Of this appropriation three hundred ninety-
11 three thousand three hundred fifty dollars (\$393,350.00)
12 shall fund statutorily mandated animal health duties being
13 preformed by brand inspection personnel to be used as
14 follows:

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16 (A) Three hundred thirty-seven thousand six
17 hundred dollars (\$337,600.00) to cover brand inspector
18 salaries while the brand inspectors are performing
19 statutorily required duties regarding animal health;

20

21 (B) Fifty-five thousand seven hundred fifty
22 dollars (\$55,750.00) to fund travel costs for animal health
23 work being performed by brand inspection personnel. Brand
24 inspectors may use personal vehicles and stock trailers for

1 these purposes and shall be reimbursed at the approved
2 state employee mileage rate.

3

4 (iii) Of this appropriation five hundred twenty
5 thousand eight hundred dollars (\$520,800.00) shall fund
6 statutorily mandated law enforcement and animal welfare
7 duties being performed by brand inspection personnel to be
8 used as follows:

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10 (A) Four hundred forty-eight thousand eight
11 hundred dollars (\$448,800.00) to cover brand inspector
12 salaries when brand inspectors are required to assist
13 specific law enforcement responsibilities or animal welfare
14 duties as specified by Wyoming law;

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16 (B) Seventy-two thousand dollars
17 (\$72,000.00) to reimburse travel costs for animal health
18 work being performed by brand inspection personnel. Brand
19 inspectors may use personal vehicles and stock trailers for
20 these purposes and shall be reimbursed at the approved
21 state employee mileage rate.

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