

Summary of bills of interest in the 2021 Wyoming Legislature as of March 29, 2021

Bill status is provided in blue italic text. Dead bill titles are in red text.

THE BUDGET

HB1 and SF1 – The Joint Conference Committee of 5 House and 5 Senate members met all last week and got a compromise budget bill (JCC Report) completed and ready to sign and present to the two chambers this week. Once that JCC Report hits the floors, it should be available on the LSO Website, probably on the digests of the two bills. You can read it then and also listen as the conferees “sell” the compromise to their colleagues, who can reject the report and tell their conferees to go back and try again. If/when both chambers accept the report, it goes to the governor’s desk.

HB171 Executive branch funding restoration – Rep. Steve Harshman

145day account) to the state auditor and make it available to the governor to restore cuts to the departments of Health, Family Services and Corrections to sustain social services programs. This is co-sponsored by House Majority Floor Leader Albert Sommers and Sens. Bill Landen and Jeff Wasserburger. This triples the emergency funding set by Joint Appropriations. *Died on a 30-30 3rd reading vote in the House.*

GOVERNMENT

HB158 Local land use planning and zoning – Rep. Steve Harshman, R-Casper

This would give primacy to enacted zoning regulations – over land use plans -- as local governments make decisions. If plans and regulations conflict, the regulations win. Sponsors include several House and Senate committee chairmen. *House passed 35-24-1, in Senate Corporations.* .

HB36 Management Council Membership – Rep. Dan Laursen (R-Powell)

Would tie political diversity requirements to the percentage of a minority party in the Legislature (30 percent). Extensive amendments in the House, so be sure to refer to the engrossed copy. *House passed 51-9, in Senate Rules.*

SF147 Management Council authority and legislative committees – Sen. Larry Hicks, R-Baggs
Standing committees would pick their own interim studies, although the Management Council could limit the number and assign studies of their own, and committees would need permission to expand meeting days. *Passed Senate 30-0 and sent to House.*

SF80 Public health orders-local and legislative oversight – Sen. Troy McKeown, R-Gillette

Would submit emergency health orders to a 48-hour public comment period and allow a county to opt out. Would limit state orders to 30 days without legislative permission. District, county or municipal orders would be limited to 15 days and would require. *Senate approved 21-9, sent to House.*

SF30 Pandemic response review task force – Joint Corporations.

Would establish a task force of legislators, educators and reps from the Health Department and the business community to evaluate Wyoming's ability to handle pandemics – focusing on health orders (who can issue, do they work, etc.). This is the alternative to other bills to submit health orders to public comment and legislative (political) approval. *Failed 3rd reading House vote 25-35.*

HB109 Local health officers-educational requirements – Rep. Hans Hunt, R-Newcastle
In another move by legislators to regulate health officials, this bill would require health officers appointed by local health departments to be medical doctors or nurse practitioners. The bill further says the officers “shall assist the state department of health in carrying out the provisions of all health and sanitary laws and regulations of the state.” *Senate passed 29-0-1, signed as House Enrolled Act 38.*

HB127 Public Health Amendments – Speaker Eric Barlow, R-Gillette
The limits proposed in this bill would require governing officials (county, municipal, health district, governor) to approve preventive, restrictive orders by health officials beyond 10 days. The governor would appoint (and could dismiss) the state health officer. House rejected an amendment that would have established the authority of county and municipal government to fire health officers. *Passed House 58-2, in Senate Corporations.*

HB59 Public Health Emergencies* – Joint Travel

Would grant immunity from civil liability for anyone who – by a legal activity -- causes anyone else to be exposed to or to contract a disease defined as a “public health emergency.” A proposed committee amendment would exclude act of gross negligence or wanton misconduct from immunity. *Failed to consider in Committee of Whole in House.*

SF16 Net Metering – Joint Corporations

Would overhaul Wyoming's laws for rooftop solar and backyard wind by repealing the current statues for net-metering, which involves payback for customer-generated energy. SF16 would eliminate the guarantee that customers could hook up their solar system to the grid and receive “credit” for the power they generate. It also tells the Public Service Commission to establish an “appropriate system” to regulate rates, terms and conditions of customer-generators by electric utilities. *In House Corporations.*

SF19 Public health emergencies-immunity amendments – Joint Judiciary

Would extend civil liability immunity to persons or entities who were complying with health orders, during a declared public health emergency. This immunity is much more narrowly drawn than the “free pass” proposed in the House bill by Rep. Laursen. *Senate passed 23-7. In House Judiciary.*

HB7 Air ambulance membership organizations-regulations – Joint Minerals

Defines and regulates groups that sell “memberships” to people and businesses and counties to provide a cut-rate for air ambulance services. Emphasis on consumer information that this is NOT insurance, and you are stuck with a huge bill if the ambulance service you get isn't the one you have a membership with. *Senate approved heavily amended version 22-7 (1 conflict). House*

rejected the changes 3-57. In conference committee. (Check digest for committee appointees and signs of a compromise version.)

SF67 Repeal gun free zones and preemption amendments – Sen. Ogden Driskill
Would repeal gun free zones, provide for carrying concealed weapons and “clarify” that only the state Legislature may regulate firearms. Senate rejected an amendment to let school boards permit guns or not. *In House Education.*

SF81 Second Amendment Preservation Act – Sen. Anthony Bouchard, R-Cheyenne
Would invalidate federal restrictions on gun ownership, citing the 10th Amendment. amended extensively, and supporters withdrew. Heavily amended to point the sponsors voted against it on final Senate passage. (Be sure to read engrossed version.) *Senate passed 24-6, send to House.*

HB134 Human heartbeat protection act – Rep. Chuck Gray, R-Casper

Would prohibit abortions after the embryo or fetus has a detectable heartbeat. *Failed to consider in House Committee of the Whole.*

EDUCATION

HB173 School Finance Funding-2 –Substitute 1 House Education Committee

This was rewritten right up to the final minute on third reading in the House, but it seems to be both constitutional and to include all the elements of cuts, revenue shifts and taxes to be acceptable to a wide range of legislators and school districts. It also brings into statute the funding model that has existed in session laws. Facing a very tough debate about a ½ cent sales tax increase if the “rainy day” savings account dips below \$650 million. *House passed 41-19, in Senate Education*

SF130 Charter schools – Sen. Ogden Driskill, R-Sundance

This would let people who want to open a state-funded character school go to the State Loan and Investment Board for approval, if they have been unsuccessful getting approval from the local school board. Sponsors believe it will enable small charter schools to thrive in small rural Wyoming communities, without the support of local school districts. *In House Education*

SF143 School finance-funding model amendments – Sen. Charles Scott, R-Casper

Sen. Scott and four other legislators have written their own school funding cuts, based on their inherent wisdom and judgment (no consultants). Among their ideas: fund not-quite-all of transportation and special education, enforce district consolidation on a county basis and remove benefits for groundskeepers. Will collide head-on with the House school funding version, HB173. Alternate school financing bill that dictates specific and devastating cuts. *Senate approved 24-6, send to House.*

HB154 School finance-school district reserves – Rep. Albert Sommers, R-Pinedale

Would raise the amount of reserves districts would keep in the next fiscal year to 25 percent. *Provision is included in HB173, so allowed to die on General File in House*

HB164 Grand Teton National Park-transfer of state lands – Rep. Andy Schwartz, D-Jackson

The crown jewel of Wyoming's school trust lands would be sold – for cash, exchange or mineral rights -- to the federal government (sum unspecified). It is the Kelly Parcel on Gros Ventre Road, inside Grand Teton National Park. Legislators who want us to hold on to this section and/or develop it ourselves amended the bill to demand an impossibly high amount of \$500,000 per acre and then \$5 million an acre. *Failed 3rd reading in House 24-36.*

SF83 Gillette college community college district – Sen. Jeff Wasserburger, R-Gillette
The Wyoming Community College Commission has approved an application by the Campbell County Commission to create a college district. With this bill, the Legislature would approve the formation and put it on the ballot for approval of the district and at least 4 mills property tax. The bill was amended to better define the transition of programs and students from Northern Wyoming to Gillette College. *On House General File.*

ELECTIONS

HB163 Federal congressional elections-residency – Rep. Joe MacGuire, R-Casper
Would prevent candidates for U.S. House or Senate from Wyoming to claim residence in any other state. Closes a loophole that allows candidates to live anywhere. *Senate Corporations.*

HB75 Voter ID – Rep. Chuck Gray (plus 40 other reps and 15 senators)
Once again attacking a problem that doesn't exist, this bill would require presentation of a state-issued or tribal ID at the polls. Apparently great fear grips the House and Senate to attract this number of co-sponsors. LWV opposes, as a barrier to voting, however big or small, with no gain to integrity of elections. Notice that the bill catch title has changed to reflect the true intent (used to reference voter fraud.). *In Senate Corporations, expected to be heard Tuesday.*

SF145 Election runoffs – Sen. Bo Biteman, R-Sheridan
For primaries for statewide offices and Legislature, a runoff would be held if none of the nominee candidates got a majority. To allow time for this extra election, the primary would be moved up to the first Monday in May. Committee wants to amend with \$1.5 million fiscal note to pay for the extra election. *Failed 3rd reading in Senate 14-15-1, then failed reconsideration 3-26-.*

HB187 Elected official residency requirement – Rep. Hans Hunt, R-Newcastle
Would require county elected officials to live in that county. *In Senate Corporations.*

SF138 School board trustees-party affiliation – Sen. Affie Ellis, R-Cheyenne
Original bill would let trustee candidates list their political party affiliation on the ballot. Trustee is a nonpartisan office. Senate amended to make the listing mandatory. Sponsor says it will help voters. It also will be handy to enforce party discipline. *Senate passed 16-14, sent to House.*

TAXATION AND REVENUE

SF119 Investment of state permanent funds – Joint Appropriations
Staying within the risk profile of a reference portfolio, this would allow the state to invest permanent funds 70 percent in global equities and 30 percent in domestic fixed income investments. Considered a “more modern view” of portfolio theory. Benchmarks would be set by the State Loan and Investment Board (top 5 elected). *House 3rd reading.*

HB26 Fuel Tax – Joint Revenue

Would increase the gasoline tax from 24 cents a gallon to 33 cents per gallon.

The Department of Revenue predicts this would raise about \$60.3 million a year: \$40.2 million for the Highway Fund, \$14.1 million for county road funds, \$5.9 million for cities and towns and \$1.1 million for state parks. *Missed Committee of the Whole deadline in House.*

HB55 Tobacco Tax – Joint Revenue

Would increase the tax on a pack of cigarettes from 60 cents to 84 cents. It would increase the tax on an ounce of moist snuff from 60 cents to 72 cents. Expected annual revenue in fiscal 2023 and following years would be \$6.1 million to the General Fund and \$920,000 to local governments. *Missed Committee of the Whole deadline in House.*

SF73 Tolling authority for I-80 – Sen. Cale Case, R-Lander

Would create a highway tolling program “to finance, construct, operate and maintain Interstate 80 and accommodate the needs of the traveling public through safe, efficient, convenient and modern vehicular traffic.” The bill would authorize the Wyoming Transportation Commission to create and supervise a tolling program in the Department of Transportation (include setting rates). Development of a master plan would cost an estimated \$1 million to \$1.25 million, according to the fiscal note. Amended, so please refer to engrossed version. *In House Transportation.*

HB99 Property tax increase limit-2 – Rep. Chuck Gray, R-Casper

Would impose an artificial limit on the change in property “market value” computed for tax purposes to a maximum 3 percent increase per year. Amendment by House Revenue would raise that to 20 percent. Fiscal note says local government and the School Foundation Account would take a hit, but it’s impossible to predict. *Missed Committee of the Whole deadline in House.*

HEALTH

HB162 Medical treatment opportunity act – Rep. John Romero-Martinez, R-Cheyenne

This bill has been amended in committee (if the full House accepts it) to strip it down to a simple expansion of Medicaid to include some 24,000 low-wage, uninsured adults in Wyoming. It now looks like the clean Senate version, SF154. *Senate passed 3rd reading 32-18, in Senate Labor on Monday. Fate is in Labor meeting Monday morning.*

SF154 Medicaid Expansion – Sen. Chris Rothfuss, D-Laramie

The bill would expand eligibility to Medicaid without the conditions created by HB162, but it does include requirements of at least the current level of federal matching funds (FMAP). *Failed to meet deadline in Senate Committee of the Whole. But see HB162 above.*

SF52 Insurance-mental health and substance use parity – Joint Labor

Would ensure equal treatment by health insurance plans for mental health and substance abuse claims as for other health coverage. *House 3rd reading.*

HB87 Provider recruitment grant program-repeal – Joint Appropriations

Would defund a program in the Office of Rural Health, in the Wyoming Department of Health, to recruit physicians and other health care professionals, saving \$122,000 a year. *Passed both chambers, as House Enrolled Act 26. Sent to governor.*

HB217 Community health center and rural health clinic grants – Rep. Sue Wilson, R-Cheyenne
Would add equipment and eliminate the sunset date on a Department of Health program to accept grants for health centers and rural clinics. *Third reading in House.*

CRIMINAL JUSTICE AND COURTS

HB46 Crime of Bestiality – Clark Stith, R-Rock Springs
Would create the misdemeanor of bestiality, defined as a sexual act with an animal, which also would include promoting or recording such an act. It exempts normal, ordinary and accepted practices of animal husbandry, artificial insemination or veterinary medicine. *Passed both chambers, as House Enrolled Act 23. Sent to governor.*

CONSTITUTIONAL AMENDMENTS

SJ4 School capital Construction-constitutional amendment – Sen. Charles Scott, R-Casper
Would amend the Wyoming Constitution to move responsibility for scoring and funding school facilities from the state to school districts. Sponsors contend local voters will know better how, where and when to build schools, and it will keep districts from gaming the system. Replaces state politics with local politics. *In House Education.*

HJ3 State lands mineral royalties – Rep. Tim Hallinan, R-Gillette
Would amend the Wyoming Constitution to let the Legislature take 2/3 of the mineral income from school trust lands and put it in a spending account for six years. *Senate General File.*

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