

League of Women Voters of Wyoming 2020 Wyoming Legislature Reports

#5 –Bill Summary March 9, 2020

By LWV WY Lobbyist Marguerite Herman, Marguerite.herman@gmail.com, 307-630-8095

LSO Website wyoleg.org

Note: Red text denotes bills that are dead for 2020. They are dropped in subsequent summaries. Green text denotes bills approved by both chambers and sent to the Governor for signing.

Further Note: Bills on LSO Website are latest version, in HTML. Action to date is recorded in the “Digest.” For a version with page and line numbers, open PDF available on left side of page.

Elections

HB26 – Tribal ID for voting (Joint Corporations)

Establishes tribal ID requirements to be used to register to vote. Second reading in Senate. Corporations.

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

This would have set up a 14-day period before a Primary Election during which people could not switch party affiliations. Died in Senate Corporations, without being heard.

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. Escaped a 3rd reading attempt by Rep. Gray, R-Casper, to amend in a failed voter ID bill. Approved by House 45-14, with minor amendment. Sent to Senate for concurrence.

SF56 – Absentee polling places (Sen. Case, R-Lander)

Clerks may set up a “satellite” polling place (besides courthouse) for early voting. House approved 45-6 (6 excused). Sent to Senate for concurrence.

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. The controversy is how to insert a rewrite of the “basket of goods and services:” who does it, how and with what time frame. Major differences between House and Senate, where it faces 3rd reading this week.

HB46 – Special education funding (Joint Education)

Would have restored special education funding to full reimbursement, without an artificial cap. House passed, but Senate killed (confusing arguments offered by opponents). Current cap expires July 1, anyway. Districts fear lawsuits if they don’t meet special education needs. Senate killed in Committee of the Whole 8-16 (6 excused)

SF15 – Absenteeism and truancy (Joint Education)

House Education eased up some of the punitive elements, then House killed after initial debate in Committee of the Whole 20-38 (2 excused).

SF118 – School Finance Amendments (Joint Appropriations)

Attempted to change 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 wanted to look at those elements as a part of recalibration. Senate passed. House never referred it to committee, while time expired.

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. No way to predict potential surface coal production that would qualify for this exemption. Senate Revenue passed 3-2, and it rests on General File in Senate.

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 House heavily amended the bill, lowering the price that would qualify for the rate cut. It also added a tax on new production that sold for high prices and sent a large proportion of that revenue to schools. Passed Senate Minerals, ready for 3rd reading in Senate.

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. Died on the desk of House 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. Heavily amended in the House. Senate Minerals approved 3-2, awaiting debate on Senate General File.

Revenue Increase

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. Heavily amended in both chambers. Joint Conference Committee members appointed last Thursday.

HB134 – Wyoming tourism account funding (Joint Appropriations)

This was heavily amended – with even more amendments that failed but attempted to change distribution and exemptions. Check out the creative ideas among the amendments listed in this bill’s digest. This was the Legislature’s major revenue raiser this session. LSO estimates it would raise about \$15.5 million a year. Passed by both chambers and sent to the Governor for signing.

Government

HB4 – Wyoming coal marketing program (Joint Minerals)

Sets up a \$1 million coal marketing program in the governor's office. Remarkably little amended. Approved by both chambers, sent to Governor.

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. DOC reports progress to Joint Labor, not Appropriations. Ready for 3rd reading in 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 both chambers, sent to Governor.

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

Tabled, reanimated and very much amended, this bill passed Senate Judiciary 4-1 and sits on Sent General File. Senate Judiciary amendments – if adopted – make the measure not much more than an expression of support for the 2nd Amendment.

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

Creates authority to own and operate a nursing home. Passed both chambers. When the Speaker signs it, will be sent to the Governor.

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. Project funding has been shifted through amendments, and House did not concur. So headed to conference committee.

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 amended to keep the lower rate for board and commissions that are given legislative pay. Passed Senate Travel and resides on Senate General File.

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. Died in House Corporations 3-6.

HB127 – Prohibition of female genital mutilation (Rep. Lauresen, R-Powell)

Makes female genital mutilation a crime in Wyoming. In initial debate, Senate removed language on page 7 that proposed to regulate sex reassignment surgery and body piercing. Ready for 2nd reading in Senate.

SF104 – Management council membership (Sen. Hicks, R-Baggs)

The bill would reduce to one the number of seats reserved for minority party members, when minority party members constitute less than 30 percent of the house of which the chairman is not a member. Senate approved on Thursday. Was in House Appropriations on Friday.

The Great Land Deal

HB249 and SF138 – Investment of state funds

Co-sponsors of these bills are leadership of the House and Senate and most members of their Appropriations committees. The two bills have been approved and sent to the opposite chamber, and they have decided to work the Senate version. The State Loan and Investment Board will investigate the purchase of about 1 million acres of surface and 4 million acres of subsurface mineral rights mostly in southern Wyoming. Leaders say the state will control the destiny of the lands and its prudent management will support education and state government. House Appropriations approved late Friday.

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. The penalties for both youth and retailers have changed repeatedly, and the House exempted 18 year olds who are firefighters, peace officers, members of the military or tribal law enforcement officers. This bill and amendments have pretty much reflected the direction of Big Tobacco. Passed the House 37-23, sent to the 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 believe some people use e-cigarettes to quit smoking. Senate Revenue further accepted e-cigarette amendment to tax e-cigarette fluid by milliliter, ignoring state health officials' warning that it will encourage greater nicotine concentration. Generally reflects direction of tobacco and e-cigarette industry. Signed by both chambers, sent to Governor.

Constitutional Amendments

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

Would have amended the Constitution so the Legislature could divert 2/3 of mineral income of school trust lands from the Permanent Land Fund to a spending account. House approved by necessary 2/3 vote (41-19) and sent to Senate, where it died in the desk of Senate Education.

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

Would have amended the Constitution remove the different requirements of the Legislature in odd and even years, including removal of the 2/3 introduction vote. Approved by House 43-17, sent to Senate, where it died in the desk of Senate Education.