

To: Wyoming LWV members  
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Re: 2023 WyoLeg Report #9  
Date: March 6, 2023

The Wyoming Legislature ended the 2023 general session on March 3, with a gentle scolding from the governor about the number of model bills created by “think tanks” looking to score points in Wyoming, rather than Wyoming-driven legislation to solve Wyoming problems. Among the bills fitting that description were a set of gender-oriented bills: **SF117** the so-called “don’t say gay,” **SF111** (child abuse-sex change), **SF144** (sex change surgery for children) and SF133 (transgender sports prohibition). The only one to make it to the governor’s desk was **SF133**, where it awaited his signature as legislators headed home.

Gov. Mark Gordon complimented the Legislature for passing a supplemental budget bill **HB1** with \$1.4 billion in savings, capturing Wyoming’s recent windfall in mineral revenue to produce investment income for the future. He vetoed 21 lines of the supplemental appropriation bill, and you can find that veto letter on the LSO’s bill page. The bill’s “digest” includes veto override votes by the Legislature.

Find a list of bills signed by Gov. Gordon here: <https://governor.wyo.gov/state-government/bills>

A high point for the session was **HB4**, the so-called “Medicaid for Moms” bill that continues postpartum care for new moms from 2 months to 12. The appropriation in the bill was Wyoming’s 50 percent match of \$1.9 million for one year of the extended coverage, which will be continued in the Department of Health’s regular budget. LWV Wyoming was part of a diverse, statewide effort to take this Interim Joint Revenue Bill to the finish line. Passage required several lawmakers who came into the session with a “no” on the record to change their minds, in response to the thousands of messages they received. Thanks to all of the League members who helped dispel misconceptions and show authentic Wyoming support.

A low for LWV and for voters statewide was **HB103**, to make people declare political affiliation and choose their primary election ballot before they know who is running. This bill was built upon the baseless assertion that cross-over voting determines GOP primary results. Nevertheless, state Republican Party officials have made that the central piece of their platform for a decade. The new law also apparently prevents people from declaring party affiliation in NEW registrations during the 3-month blackout period. LWV Wyoming opposed the legislation as a wrongful restriction of voters’ franchise and an improper use of state elections to help a political party control election outcomes. Gov. Gordon noted some minor flaws and let it go into effect without his signature.

An issue that dominated 2022 campaigns was property tax relief for homeowners, and several proposals were considered to help people whose taxes rose sharply along with the appraised value of their homes. What finally passed (**SJ3**) is a proposed constitutional amendment to create a separate property tax category for owner occupied primary residences, which are currently assessed with commercial and industrial property at 9.5 percent. It would be up to the Legislature to set the separate assessment rate for homes. The Legislature also passed **HB99** to enhance the current property tax refund program to offer some immediate relief. Some bills proposed to lower the residential assessment rate by 1 percent or 2 percent, but government entities that rely on property taxes raised the alarm of large budget shortfalls without a massive back-fill from the state. The amendment will be on the 2024 General Election ballot.

Other election changes of the 2023 session include **HB47** certification of county election equipment by the U.S. Election Assistance Commission, **HB79** to add conceal carry permits to the list of approved voter IDs and **SF153** for post-election ballot audits.

The governor was correct to comment on the number of bills written for a national agenda that were brought to the 2023 session mostly by legislators from the self-described Freedom Caucus. They were sharply critical of House Speaker Albert Sommers for stopping several bills at his desk that were favored by the Wyoming Freedom Caucus and the national Freedom Caucus Network. Sommers issued a news release (<https://mailchi.mp/abd03fb90c7b/house-passes-bill-to-address-education-deficit-5402088>) to explain his handling of bills that were redundant, that appeared to be unconstitutional or that were contrary to Wyoming's needs and principles. Sommers also spoke in support of standing committees that vetted and sometimes rejected bills.

The House speaker and Senate president exercise control over legislation that comes to their chambers – whether to introduce them and whether/where to assign their committee deliberation. After committee work, consideration is under the control of the two chambers' majority floor leaders. We saw considerable lobbying just to get HB4 to the Senate floor in the last days of the session. Each step in the process is an opportunity for politics (Wyoming and national) to influence a bill's progress. Members of the House and Senate repeatedly tried to override the leaders' discretion this session, including the unfortunate resurrection of HB103 crossover voting from defeat in Senate Corporations. Under current rules, calling a bill onto the floor takes a majority vote in the 31-member Senate. It takes a two-thirds vote in the 62-member House, where the approximately 25 members of the Freedom Caucus often fell short. However, that number of votes (if they hold as a group) could be a major factor in which legislation gets heard in the 2024 budget session, where non-budget bills require a two-thirds vote just to be introduced.

The remaining business of 2023 is interim work by the standing and select committees, which will be determined by the legislative leaders who sit on the Management Council, scheduled to meet March 23 at the Capitol. These topics are assigned and funded with the intention of letting committees work thoroughly and deliberately and come up with well-written bills for the 2024 session. Committee bills will have to get the 2/3 introduction vote to be considered, like any other bills, but the Legislature traditionally gives weight to these proposals as being the product of lots of study and debate. That didn't happen often in the 2023 session, with the new legislators who came in with a pretty full agenda of their own. So, it was hard to gauge the value of all that interim time and resources.

The LSO website lists all bills and resolutions by chamber and by number and all action, including all amendments and votes. You also can search bills by subject matter, relying on the LSO's sorting system <https://wyoleg.gov/2023/Index/subjectindex.pdf>.

The second half of the 67<sup>th</sup> Legislature is the budget session, which convenes Feb. 12, 2024.