

League of Women Voters of Wyoming 2020 Wyoming Legislature Reports  
 #3 – Preview Bill Summary Feb. 24, 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.

HB209 – Change in party affiliation (Rep. Blackburn, R-Cheyenne)

This would prohibit party changes in the 14 days leading up to a Primary Election, although preserving the ability to change on Election Day. House Corporations approved 8-1, on General File.

*LWV opposes as an indefensible restriction of access to the ballot by qualified electors. Supporters defend as a small restriction but fail to state a reason for imposing additional restriction at all.*

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. Senate narrowly defeated an amendment creating a “Wyoming voter identification card” and requiring showing an ID at the polls. Senate passed 26-4 and sent to House.

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. House third reading.

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. House approved 42-16-2, sent to Senate.

**House Bill 183 – Municipal elections – political parties (Rep. Loucks, R-Casper)**

This would make municipal elections partisan (currently non-partisan). House Corporations killed 4-5.

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 amended the definitions and penalties to parents. Approved 29-1 and sent to House.

#### 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. Education groups want these funding pieces to be included in recalibration, as part of complex formula. Senate second reading.

### **Revenue Increase**

#### HB47 – Local Sales and use Tax (Joint Revenue)

Would make it easier for a county to put 5<sup>th</sup> 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 passed 44-15, sent to Senate.

### **Revenue Reduction**

#### 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.

#### HB 243 - Oil & gas new production (Rep. Burkhart, R-Rawlins)

Another 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. House Appropriations approve 5-2, on General file.

#### 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. Senate Revenue approved 3-2, on General File.

#### 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.” House Travel approved 7-2, on General File.

### **Government**

**HB4 – Wyoming coal marketing program (Joint Minerals)**

Sets up a \$1 million coal marketing program in the governor’s office. House passed 55-4, sent to Senate.

**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. The House cut the funding in half, to \$324,380, and said the DOC could not include the program in its standard budget in the future. Passed House 58-2, sent to Senate.

**HB62 – Senior Health Care Special District (Joint Labor)**

Creates special districts, with taxing and bonding authority, to set up senior health care facilities. Passed House 48-11, sent to Senate.

**HB118 – Second Amendment Preservation Act (Rep. Jennings, R-Sheridan)**

House Judiciary tabled and then reanimated and passed a much amended and improved version of the original. You can read the version approved and sent to the House floor, as a standing committee amendment. The major feature is to authorize the attorney general to litigate if any regulation or laws have a “chilling effect” on the Second Amendment rights of law abiding citizens.

**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. Passed Senate 26-4 and sent to House.

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

Creates authority to own and operate a nursing home. Senate Agriculture approved, on General File.

**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. Third reading in House.

**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. 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. 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.” Reasons cited for the blanket exemption already are covered by current law 16-4-405.

*LWV worked with government transparency groups to defeat in Committee of off the Whole 9-51.*

### **Tobacco/E-cigarettes**

SF50 – Nicotine products-lawful age and penalties

This bill reflects federal law to raise the age for buying nicotine products to 21. The American Cancer Society Cancer Action Network points out problems: it doesn’t cover all tobacco products and exempts non-nicotine e-cigarettes from tobacco control laws. It focuses enforcement on youth, rather than on retailers. Favored by Big Tobacco. Third reading in Senate.

HB73 – Nicotine products – taxation (Joint Revenue)

Adds e-cigarettes to the nicotine taxation system for the state. At the request of e-cigarette lobbyists, the House cut the proposed wholesale tax rate from 15 percent to 7.5 percent – with the understanding that people might use e-cigarettes to quit smoking (as opposed to proven use of e-cigarettes by youth to initiate smoking). The bill prevents local governments from adding any taxes of their own. Third reading in House.

### **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. House Appropriations killed HJ1 2-7 and then resurrected and passed it, and it is on General File.

*LWV opposes as a violation off the trust duty to maximize income (including fund interest) for future generations. We consider this measure as sort-sighted and a failure to find a sustainable solution.*

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

Amends the Constitution remove the different requirements of the Legislature in odd and even years, including removal of the 2/3 introduction vote. In House Corporations.

(end)