2021 LEGISLATIVE REVIEW

January 27—February 5, 2021
(Virtual Session)

March 1—April 7, 2021
(In Person/Virtual Session)
The 2021 Legislative Session wrapped up on April 7, two days longer than anticipated due to an early spring storm that shut down Cheyenne.

The session started with an 8-day virtual session which saw several bills make their way through both bodies and sent to the governor’s desk. The body began its in person session on March 1 with the ability for people to still testify remotely. For the most part, agencies took advantage of the remote option and participated via video link. WyFB lobbyist Brett Moline participated in person as did several other industry lobbyists. If a bill listed was heard in committee, WyFB gave input either in person or virtually.

One thing absent this year was the lack of groups holding legislative meetings or receptions, which included the WyFB/Wyoming Rural Electric Association legislative meeting.

Of course, another factor that played into this session was the turnover in legislators. There were several new House members, and this year saw one of the bigger turnovers in the Senate. The virtual session was no doubt a challenge for the new folks as well as the leadership, which had to adopt some new ways of running things. Committee meetings could also be a challenge when people who wanted to testify remotely ran into technical problems. The chairs of these committees tried hard to accommodate people testifying remotely but sometimes the technology precluded it.

The ability to testify remotely allowed a larger group of people to weigh in on topics. The hearing on legalizing marijuana saw several individuals from across the U.S. providing comments. The Senate Ag Committee had a couple of bills which inspired some anti-meat folks to weigh in who probably would not have taken the time to travel to Cheyenne for the committee meetings. Occasionally, some committee meetings were longer because of virtual technology.

On top of the “herky-jerky” nature of the session, it appears there will be another special session once the details of President Biden’s COVID-19 plan become known. Of special note will be the continuing discussion on education funding. The bill to establish the “basket of goods” for the state schools stalled out when the Senate Education Committee removed the tax increase provision, and there was not any agreement in the conference committee on a path forward. There is speculation that the President’s COVID-19 plan will have some provisions which can be used to address the education funding issue.

If a special session is called, the WyFB will follow the actions and provide information to our Century Club, Life, Silver Club and Gold Club members.
Due to the COVID-19 pandemic, the 2021 Wyoming Legislature convened virtually January 27—February 5, and reconvened in person and virtually from March 1—April 7.

This review looks at the bills that were of interest to the members of the Wyoming Farm Bureau Federation based on the policies set forth and accepted by the membership of the organization.

The WyFB lobbying team, guided by the policies membership adopts at Annual Meeting, works for the best decisions possible from your representatives in the Wyoming House and Senate.

Your work in policy development provides a strong, reliable Voice for Agriculture in Wyoming.

Votes on selected high priority or high profile bills are included in this review to help inform you about the way your elected officials voted on these issues.

You can find all votes and legislator information at: http://legisweb.state.wy.us/
**Bills Signed Into Law**

**HB 7: Air Ambulance Membership Organizations Regulation**
This law provides for regulation of air ambulance membership organizations.

**HB 10: COVID-19 Large Business Relief Program**
This law establishes a relief fund for large businesses affected by the COVID-19 virus. These businesses must employ more than 100 employees and have over $1 million in property taxes payments or over $2 million in payroll.

**HB 44: Omnibus Water Bill – Construction**
This law is the annual bill from the Select Water Committee dealing with construction projects of the Water Development Commission.

**HB 45: Changes to Water Right Notice Requirements for Hearing**
This law changes the notice requirements, allowing the state engineer to send notices electronically or by regular mail rather than registered or certified mail - a cost savings measure.

**HB 51: Meat Processing Programs**
This law establishes funds for entities wanting to expand or construct meat processing facilities.

**HB 52: Wyoming School Protein Enhancement Project**
This law provides funding to enhance getting Wyoming-produced meat into Wyoming schools.

**HB 53: Invasive Plant Species**
This law outlines that county, state, and federal entities work together to manage invasive weeds. This bill would also allow more than two (2) pests be managed under the second mill allocated to control measures.

**HB 54: Wyoming Meat Packing Initiative**
This law works to facilitate Wyoming raised meat marketing and production.

**HB 66: 2021 Large Project Funding**
This law provides funding for large projects under the Wildlife and Natural Resources Trust.

**HB 75: Voter Identification**
This law requires a type of official identification to be shown before voting.

**HB 118: Food Freedom Act Amendments**
This law allows persons to sell from the producer to an informed customer. Eggs would no longer be considered a hazardous food.

**HB 122: Hunting and Fishing Access**
This law increases conservation stamp fees to pay for access to or across private lands.

**HB 179: Optional Municipal Tax – Election**
This law removes the requirement that sales tax can be voted on only in a general election. The election can take place on a day authorized for bond elections.

**HB 188: Irrigation and Water Conservancy Districts Loans**
This law allows the State Land and Investment Board to loan money to an irrigation and water conservancy districts to maintain and repair infrastructure.

**HB 229: Livestock Identification Choice Act**
This law clarifies that livestock producers can use any form of animal identification as outlined in federal law.

**SF 25: Animal Impound Proceedings – Bond and Disposition**
This law outlines bonding amounts and procedures for animals impounded.

**SF 26: Animal Abuse Statutes Reorganization and Update**
This law makes the animal abuse statutes more readable and updates language.

**SF 32: Water Permit Notice Requirements**
This law allows the state engineer’s office to send notices electronically or by regular mail.

**SF 34: Born Alive Infant – Means of Care**
This law outlines that all infants born alive must receive commonly accepted means of care.

**SF 37: Omnibus Water Bill – Planning**
This law outlines what planning projects will be conducted by the Water Development Commission.
Bills Signed Into Law cont.

**SF 50: COVID-19 Business Relief Programs Agriculture** .......................................................... SUPPORT
This law utilizes federal funding to offset COVID-19 virus impacts.

**SF 85: Property Tax – Reporting and Exemption** .......................................................... SUPPORT
This law provides an exemption on business personal property valued at less than $2,400. This bill also eliminates jail time for not filling out the business personal property form and would institute a $5 per day fine.

**SF 88: Ownership of Fossils and Artifacts** .......................................................... SUPPORT
This law establishes that fossils and artifacts belong to the surface in split estate situations.

**SF 157: Property Rights – Limitations on Local Authority** .......................................................... SUPPORT
This law keeps cities from placing restrictions on accessing city water and sewer by placing restriction on private property sales.

**Senate Joint Resolution 3: Federal Suspension and Orders on Oil and Gas Production** .......................................................... SUPPORT
This resolution requests Congress and the federal government reverse orders and actions that inhibit oil and gas production in Wyoming.

Bills That Failed

**HB 12: Bond Elections** ........................................................................................................ SUPPORT
This bill would have established that bond elections are held only during general elections.

**HB 24: Transportation Computer System Funding** ........................................................................ OPPOSE
This bill would have added $5.00 per vehicle registration fee to pay for a new Wyoming DOT computer system.

**HB 26: Fuel Tax** ........................................................................................................ OPPOSE
This bill would have increased fuel taxes by $0.09 per gallon on gasoline and diesel.

**HB 37: Road Usage Tax** ........................................................................................................ OPPOSE
This bill would have established a per mile fee charge for use of public roads.

**HB 71: Mountain Standard Time** .......................................................................................... SUPPORT
This bill would have kept Wyoming on Mountain Standard Time all year.

**HB 77: School District Reorganization** ................................................................................. OPPOSE
This bill would have studied putting Wyoming in 24 school districts.

**HB 82: Implementation Requirements for Medical Marijuana** ................................................ OPPOSE
This bill would have facilitated a study concerning implementing medical marijuana in Wyoming.

**HB 93: Specifying Livestock Qualifying for Compensation** ................................................... MONITOR
This bill would have stated that sheep, cattle, horses, alpacas, and other livestock are the livestock that would qualify for payment under trophy game depredation.

**HB 99: Property Tax Increase** ................................................................................................ SUPPORT
This bill would have made the maximum increase in property taxes 20% per year.

**HB 114: Property Tax Assessment** ........................................................................................ OPPOSE
This bill would have made county assessors an appointed position rather than elected. This bill would also limit property valuation for tax purposes to increase no more than 50% per year. WyFB policy does not support changing county assessors from elected to appointed positions. WyFB policy supports no more than a 5% increase in property tax valuations per year.

**HB 117: Repeal Gun Free Zones and Preemption Amendments** ................................................ SUPPORT
This bill would have allowed firearms to be carried in governmental meetings and on governmental property, including the University of Wyoming.

**HB 124: Second Amendment Preservation Act 2** ........................................................................ SUPPORT
This bill would have pushed back on any current or future acts by the federal government that restrict the second amendment of the U.S. Constitution.
HB 128: County Option Real Estate Transfer Tax ............................ OPPOSE
This bill would have allowed a county to impose a real estate transfer tax on properties sold or transferred. Agricultural land would be exempt.

HB 134: Human Heartbeat Protection Act ........................................... SUPPORT
This bill would have stipulated no abortion shall be performed after the embryo or fetus has a detectable heartbeat.

HB 138: Tax on Unearned Income .................................................. OPPOSE
This bill would have taxed unearned income above $200,000 at 4%. Federal tax returns would be used to impose the tax.

HB 141: Transfer of Federal Lands ................................................. SUPPORT
This bill would require the transfer of federal lands to the state. Federal lands exempted are national parks and monuments.

HB 161: Human Life Equality - Prohibiting Discriminatory Abortions ........................................ SUPPORT
This bill would have prohibited abortions based on selective reasons or for disabilities.

HB 168: Sales and Use Tax Application ......................................... OPPOSE
This bill would have applied sales and use taxes to services, including personal services, business services, agricultural services, amusement services, and engineering and management services.

HB 173: School Finance Funding-2 ............................................... OPPOSE
This bill sets the rate of financing to local schools. The aspect WyFB is opposed to is instituting a sales tax if the Legislative Stabilization Account falls below $650 million. The sales tax application has been removed from the bill.

HB 174: Local Government Sales and Use Taxes ........................................ OPPOSE
This bill would allow a local school district to impose an additional 1% sales tax with the proceeds going to the Wyoming School Foundation. This tax could be imposed by a referendum rather than by a vote of the people who pay the tax.

HB 178: Voter Registration Requirement ......................................... SUPPORT
This bill would have extended the period to switch parties before an election to 29 days.

HB 182: Personal Income Tax ......................................................... OPPOSE
This bill would have established an income tax for all Wyoming citizens.

HB 191: Statewide Mill Levy for Education .................................... OPPOSE
This bill would have increased the statewide mill levy for schools by four (4) mills. The money would go to the Wyoming School Foundation.

HB 200: Sales and Use Tax Exemptions-Repeal ................................. OPPOSE
This bill would have repealed all sales and use tax exemptions.

HB 209: Regulation of Marijuana .................................................. OPPOSE
This bill would have allowed the regulation of the production, testing, and sale of marijuana.

HB 211: Property Taxes ................................................................. OPPOSE
This bill would have increased industrial property valuation from 11.5% to 12.5% over a 4-year period. It would also increase all other property valuation from 9.5% to 10.5% over the same time period.

HB 234: Party Affiliation Changes .................................................. SUPPORT
This bill would have established that a voter’s party change must be done before May 1.

HB 235: Human Life Protection Act ................................................. SUPPORT
This bill would have established that an abortion can only be performed to preserve a woman’s life.

HB 237: Trespassing Statutes - Fines Increase .................................. SUPPORT
This bill would have increased the fine for criminal trespassing to up to $1,500 and the fine for trespassing while hunting to $2,000.

HB 256: Wyoming Sovereignty Act ................................................. SUPPORT
This bill would have provided ways to enforce the U.S. Constitution, including an audit of the federal government actions.

HB 262: Statewide Real Estate Transfer Tax ..................................... OPPOSE
This bill would have established a real estate transfer tax of 2% for properties that are sold for more than $500,000.
SF 11: Highway Safety – Seat Belts
This bill would have made wearing seat belts a primary offense, meaning law enforcement could pull people over for not wearing a seat belt.

SF 16: New Net Metering Systems
This bill would have placed the rate of net metering under the Public Service Commission.

SF 24: Bond for Impounded Animals
This bill would have established bonding amounts and procedures for non-livestock animals.

SF 30: Pandemic Response Review Task Force
This bill would have reviewed the state’s response to the COVID-19 virus and examine state laws associated with pandemics.

SF 46: Air Ambulance Memberships – Regulation and Disclosures
This bill would have established a reporting system for waste and fraud.

SF 65: Government Waste, Fraud and Abuse
This bill would have prohibited discrimination based on viewpoint, race, religion, and location by interactive computer services, social media platforms and businesses.

SF 67: Repeal Gun-Free Zones and Preemption Amendments
This bill would have repealed most gun-free zones in Wyoming.

SF 70: Fingerprinting Fees
This bill would have increased the fee for obtaining fingerprints from $5 to $10.

SF 73: Tolling Authority for I-80
This bill would have set up a tolling system for I-80.

SF 77: Legislator Salary Restriction
This bill would have restricted any public employee from receiving pay from their job if they are receiving pay as a legislator.

SF 80: Public Health Orders-Local and Legislative Oversight
This bill would have made public health orders subject to public comment and allow counties to object to the health order.

SF 81: Second Amendment Preservation Act
This bill would have invalidated federal laws that limit the right to bear arms and would have prohibited enforcement of invalidated federal laws.

SF 90: Hemp Prohibitions and Requirements
This bill would have established penalties for smoking or selling any hemp product to anyone under 18.

SF 100: Internet Freedom-Prohibiting Discrimination
This bill would have prohibited discrimination based on viewpoint, race, religion, and location by interactive computer services, social media platforms and businesses.

SF 114: State Land Leases
This bill would update the procedures for the leasing of state grazing land.

SF 122: Wyoming Agriculture Authority
This bill would have created an authority to facilitate the establishment and expansion of agricultural product processing in Wyoming.

SF 125: Consumer Merchandise – Sale, Marketing and Use Protection
This bill would have outlawed local governments from placing restrictions on the types of packaging materials used in sales.

SF 135: Water Rights – Livestock on Federal Range
This bill would have established that water developed on federal range for livestock use would have the water rights in both the lessee’s and the federal government’s name.

SF 145: Election Runoffs
This bill would have established election runoffs if one candidate does not receive over 50% of the vote in a primary election.
Bills That Failed cont.

Senate Joint Resolution 1: Taxes to Voters ........................................................................................................... SUPPORT

This resolution would have initiated a constitutional amendment which would have established that an increase in taxes must go to the vote of the people.

Senate Joint Resolution 2: Convention of States-2 ............................................................................................... SUPPORT

This resolution called for a convention of states to propose an amendment to the U.S. Constitution for a balanced budget for the U.S.

How They Voted

HB 53 Invasive Species

ROLL CALL
Ayes: Senator(s) Anderson, Boner, Driskill, Ellis, French, Furphy, Gierau, Hicks, Hutchings, Kinskey, Kost, Landen, Pappas, Rothfuss, Scott, Steinmetz, Wasserburger
Nays: Senator(s) Baldwin, Biteman, Bouchard, Case, Cooper, Dockstader, James, Kolb, Mckeown, Nethercott, Perkins, Salazar, Schuler
Ayes 17    Nays 13    Excused 0    Absent 0    Conflicts 0

ROLL CALL
Ayes: Representative(s) Andrew, Baker, Banks, Barlow, Bear, Blackburn, Burkhart, Burt, Clausen, Clifford, Connolly, Crago, Duncan, Eklund, Eyre, Flitner, Fortner, Greear, Hallinan, Haroldson, Harshman, Heiner, Henderson, Hunt, Kinner, Knapp, Larsen, L, Laursen, D, Macguire, Martinez, Neiman, Newsome, Nicholas, Oakley, Obermueller, O’hearn, Olsen, Ottman, Paxton, Provenza, Roscoe, Sherwood, Simpson, Sommers, Stith, Sweeney, Walters, Washut, Western, Williams, Wilson, Winter, Yin, Zwonitzer
Nays: Representative(s) Gray, Jennings, Styvar, Wharff
Excused: Representative(s) Brown, Schwartz
Ayes 54    Nays 4    Excused 2    Absent 0    Conflicts 0

HB 75 Voter Identification

ROLL CALL
Ayes: Senator(s) Anderson, Baldwin, Biteman, Boner, Bouchard, Cooper, Dockstader, Driskill, Ellis, French, Furphy, Gierau, Hicks, Hutchings, James, Kinskey, Kolb, Kost, Landen, Mckeown, Nethercott, Pappas, Perkins, Salazar, Schuler, Scott, Steinmetz, Wasserburger
Nays: Senator(s) Case, Rothfuss
Ayes 28    Nays 2    Excused 0    Absent 0    Conflicts 0

ROLL CALL
Nays: Representative(s) Banks, Clifford, Connolly, Provenza, Roscoe, Schwartz, Sherwood, Yin
Excused: Representative Fortner
Ayes 51    Nays 8    Excused 1    Absent 0    Conflicts 0

HB 229 Livestock Identification Choice Act

ROLL CALL
Ayes: Senator(s) Anderson, Baldwin, Biteman, Boner, Bouchard, Case, Cooper, Dockstader, Driskill, Ellis, French, Furphy, Gierau, Hicks, Hutchings, James, Kinskey, Kolb, Kost, Landen, Mckeown, Nethercott, Pappas, Perkins, Rothfuss, Salazar, Schuler, Scott, Steinmetz, Wasserburger
Ayes 30    Nays 0    Excused 0    Absent 0    Conflicts 0

ROLL CALL
Nays: Representative Nicholas
Ayes 59    Nays 1    Excused 0    Absent 0    Conflicts 0
SF 157 Property Rights- Limitations on Local Authority

ROLL CALL
Ayes: Senator(s) Anderson, Biteman, Boner, Dockstader, Driskill, Ellis, French, Hicks, Hutchings, James, Kinskey, Kolb, Kost, Mckeown, Nethercott, Pappas, Perkins, Salazar, Schuler, Scott, Steinmetz, Wasserburger
Nays: Senator(s) Baldwin, Bouchard, Case, Cooper, Furphy, Gierau, Landen, Rothfuss
Ayes 22  Nays 8  Excused 0  Absent 0  Conflicts 0

ROLLE CALL
Ayes: Representative(s) Andrew, Bear, Blackburn, Brown, Burkhart, Burt, Clausen, Duncan, Eklund, Flitner, Fortner, Gray, Greear, Hallinan, Haroldson, Heiner, Hunt, Jennings, Kinner, Knapp, Larsen, L, Laursen, D, Martinez, Newsome, Nicholas, Oakley, Olsen, Ottman, Paxton, Simpson, Stith, Styvar, Walters, Washut, Western, Wharff, Williams, Wilson, Winter
Nays: Representative(s) Baker, Banks, Barlow, Clifford, Connolly, Crago, Eyre, Harshman, Henderson, Macguire, Obermueller, O’hearn, Provenza, Roscoe, Schwartz, Sherwood, Sommers, Sweeney, Yin, Zwonitzer
Excused: Representative Neiman
Ayes 39  Nays 20  Excused 1  Absent 0  Conflicts 0

Senate Joint Resolution 3 Federal Suspension and Orders on Oil and Gas Production

ROLL CALL
Nays: Representative(s) Clifford, Connolly, Provenza, Schwartz, Yin
Ayes 55  Nays 5  Excused 0  Absent 0  Conflicts 0

HB 77 School District Reorganization
House Education Committee

ROLL CALL
Ayes: Representative(s) Andrew, Brown, Connolly, Newsome
Nays: Representative(s) Harshman, Neiman, Obermueller, Paxton, Sommers

HB 128 County Option Real Estate Transfer Fee
House Revenue Committee

ROLL CALL
Ayes: Representative(s) Andrew, Brown, Connolly, Newsome
Nays: Representative(s) Harshman, Neiman, Obermueller, Paxton, Sommers

HB 209 Regulation of Marijuana
House Judiciary Committee

ROLL CALL
Ayes: Representative(s) Crago, Oakley, Olsen, Provenza, Yin, Zwonitzer
Nays: Representative(s) Laursen, Rodriguez-Williams, Washut
Ayes 6  Nays 3  Excused 0  Absent 0  Conflicts 0
House did not consider on Committee of the Whole.