

League of Women Voters of Wyoming
 2020 Wyoming Legislature Reports –
 #2 – Preview Bill Summary Feb. 17, 2020
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Note: Red text denotes bills that are dead for 2020. They are dropped in subsequent summaries.

Elections

HB26 – Tribal ID for voting (Joint Corporations)
 Establishes tribal ID requirements to be used to register to vote. Passed House 58-2 and sent to Senate.

HB86 - Removal of elected municipal officials (Rep. Loucks, R-Casper)
 Establishes a mechanism to remove and replace elected official “in any form of municipal government.” Withdrawn.

HB209 – Change in party affiliation (Rep. Blackburn, R-Cheyenne)
 Barely getting the 40 votes for introduction, this would prohibit party changes in the 14 days leading up to a Primary Election, although preserving the ability to change on Election Day. LWV opposes as an unreasonable restriction of access to the ballot by qualified electors. In House Corporations.

SF20 – Election Code amendments (Joint Corporations)
 Among provisions: people may receive absentee ballots by email, no one needs to show an ID at the polls who has produced the ID to register to vote, and ballots must be prepared 45 days before an election (rather than 40) to allow remote voters to get them back to the county clerk in time. On Senate General File.

SF56 – Absentee polling places (Sen. Case, R-Lander)
 Clerks may set up a “satellite” polling place (besides courthouse) for early voting. Senate General File.

Education

HB40 – School Finance Model recalibration (Joint Education)
 Sets up a legislative task force (6 senators, 6 reps) to use consultants’ work and update school funding model. Will report to Legislature by Jan. 1. While consultants work to cost out the formula, the task force will review the “basket of goods and services,” with the input from districts, possibly to cut. Approved in House Education, re-referred to House Appropriations.

HB46 – Special education funding (Joint Education)
 Restores special education funding to full reimbursement, without an artificial cap. However, Senate seems ready to keep the cap, despite evidence that districts continued to deliver services as needed by students and required by law, and they had to use reserves to cover. Ready for 3rd reading in House.

House Bill 183 – Municipal elections – political parties (Rep. Loucks, R-Casper)
 This would make municipal elections partisan (currently non-partisan). In House Corporations.

SF15 – Absenteeism and truancy (Joint Education)

Amends responsibilities for enforcing school district attendance requirements. A child subjected to “willful absenteeism” is “neglected” for purposes of the Child Protection Act. Senate General File.

SF118 – School Finance Amendments (Joint Appropriations)

Makes changes in the resource block grants to schools to cut an expected \$2.9 million for transportation and restrict health insurance payments to cut \$5.2 million this in FY21 and \$16 million in FY23. In Senate Education.

HB83 – UW Board of Trustees -selection by electorate (Rep. Gray, R-Casper)

Governor would make appointments for each opening from between two candidates chosen by voters. Failed introduction.

Revenue Increase**HB33 – Agricultural land qualification (Joint Revenue)**

Ag land production must be at least \$3,000/year (instead of \$500) to qualify for the ag property tax rate. Would raise an additional \$350,000 for the School Foundation Account. Failed introduction.

HB47 – Local Sales and use Tax (Joint Revenue)

Would make it easier for a county to put 5th penny tax on the ballot (requiring half of governing bodies, down from 2/3). When renewing, county can ask voters if they want it make it permanent. House Second Reading.

HB63 – Fuel tax (Joint Revenue)

Will raise gasoline tax from 24 cents to 27 cents per gallon, to raise \$2.5 million a year for highways, for county roads, for towns/cities streets/allies and for state parks. Failed introduction.

HB64 – National Corporate Tax recapture (Joint Revenue)

Creates the National Corporate Tax Recapture Act, imposing a 7 percent franchise tax on income earned in Wyoming by incorporated business with more than 100 shareholders and required to file IRS Form 1120. Expected to raise \$23 million a year. Did not consider for introduction.

HB71 – Wyoming public safety communications system funding (Joint Transportation)

Establishes a statewide service charge of 50 cents on retail sales of prepaid wireless communication access in Wyoming. It would raise \$3.2 million in a new Public Safety Systems Account and \$33,000 to the General Fund. Failed introduction.

HB73 – Nicotine products – taxation (Joint Revenue)

Adds e-cigarettes to the nicotine taxation system for the state, imposing tax if 14 percent of wholesale purchase price. (No estimate on revenue generated.) In House Revenue.

SF6 – Tolling authority for I-80 (Joint Transportation) & HB240 (Rep. MacGuire, R-Casper)

Creates a tolling program by the Wyoming Transportation Commission. A setup cost of \$1.2 million would come from the Highway Fund. Both failed introduction.

Revenue Reduction

SF25- Energy production inventory exemption (Joint corporation)

Would have exempted property taxes on sites used for storing energy production equipment. Failed introduction.

HB231 - Coal severance tax exemption-Canadian and Mexican ports (Rep. Nicholas, R-Cheyenne)
Proposes cut in severance taxes on coal exported from ports in Canada and Mexico, in a dubious attempt to make Wyoming coal more competitive. Fiscal note: “The potential surface coal production that would qualify for this exemption in the future is unknown and cannot be estimated.” How much increased production would compensate for tax cut is equally speculative. In House Revenue.

House Bill 243 - Oil & gas new production (Rep. Burkhart, R-Rawlins)

Another dubious attempt to boost profitability of drilling oil and gas wells, with a tax break of 2 percent of the total 6 percent severance tax rate for the first six months of 2020 and 1 percent for the next six months. The break stops when oil tops \$60/barrel and gas tops \$2.95/MCF (not expected). State predicted to lose \$12 million in FY 21 and again in 22.

In House Appropriations.

SF85 – Uranium taxation rates (Sen. Boner, R-Douglas)

Sets “conditional severance tax” rate, tied to spot market uranium prices. Predicted price is less than \$30/pound 2021-2023, putting the severance tax of 0 percent, costing the state about \$56,000 next year and \$112,000 annually thereafter. In Senate Revenue.

House Bill 91- Economic diversification incentives for mineral exploration (Rep. Miller, R-Riverton)

Provides a severance tax credit for exploration of minerals not currently being produced in the county. Fiscal note: “In the short term, the fiscal impact, in the form of a potential severance tax revenue decrease from severance tax credits, is indeterminable. Future possible increased severance and ad valorem taxes is indeterminable.” In House Travel (Rep. Miller chairs)

Government

HB4 – Wyoming coal marketing program (Joint Minerals)

Sets up a \$1 million coal marketing program in the governor’s office. House second reading.

HB22 – Town and county development regulations (Joint Corporations)

This would prohibit any “regulation, ordinance, resolution, condition of development, comprehensive plan or subdivision plan” that required allocation of units for affordable or workforce housing. Failed introduction.

HB31 – Criminal Justice-Mental health-substance abuse program. (Joint Labor)

Requires Departments of Health and Corrections to collaborate to reduce criminal offender recidivism by improving mental health and substance use programming and funding. It creates a unit in DOC for this program. Creates 3 positions and appropriates \$648,760 for the biennium. In House Appropriations.

HB54 – State Officials Salary (Joint Appropriations)

Raises annual salary for governor from \$105,000 to \$150,000. Raises annual salary for other four top elected from \$92,000 to \$120,000. Costs an extra \$96,000 a year. Failed introduction.

HB62 – Senior Health Care Special District (Joint Labor)

Creates special districts, with taxing and bonding authority, to set up senior health care facilities. House second reading.

SF9 – Ethics and Disclosure Act Amendments (Joint Judiciary)

This would extend requirements of the state Ethics and Disclosure Act to local governments and additional state employees. Senate General File.

SF69 – Rural health care district authority (Sen. Baldwin, R-Kemmerer)

Creates authority to own and operate a nursing home. Senate Agriculture.

HB75 – Medicaid expansion authorization (Joint Revenue)

Departments of Insurance and Health work together and with the Centers for Medicare and Medicaid Services on options to extend Medicaid to low-income adults, and governor is authorized to work out an agreement with CMS and bring back to the Legislature by Jan 1, 2022. Failed introduction.

HB67 – Child marriage restriction (Rep. Pelkey, D-Laramie)

This would raise the minimum age of consent to marry from 16 to 18 years old. Failed introduction.

HB97 – Omnibus water bill-construction (Select Water Committee)

Uses about \$95 million from various water development accounts to plan, design and build water development projects in Wyoming. Approved by House Agriculture, re-referred to House Appropriations.

HB108 – Ban on sanctuary cities and counties (Rep. Gray, R-Casper)

Bans implementation of immigration sanctuary policies by cities, towns and counties in Wyoming. Failed introduction.

SF49 – Per diem rates (Management Council)**HB227 – Per diem rates (Rep. Greear, R-Worland)**

Increases the per diem rates for legislators from \$109 to \$151, which then will be adjusted every July 1 by the state auditor to an amount equal to the most recent standards per diem rate established by the U.S. General Services Administration for travel in Wyoming. Appropriates \$500,000 from the General Fund to the Management Council and another \$50,000 to the auditor. **Senate file failed introduction**, but House bill was introduced and sent to House Minerals.

SF70 – Government abuse, fraud and waste reporting (Sen. James, R-Rock Springs)

Sets up a reporting system in the state auditor's office for the public to report government abuse, fraud and waste. Unanimously introduced, sent to Senate Judiciary.

HB222 – Public meetings (House Appropriations)

State Loan and Investment Board is exempt from having to notice or open meetings solely “for the purpose of receiving education or training provided that the board shall take no action regarding public business during the meeting.” House Appropriations.

LWV opposes, because there is no issue of confidentiality. Education will inform decision-making..

SF80 – Handgun purchase (Sen. Rothfuss-D-Laramie)

Creates a 3-day waiting period for purchase of a handgun. Failed introduction.

SF88 – Repeal gun free zones and preemption amendments (Sen. Bouchard, R-Cheyenne)

Repeals gun free zones and “clarifies” that only the Legislature may regular firearms, weapons and ammo. Failed introduction (by only 4 votes).

HB121 – Legislative committees – interim topics (Rep. Jennings, R-Sheridan)

This is a particularly worrisome proposal – to let joint interim committees take on whatever work they want to, without permission from the Management Council. The fiscal note says the impact is “indeterminable.” I’ll say. Did not consider for introduction.

Constitutional Amendments

HJ1 – State Land-mineral royalties (Rep. Hallinan, R-Gillette)

Amends the Constitution so the Legislature could divert all mineral income of school trust lands from the Permanent Land Fund to a spending account. A similar amendment in Arizona was struck down for failure to get the permission of Congress.

LWV opposes as a violation off the trust duty to maximize income (including fund interest) for future generations.

HJ2 – Taxpayer bill of rights (Rep. Gray, R-Casper)

Would amend the Wyoming Constitution by creating a new section prohibiting any tax increase by the state or local government or increase of debt unless approved by the voters. Also provides for distribution of “surplus state funds.” Did not consider for introduction.

HJ4 – Legislative sessions (Rep. Harshman, R-Casper)

Amends the Constitution by repealing the introductory vote requirement for bills in a budget session. In House Corporations.

HJ7 – Medicaid coverage – eligible low income adults (Rep. Sweeney, R-Casper)

Amends the Constitution to create “Right of Health Care Access.” State will provide Medicaid benefits as much as possible to low-income residents who earn less than 138 of federal poverty level. Failed introduction.

SJ2 – General session appropriations (Sen. James, R-Rock Springs)

Would amend the Wyoming Constitution by limiting spending that could be made in the so-called “supplementary” appropriations bill. Did not consider for introduction.