

League of Women Voters of Wyoming
2020 Wyoming Legislature Reports
#6 – Final, March 13, 2020
By LWV WY Lobbyist Marguerite Herman
Marguerite.herman@gmail.com, 307-630-8095
LSO Website wyoleg.org

The Wyoming Legislature ended its 2020 budget session Thursday night (March 12), in predictable brinksmanship between the House and Senate. They ended with no veto overrides, death of a \$162 million state construction bill and an interim of work to recalibrate school funding. It also finished with a sense of dread about where Wyoming's mineral-dependent economy was headed and about future budget cuts, as oil dipped below \$35 a barrel and coal markets remained stagnant.

The 2020 Wyoming Legislature met for 24 days, using all 60 days allowed by the State Constitution for a regular and budget session. Legislators submitted 398 bills for introduction, 167 of which were enacted. However, the session is not done until the Management Council meets to give interim assignments to joint standing and select committees. That is scheduled for 7:30 a.m. March 26.

Gov. Mark Gordon used his line item veto 19 times in the \$3.6 billion budget bill that will cover the two years of state government beginning July 1. The Legislature let all but one stand, the exception being an item for LSO furniture. Find his veto message here: <https://governor.wyo.gov/media/news-releases/2020-news-releases/governor-issues-budget-bill-vetoes-urges-caution-about-changing-fiscal-pic>

As you browse 2020 bills, be mindful which version you are reading. The “enrolled” version is the final version of bills that succeeded. Check the bill's digest for all the amendments that were considered and for all roll call votes. However, be cautious about taking a roll call vote at face value. Sometimes votes have strategic explanations. From the LSO Home Page, to go to “Browse 2020 Bills.” To see only the bills that passed, use the “Enrolled Bills” filter.

As is (unfortunately) typical, some good and important measures became political footballs in the late-in session testy relations between the House and Senate. Quite often, the issue they come to treat as last stands involves state-funded construction, and that was the case this year. Dispute over the funding to rebuild a University of Wyoming swimming pool resulted in the failure of a \$162 million capital construction bill (SF119) that included an unfinished office building in Casper and projects at community colleges, prisons, military, highways, UW and state parks. Find a good summary in this WyoFile story by Andrew Graham: <https://www.wyofile.com/no-new-state-funded-construction-this-year/>

LWV Wyoming helped to defeat attempts to require voters to show their IDs at the polls, attempts to exempt SLIB from the state's public meetings law and an attempt to block so-called “crossover” voting in the two weeks before Primary Elections. Also as a result of 2020 legislation, county clerks may accept Tribal IDs to register to vote, if the ID includes a driver's license number or last four digits of the applicants' Social Security Number.

We supported an increase in per diem payments to legislators, to increase accessibility of citizens to serving in the citizen Wyoming Legislature. Testimony during the interim to the Management Council

was that members routinely have to use personal accounts to supplement the \$109 per diem. HB227 died on third reading in the Senate Wednesday, 11-17-2, with news of pending economic woes.

Two major LWV Wyoming issues died early in the session: Death Penalty Repeal and Medicaid Expansion. However, groups we are working with on those initiatives are committed to continuing efforts in the interim and in 2021.

A schedule of deadlines for bills to advance through the process was put aside in the final days, to accommodate leadership's priorities. One was a proposal promoted by House and Senate leaders and the governor to investigate a bonanza land sale by Occidental Petroleum mostly in southern Wyoming: 1 million acres of surface land and 4 million acres of subsurface minerals. Read the final version in SF138 – Investment of State Funds (SEA 69). The State Loan and Investment Board is tasked with analyzing the sale and revenue potential. The act requires public hearings and Legislative approval.

After much soul-searching, the Legislature created the Wyoming Gambling Commission to regulate games of both chance and skill. HB171 (HEA 95) went through several versions and agonizing attempts to distinguish between different games. Most legislators agreed the state needed some authority to regulate gaming, to replace the skill-vs-chance that currently defines legal games. Among other things, gaming machines will be checked to make sure they pay out as promised.

The one major revenue raising measure that succeeded was HB134-Wyoming tourism account funding (HEA 7). It imposes a statewide 5 percent tax on lodging, while allowing counties to impose their own lodging tax. It's expected to raise about \$15 million a year and be distributed 3 percent to a new Tourism Account and 2 percent to counties.

While the Legislature dismissed most revenue-raising measures, it also took action to require mineral producers to pay their ad valorem taxes monthly, instead of every 18 months. HB159 – Monthly payment of ad valorem tax on mineral production (HEA 78) was written by the Coal Bankruptcies select committee, to reduce the chances counties would be stuck with collecting taxes from a bankrupt producer. Critics worried that producers couldn't make the switch, or it would sink an already weak sector. It ultimately passed the House 41-19-1 and the Senate 23-7.

The Legislature also entertained revenue-decreasing incentives to Wyoming's extraction industry.

HB91 – Economic diversification incentives for mineral exploration (died)

Would have provided a severance tax credit for new mineral exploration. Died on Senate General File.

HB231 – Coal severance tax exemption-Canadian and Mexican ports (HEA 88)

Reduces severance taxes on coal exported through ports in Canada and Mexico, although it was not demonstrated how subsidizing coal exports would make those exports more attractive. The Senate added a provision to sunset the cut if exports reach 10 million tons a year.

HB243 – Oil and gas new production (HEA 97)

Reduces severance taxes on new oil and gas wells for six months, from 6 percent to 4 percent. Final bill, as it goes to the governor, adds an additional period of six months with a 1 percent severance tax reduction.

SF85 – Uranium taxation rates (SEA 57)

This allows the uranium industry to pay no severance taxes, although House amendments move up the sunset date from 2031 to 2026 and to disallow the tax break to companies that are delinquent on ad valorem mineral production taxes.

There will be no constitutional amendments on the ballot this year.

(End wrap-up report)