

Summary of bills of interest to LWVWY filed for the 2021 Wyoming Legislature as of Jan. 25, 2021

(Note: Bill status is provided in blue italic text.)

GOVERNMENT

HB32 Ethics and Disclosure Act amendments – Joint Judiciary

Would expand the scope of the Act to include local governmental agencies, the judicial branch and additional executive branch employees. Would prohibit supervision of a family member. It would add “private benefit” to the type of matter for abstaining from a vote. The biggest thing this bill does is to bring judicial employees into the Act.

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), and the at-large Senate members would be selected by a vote of all senators. The two at-large House members would still be selected by caucuses of the two major political parties. (Note that the current minority representation is 9 of 90.)

HB56 Public Health Orders – Rep. Dan Laursen, R-Powell

Public health officials may issue orders that limits gatherings or close public facilities, but only for 15 days, unless the Legislature or other governing body votes to extend the orders by another 15 days. Also, quarantines are permitted only for people who actually are infected, which excludes suspected infection because of contact tracing.

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.”

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 payment 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. *Senate Corporations approved. Ready for full Senate.*

SF17 Governmental Publications Requirements – Joint Corporations

Would let government agencies post notices on an official Website, in lieu of a newspaper. Scheduled for Senate Corporations on Tuesday, 1-20-21.

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.

SF35 State Budget Department – Joint Appropriations

Would transfer the budget division in the Department of Administration and Information to a newly created Budget Department. Fiscal analysis is no impact. The purpose, according to the bill, is to give the governor better management of the Executive Branch. The new department will serve the Legislature and Judiciary to “achieve economy in government,” while leaving the separation of powers intact.

SF65 Government waste, fraud and abuse – Sen. Tom James, R-Rock Springs
Would set up what the sponsors say would be a reporting system within the Department of Audit for governmental waste, fraud and abuse. Provides for penalties to government employees. Fiscal impact: indeterminate extra duty with administrative costs.

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.

SF46 Air ambulance membership-regulation and disclosures – Sen. Cale Case
Would impose consumer information requirements for air ambulance membership plans, clarifying to people buying the plans exactly what they’re getting, that it is NOT insurance and there is no regulation of the companies offering the plans.

TAXATION AND REVENUE

HB11 – Joint Minerals

Would cut in half (from 6 percent to 3 percent) the severance tax rate on crude oil and gas by Wyoming statute when the average price of West Texas Intermediate oil gets as low as \$45/barrel. The exemption applies to wells drilled after Jan 1, 2021, and to renewed production from wells that were shut in before July 1, 2020. The fiscal note predicts a \$13.5 million loss to the state in fiscal 2021. *In House Minerals.*

Details:

The exemption would apply to the following production categories:

- sweet crude oil production when the immediately preceding 30-day average of the West Texas Intermediate (WTI) spot price is \$45.00/barrel or higher,
- sour crude oil production when the immediately preceding 30-day average of the Western Canadian Select (WCS) spot price is \$38.00/barrel or higher, and
- natural gas production when the immediately preceding 30-day average of the Henry Hub spot price is \$3.00/mcf or higher.

HB26 – 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.

HB28 Wind tax exemption-repeal – Joint Corporations

Would repeal a 3-year exemption of a tax on energy production, generating an estimated \$800,000 a year.

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. *This passed the committee and is headed to the House floor for debate.*

Please note that the American Cancer Society – Cancer Action Network say a tax to decrease smoking rates would have to increase by at least \$1 a pack.

SF27 Essential health product dignity act – Joint Revenue

Would provide a sales and use tax exemption for feminine hygiene products and diapers.

Expected lost annual revenue: \$939,000 to the General Fund and \$902,000 to local governments. *Died in committee.*

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.).

HEALTH**SF51 Community health center and rural health clinic assistance – Joint Labor**

Would authorize the governor to use federal funds to provide grants to community health centers and rural health clinics.

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.

SF54 Statewide health information exchange-codification – Joint Labor

Would codify the health information exchange set up in session laws in 2016. The Department of Health would be authorized to administer and maintain the (voluntary) sharing of information about health care costs in Wyoming. Estimated annual cost is \$200,000.

HB70 Abortion-Informed consent – Rep. Rodriguez-Williams

Would require physicians to provide patients with specified information before “non-emergency abortion procedures.” The information includes the nature of the procedure, probable gestational age, the opportunity to view an ultrasound, potential impact on mental health, governmental services and risks and alternatives.

ELECTIONS**HB12 Bond elections - Rep. Clarence Styvar, R-Cheyenne**

Would require bond elections be held during General Elections and not Primaries.

HB74 Elected Officials-Removal – Rep. Bear

Would establish a mechanism to remove municipal elected officials. Sets signature gathering requirements and procedures for a recall election. Would repeal an existing recall provision. No fiscal note.

HB75 Voter fraud-protection – 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, including many who know better.

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.

EDUCATION

HB61 School Finance Recalibration – Select Recalibration Committee
Frustrated by the inability to find disproportional or inappropriate budgeting by school districts – and facing a revenue shortfall -- the select committee decided to compute the funding model guarantee for each district and then reduce it by \$100 million (proportionally, of course.) In a compromise with education advocates who argued that unbridled cutting was not the answer, the committee included a provision for a possible sales tax, if the Legislature determines that the tax revenue is necessary to meet its constitutional duty to finance a “complete and uniform” public education. Several committee members who voted for the measure indicated they expected much more debate about revenue during the 2021 session.

HB62 Suicide Prevention – Education
Would require school districts to incorporate suicide prevention programs for students into their health curriculum. Districts currently provide suicide awareness and prevention programs for staff.

H63 Early Childhood Education – Education
Would transfer all program and staff for early childhood programs (developmental pre-schools) from the Departments of Health and Workforce Services to the Departments of Education and Family Services. This was opposed strongly by some individual early childhood programs, but the move is intended to increase accountability and efficiency. Joint Education killed the bill in the fall and then brought it back in the winter, with strong backing by the Department of Education.

HB77 School District Reorganization – Rep. Dan Zwonitzer
Would set up a planning committee (to include representatives from all 48 school boards) to recommend a plan to create 24 total consolidated districts. This group will report to the Joint Corporations (or another standing committee) an the State Board of Education by Sept. 1, 2022. The bill clarifies the new districts may cross county lines, and some counties may have to share a district, board and superintendent.

RESOLUTIONS AND CONSTITUTIONAL AMENDMENTS

SJR1 Taxes to voters – Sen. Tom James, R-Rock Springs
Would amend the Wyoming Constitution to require voter approval for taxes.

HJ1 Traumatic brain injury and post traumatic stress treatments – Joint Transportation Resolution asking Congress and the Veterans’ Administration to act to improve treatment of TBI and PTSD.

HJ2 Board of Medicine-Improper enforcement actions – Rep. Bear

This resolution disapproves of the Board of Medicine’s statement on COVID-19 prescribing and conservation of health resources and requesting its withdrawal and rescission. Contends the statement violates the right of people to make their own health care decisions, contained in the Wyoming Constitution. If the board fails to reverse the statement, the Legislature will take action to preserve the rights of the people.