

LWVWY Bill Summary Report #6

Wyoming LWV - Bills of interest as of Feb. 11 in the 2019 Wyoming Legislature

Find all bills with related information on www.wyoleg.gov.

Titles of bills that have died are in red.

ELECTIONS

HB21 – Election readiness account (Joint Corporations Committee)

This sets up a reserve account to replacing aging equipment used by county clerks to prepare ballots, for voting and for tabulation. Funding in the bill has been returned to \$7.5 million. The bill is ready for final approval in the Senate.

LWV Supports as a start to ensuring election equipment is modern, secure and reliable.

HB37 – Elected Official Residency Requirements (Joint Corporations)

Amends county office election statutes to require residency in county for at least a year before an election and through the term of service. If an elected official moves, the office is vacant. In Senate Corporations. Ready for second reading in Senate.

SF18 – Campaign Finance Revisions (Joint Corporations)

This defines “electioneering communications” to include everything intended to advance or defeat a candidate or ballot issue and requires them to abide by campaign finance laws for reporting contributors, donations and expenditures. (LWV supports this as a tightening of definitions to provide voters with information about efforts to influence election outcomes.) Senate Enrolled Act 3 – ready for governor’s signature.

SF21 – Election Forms (Joint Corporations)

A person seeking nomination or election completes a form to include a residential address and a signed oath of having lived there for 5 years. In House Revenue. Senate Enrolled Act 4 – ready for governor’s signature

HB106 – Party Affiliation Changes (Rep. Blackburn)

Billed as the top priority for the Wyoming GOP Central Committee, this would prevent people from changing party affiliation for the Primary. Amended to make the block-out period two weeks before Primary and to exempt unaffiliated voters. Passed House 41-18-1, ready for introduction in Senate.

SF160 – Change in Political party affiliation – 2 (Sen. Biteman)

Block-out period for party affiliation changes starts two weeks before absentee ballots are mailed (45-40 days before election). Passed Senate 20-10, ready for introduction in House.

SF99 – Voting Systems and Ballots (Sen. Steinmetz)

County clerks may send ballots to a “central counting center.” Passed Senate 30-0, sent to House.

HB192 – Voter Fraud Prevention (Rep. Gray)

You probably guessed by the title that this is simply a voter ID bill, because, in fact, we don’t have a verified voter fraud problem in Wyoming. County clerks oppose voter ID, which comes up regularly. Failed in House Committee of the Whole 29-30-1.

EDUCATION

SF64 – School safety and security (Joint Education)

Requires school districts to create and implement plans for facility security. Ties the requirement to accreditation by the Department of Education. May need a dedicated position in the future in DoE to review plans and advise districts. In House Education.

SF80 – Passing Stopped School Bus – recorded images (Sen. Ellis)

Establishes civil penalty of \$195 for registered owners of vehicles that go through the “stop arm” put out by a school bus driver to stop traffic while students get on and off the bus. There are an estimated 8,000 stop arm violations in Wyoming annually. In House Education.

HB308 – Modernizing and balancing Wyoming’s school funding streams (Speaker Harshman)

This bill does several things that lift the cap on special ed and transportation funding and address at least some of the “structural” deficit in school funding by changing the revenue flow and investment income for various school related accounts. School districts support this bill. Read the bill’s fiscal note for the revenue redirection plan. Introduced and Referred to S02 – Appropriations.

HEALTH & INSURANCE

HB244 – Medicaid- Work Requirements and Expansion (Rep. Andy Schwartz)

Requires the Department of Health to enter negotiations with the federal government to expand Medicaid. Authorizes DoH to seek work requirements and mental health services as part of the expansion. Failed 23-36-1 in House Committee of the Whole.

SF144 – Medicaid and SNAP eligibility requirements (Sen. Hicks)

Requires Medicaid recipients to comply with specified work or volunteer requirements. Includes several exemptions. Would require the state to apply for a Section 1115 waiver from CMS. An estimated 1,700 persons would lose benefits. Passed Senate 23-5-2, sent to House.

SF146 – Medicaid Expansion Study (Sen. Scott)

Bill to study once again the feasibility of expanding Medicaid and appropriating \$280,000 for the Department of Insurance to conduct the study (which was done by the Department of Health in December). Approved by House Labor, on General File in House.

HB194 – Air ambulance coverage - Medicaid (Rep. Barlow)

This bill would provide air ambulance coverage under Medicaid, an innovative use of a narrow exemption to the federal airline deregulation act and attempt state regulation of air ambulance charges that are beyond the means of individuals and agencies. Would create an Air Ambulance Coverage Account with an assessment on insurance companies. Air ambulance opponents condemn as “Medicaid for all,” bypassing the argument of trying to control unmanageable charges. Passed House 42-17-1, sent to Senate.

SF44 – Multiple Employer Welfare Arrangements (Joint Labor)

With this bill, the State of Wyoming would begin a very limited effort to get a handle on these “MEWA” health insurance arrangements, to ensure a bare minimum of consumer protections, including assurances they will actually cover claims made by premium payers. At least they would be subject to the same regulation as small group insurance – still short of anything on the ACA exchange. (Passed House Labor, re-referred to Appropriations)

HB85 – State Health Reinsurance Program (Joint Labor)

Sets up a fund (until 2025) to use federal innovation money, a charge to insurance companies and a state appropriation to set up a reinsurance program for insurance companies to help cover claims by high risk people and therefore lower health insurance premiums. It will use a third party administrator. Assess 1 percent of gross annual premiums collected in Wyoming (about \$9 million a year). On Senate General File.

HB103 – Reporting of Abortions (Rep. Clem)

Requires report of abortions to include race, ethnicity and marital status of the women, plus gestational age of the aborted fetus or embryo. Report required within 30 days. Fine of \$1,000 for late reports and Board of Medicine disciplinary action for failure to report within 6 months. Office of Vital Records will report the statistics. Anticipate collecting \$46,000 in fines annually, deposited in School Foundation Account. Passed House 38-21-1, in Senate Labor.

HB140 – Abortion – 48-hour waiting period (Rep. Tass)

Physicians must wait 24 hours before non-emergency procedures. Passed House 36-22-2, in Senate Labor.

JUSTICE

HB53 – Probation and Parole – Incentives and sanctions

This bill establishes incentives and sanctions in a “graduated response” to compliance violations, so prosecutors and courts use supervised probation and parole before re-incarcerating people. Ready for second reading in Senate but re-referred to Appropriations.

SF7 – Alternate Penalties and Pretrial Release for Alcohol Crimes

Provides standards for imposing or modifying probation, after conviction or a guilty plea.

Allows for special 24-7 licenses for people ordered into sobriety programs. If those licenses are revoked, people go to the more restrictive “ignition interlock” licenses. Amended in Senate to make permissive. Passed House, sent to Senate for concurrence.

SF10 – Modification of Probation

Provides standards for imposing or modifying probation, after conviction or guilty plea. The court may lessen supervision after considering a defendant’s employment, support by family and community, nature of the underlying crime, need to support family, risk to the community and risk of re-offence. Ready for House second reading.

SF38 – Limitation on length of Probation

Maximum probation for first-time non-violent felonies would be reduced from 5 years to 42 months – or the length of a maximum prison term for the offense. Ready for House second reading.

SF104 – Wyoming Chancery Court (Sen Pres. Perkins)

Creates 3-member Chancery Court to hear cases seeking money recovery of more than \$50,000 (exclusive of claims for punitive damages). Appropriates \$600,000 from the General Fund to the Supreme Court. Intended to serve business litigants with speed and expertise. Passed Senate 26-3-1, sent to House.

HB145 – Death Penalty Repeal (Rep. Olsen)

LWVWY has joined a diverse effort to remove capital punishment from our statutes, as an ineffective and costly exercise. Other major supporters are the Catholic Diocese of Cheyenne and ACLU. In Senate Judiciary Wednesday.

LWVWY strongly supports.

LABOR

Joint Labor Committee is sponsoring a package of bills resulting from a study commissioned by the Legislature to determine the size and nature of pay disparity between men and women. The bills were championed by Reps. Cathy Connolly (D) and former Rep. Marti Halvorsen (R). Three of these bills will be heard in House Labor on Monday.

HB71 – Equal Pay Penalties

Raises the maximum penalty for violating equal pay laws from a \$200 to \$500. Passed House, send to Senate

HB84 – Wage equality-state employees and programs. Passed House and sent to Senate.

Require efforts by state agencies and contractors to find and remedy gender wage inequities. House Enrolled Act 8, ready for governor’s signature.

HB273 – Minimum Wage (Rep. Connolly)

Would establish a minimum wage of \$8.50 an hour, with automatic annual increases of 25 cents an hour. Failed in House Committee of the Whole 23-36-1. Debate (Feb. 4, 2019) on this bill very silly.

GOVERNMENT

HB10 – Crimes against critical infrastructure (Rep. Lloyd Larsen)

Resurrects bill vetoed by Gov. Mead in 2018 to create the crime of “impeding critical infrastructure,” to prohibit activities that interrupt operation of a critical facility. The penalty depends on the level of damage done. Died awaiting debate on General File in House.

HB38 - Per Diem Rates (Management Council)

Raises from \$109 to \$149 per diem rate for legislators to cover lodging and meals when traveling for meetings (usually interim committees). The rate would be adjusted each July 1 by the state auditor to an amount established by the federal General Services Administration for travel in Wyoming. (LWV supports as necessary to make legislative service to available to all citizens.) House amended to move up effective date to this March. Ready for third reading in Senate.

SF57 – Public Records (Joint Corporations)

Senate Corporations spent three intensive meetings to rewrite a law to tighten up accountability to respond to requests and establish the office of an ombudsman in the governor’s office who could advocate for records applicants before a complaint gets to court. Has wide support from diverse interests. Supporters of the ombudsman position want it to be full time and ongoing. Approved by House Corporations, re-referred to Appropriations.

SF37 – Wyoming Energy Authority (Joint Minerals)

Merges the Wyoming Pipeline Authority and Wyoming Infrastructure Authority, for the purpose of diversifying and expanding the Wyoming economy through improved production, development and transmission of energy and natural resources. Board includes member of Wyoming Enhanced Oil Recovery Commission, chairman of Wyoming Business Council, governor, chairman of the Oil and Gas Conservation Commission and director of UW School of Energy Resources. In House Minerals.

SF119 – State Spending Transparency (Sen. Bouchard)

Sets up a state auditor’s Website to post all payments to all vendors for the past 5 years.

Not enough time to write a fiscal note. Waiting for House committee assignment.

ENVIRONMENT

HB32 – Environmental Quality Council (Joint Minerals)

Amends staffing requirements and duties for greater independence of the council from Department of Environmental Quality. Council could hire its own executive director, as it conducts hearings on rules, regulations and standards recommended by DEQ director. Ready for second reading in Senate.

REVENUE

HB66 – Lodging Tax (Joint Revenue)

After all the false starts of last year for a lodging tax, this might have a chance. A 5 percent tax (about \$19.5 million a year) – 3 percent for state tourism and 2 percent back to counties. Passed House 44-16, sent to Senate

HB218 – Tobacco Tax (Rep. Zwonitzer)

Would have raised the tobacco tax in Wyoming by \$1 a cigarette pack (considered the minimum required to affect youth initiation) to \$1.60 a pack. It also raises the tax on moist snuff and cigars and other tobacco products. Initially, it would raise about \$9 million to the General Fund. Killed in House Revenue, out of deference to business that thrive on tobacco sales. Died in House Committee of the Whole.

HB282 – Tobacco Products (House Appropriations)

House Appropriations wrote another bill to follow up HB218, with a 75-cent-per-pack increase, deemed too low to impact tobacco sales. Approved and sent to the House General File. Amended repeatedly, killed and then resurrected in the House. Now includes only a provision to include e-cigarettes with “other tobacco product” in taxing statutes. Passed House 39-20-1 and sent to Senate.

Resolutions and Constitutional Amendments

HJ1 – Support for Delisting the Grizzly Bear (Rep. Winter)

On Senate General File.

HJ2 – Funding Sewage Systems (Rep. Larsen)

Would amend the Wyoming Constitution to remove the specific limit on the amount of debt a municipality can incur for a sewer project and let the Legislature set the debt limit for municipal sewer projects. In Senate Corporations.

HJ6 – Legislative Sessions (Speaker Harshman)

Proposes amending the Wyoming Constitution to remove the 2/3 introduction vote requirement for non-budget bills during budget legislative sessions. In Senate Corporations.

HJ8 – Free and Fair Elections (Rep. Zwonitzer)

Calls for Congress to approve a US Constitutional amendment to clarify difference between rights of a natural person and a corporation. In House Corporations. In Senate Corporations.

SJ1 State-federal school trust lands exchange (Joint Agriculture)

Asks Congress to enact legislation requiring exchange of certain landlocked state trust lands in Wyoming. In House Agriculture.

SJ3 – Wyoming’s Wyoming Suffrage Day (Sen. Ellis)

Recognizes Dec. 10, 2019, as Wyoming Women’s Suffrage Day. Senate Joint Resolution 1, ready for governor’s signature.

SJ4 – Proposing amendments through a convention of states (Sen. Wasserburger)

This proposed a so-called “Article V” convention to fix one or more things to get control of the federal government, according to supporters. This bill mentions a balanced budget and term limits, in some vain hope we could limit such a convention. National and several state LWVs oppose this as a potentially destructive process. Died in Senate Committee of the Whole.