HB1001  Emergency appropriation—COVID-19 funds.

Sponsored By: Management Council

AN ACT relating to the emergency expenses of government; providing legislative findings; authorizing emergency governmental programs as specified; requiring reporting; providing an appropriation; specifying conditions on the appropriation and expenditure of funds; and providing for an effective date.

5/7/2020  Bill Number Assigned
5/15/2020  H Received for Introduction
5/15/2020  H Introduced and Referred to HCOW
5/15/2020  H COW: Passed

HB1001H2001/ADOPTED  (CORRECTED COPY)
Page 11—after line 13  Insert and renumber as necessary:

"(x) To provide grants for expenses incurred in responding to the public health emergency and the impacts caused by COVID-19 on the Wind River Reservation. Grants provided under this paragraph shall be subject to the approval of the state loan and investment board. The state loan and investment board may enter into cooperative agreements with the business councils of the Eastern Shoshone and Northern Arapaho Tribes to facilitate grants under this paragraph.". LARSEN, HARCISHMAN, SOMMERS

HB1001H2002/ADOPTED
Page 9—line 14  After "colleges" insert ". Programs and services provided by a state entity or operated on behalf of a state entity by a third party shall be considered "state entities" for purposes of this paragraph". BARLOW

HB1001H2003/FAILED
Page 5—after line 19  Insert and renumber as necessary:

"(x) Article 3, section 36 of the Wyoming Constitution limits the power of the legislature to make appropriations to persons, corporations or communities not under the absolute control of the state and article 16, section 6 of the Wyoming Constitution limits the authority of the state to loan or make donations to or in aid of any individual, association or corporation, except for the necessary support of the poor. The extraordinary circumstances of the COVID-19 public health emergency and resulting economic devastation justifies the distribution of CARES Act funds for the public purposes and expenses authorized by this act in accordance with these constitutional requirements. Nothing in this act shall be construed to authorize the distribution of federal funds through future legislation without regard to the limitations imposed by the Wyoming Constitution.". ZWONITZER

ROLL CALL

Ayes: Representative(s) Barlow, Clausen, Clem, Eklund, Eyre, Flitner, Gray, Greer, Haley, Harshman, Henderson, Kinner, Kirkbride, Larsen Lloyd, Laursen Dan, Loucks, Newsome, Nicholas, Obermueller, Paxton, Pipparinen, Pownall, Roscoe, Simpson, Sommers, Sweeney, Tass, Walters, Wilson, Zwonitzer

Nays: Representative(s) Blackburn, Blake, Brown, Burkhart, Burlingame, Clifford, Connolly, Crank, Dayton-Selman, Duncan, Edwards, Freeman, Furphy,
Hallinan, Hunt, Jennings, Lindholm, Macguire, Miller, Northrup, Olsen, Pelkey, Salazar, Schwartz, Stith, Styvar, Washut, Western, Winter, Yin

Ayes 30 Nays 30 Excused 0 Absent 0 Conflicts 0

HB1001H2004/FAILED
Page 3-line 10 Before "Created" insert "Prompted the Wyoming state health officer to issue orders restricting economic activity which".

Page 3-line 15 Before "closure" insert "forced". CLEM

ROLL CALL

Ayes: Representative(s) Blackburn, Brown, Clausen, Clem, Edwards, Eyre, Flitner, Gray, Greear, Hallinan, Jennings, Kinner, Laursen Dan, Lindholm, Loucks, Miller, Olsen, Piiparinen, Salazar, Styvar, Tass, Washut, Western, Winter, Zwonitzer

Nays: Representative(s) Barlow, Blake, Burkhart, Burlingame, Clifford, Connolly, Crank, Dayton-Selman, Duncan, Eklund, Freeman, Furphy, Haley, Harshman, Henderson, Hunt, Kirbride, Larsen Lloyd, Macguire, Newsome, Nicholas, Northrup, Obermueller, Paxton, Pelkey, Pownall, Roscoe, Schwartz, Simpson, Sommers, Stith, Sweeney, Walters, Wilson, Yin

Ayes 25 Nays 35 Excused 0 Absent 0 Conflicts 0

HB1001H2005.01/ADOPTED [DIVIDED AMENDMENT] (CORRECTED COPY)

Page 11-after line 13 Insert and renumber as necessary:

"(x) Any other COVID-19 related expenses necessary to provide funding for costs experienced by Wyoming businesses that were directed to cease or limit business operations under a statewide order issued by the governor or the state health officer in response to the public health emergency caused by COVID-19.". CLEM

HB1001H2005.02/FAILED [DIVIDED AMENDMENT] (CORRECTED COPY)

Page 11-after line 13 Insert and renumber as necessary:

"(x) Expenditures under this paragraph shall be limited to costs experienced by the business during the time the business was directed to cease or limit business operations including rent or mortgage payments, utilities, inventory and salaries but shall not include any costs that are covered by any other state or federal program.". CLEM

HB1001H2006/ADOPTED

Page 10-line 13 After "at" insert "any hospital or other health care facility that is operated by a governmental entity, including".

Page 10-line 14 After "hospital" insert ",". STITH

HB1001H2007/FAILED
Delete the Stith second reading amendment (HB1001H2006/A) and further amend as follows:

Page 10-lines 12 through 22  Delete entirely and renumber as necessary.

HALLINAN

ROLL CALL
Ayes:  Representative(s) Barlow, Blackburn, Burkhart, Clausen, Clem, Crank, Edwards, Flitner, Gray, Greear, Haley, Hallinan, Hunt, Jennings, Laursen Dan, Lindholm, Loucks, Macguire, Obermueller, Olsen, Piiparinen, Pownall, Styvar, Tass, Washut, Winter
Nays:  Representative(s) Blake, Brown, Burlingame, Clifford, Connolly, Dayton-Selman, Duncan, Eyre, Freeman, Furphy, Harshman, Henderson, Kinner, Kirkbride, Larsen Lloyd, Miller, Newsome, Nicholas, Northrup, Paxton, Pelkey, Roscoe, Salazar, Schwartz, Simpson, Sommers, Stith, Sweeney, Walters, Western, Wilson, Yin, Zwonitzer

Excused:  Representative Eklund

Ayes 26  Nays 33  Excused 1  Absent 0  Conflicts 0

HB1001H2008/ADOPTED
Page 11-line 4  After "governor" insert ".  Expenses authorized under this paragraph shall include but are not limited to expenses incurred by businesses, cooperatives and political subdivisions of the state to produce and process food".  HUNT, DUNCAN

HB1001H2009/FAILED
Page 5-line 21  Delete "four (4)" and insert "five (5)".

Page 7-line 7  Delete "." and insert ";".

Page 7-after line 7  Insert and renumber as necessary:

"(v) Tax relief.  To the extent allowable under the CARES Act or other similarly purposed federal act, relief funds could be used to provide tax relief to residents of Wyoming affected by the public health emergency and the impacts caused by COVID-19 and to replace corresponding shortfalls in state and local government revenue.".

Page 7-line 11  Delete "four (4)" and insert "five (5)".

Page 7-after line 21  Insert and renumber as necessary:

"(d) The legislature further intends to work with local governments, the executive branch and the Wyoming congressional delegation to request that Congress swiftly enact legislation and the United States department of the treasury promulgate guidance to remove the restrictions on the CARES Act relief funds to allow the funds to be used to provide tax relief to residents of Wyoming affected by the public health emergency and the impacts caused by COVID-19 and to replace corresponding shortfalls in state and local government revenue.".

Page 11-line 13  Delete "." and insert ";".

Page 11-after line 13  Insert and renumber as necessary:
"(x) If federal law, rules or guidance is amended, enacted or
promulgated to allow for these expenses, for purposes of temporary tax relief
to assist with impacts related to COVID-19 as follows:

(A) For payments for ad valorem taxes equal to one-half (1/2)
of the amount due on and after September 1 and payable on and after November 10
in accordance with W.S. 39-13-108(b)(i) to assist property owners and to replace
corresponding shortfalls in state and local government revenue. Absent
enactment of further legislation, the allocation of distributions under this
subparagraph shall be subject to the approval of the state loan and investment
board;

(B) For a sales and use tax rate holiday for a three (3)
month period, or as close thereto as permissible, beginning the first month
after expenses under this subparagraph are determined by the governor to be
allowed under federal law, rules or guidance. Notwithstanding W.S. 39-15-104(a)
and (b) and 39-16-104(a) and (b), the state sales and use tax rate for the
period specified in this subparagraph shall be zero percent (0%). On or before
December 30, 2020, the department of revenue shall determine the amount of sales
and use tax revenue that was distributed during the same time period in the
immediately preceding calendar year corresponding to the period of the sales
and use tax rate holiday authorized by this paragraph to be distributed to the
state general fund, cities, towns and counties in order to most closely
approximate distributions if a sales and use tax rate holiday was not provided.
The state auditor shall transfer the amount determined by the department of
revenue, or as much thereof as possible, from any unexpended, unobligated funds
provided to the state through the CARES Act or other similarly purposed federal
act.".

Page 11-line 19 Delete ",," and insert ": (A)".

Page 11-after line 21 Insert:

"(B) In addition to amounts authorized for expenditure or
obligation under subparagraph (A) of this paragraph, up to six hundred million
dollars ($600,000,000.00) may be reserved for the purposes specified in
paragraph (b)(x) of this section. If federal law, rules or guidance is amended,
enacted or promulgated to allow for these expenses, funds reserved under this
subparagraph shall be expended or obligated for the purposes specified in
paragraph (b)(x). If the amount reserved under this subparagraph is less than
six hundred million dollars ($600,000,000.00), funds shall be expended or
obligated in equal amounts for the purposes specified in subparagraphs (b)(x)(A)
and (B) of this section.".

To the extent required by this amendment: adjust totals; and renumber as
necessary. GRAY

ROLL CALL
Ayes: Representative(s) Blackburn, Clem, Edwards, Gray, Hallinan, Jennings,
Laursen Dan, Lindholm, Loucks, Miller, Olsen, Pilparinen, Salazar, Styvar, Tass,
Washut, Western, Winter
Nays: Representative(s) Barlow, Blake, Brown, Burkhart, Burlingame, Clausen,
Clifford, Connolly, Crank, Dayton-Selman, Duncan, Eklund, Eyre, Flitner,
Freeman, Furphy, Greear, Haley, Harshman, Henderson, Hunt, Kinner, Kirkbride,
Larsen Lloyd, Macguire, Newsome, Nicholas, Northrup, Obermueller, Paxton,
HB1001H3001/ADOPTED
Page 10-line 5 After "infrastructure" insert ", including major renovations or capital construction of facilities". LINDHOLM

ROLL CALL
Ayes: Representative(s) Barlow, Blake, Brown, Burlingame, Clausen, Clifford, Connolly, Crank, Dayton-Selman, Duncan, Flitner, Freeman, Furphy, Henderson, Kinner, Lindholm, Miller, Newsome, Obermueller, Olsen, Paxton, Roscoe, Salazar, Simpson, Sommers, Stith, Washut, Western, Wilson, Yin, Zwonitzer
Excused: Representative(s) Northrup, Pelkey, Pownall
Ayes 31 Nays 26 Excused 3 Absent 0 Conflicts 0

HB1001H3002/FAILED
Page 11-after line 13 Insert and renumber as necessary:

"(x) For capital construction expenses to improve the state's emergency health care capacity in response to the public health emergency caused by COVID-19. Capital construction expenses under this paragraph shall be requested by the office of homeland security and subject to the approval of the state building commission.". LINDHOLM

ROLL CALL
Ayes: Representative(s) Blake, Brown, Burlingame, Clausen, Clem, Clifford, Connolly, Crank, Dayton-Selman, Duncan, Freeman, Furphy, Haley, Henderson, Kirkbride, Larsen Lloyd, Lindholm, Newsome, Obermueller, Olsen, Paxton, Stith, Western, Wilson, Yin, Zwonitzer
Nays: Representative(s) Barlow, Blackburn, Burkhart, Clem, Edwards, Eklund, Eyre, Flitner, Gray, Greear, Hallinan, Harshman, Hunt, Jennings, Kinner, Laursen Dan, Loucks, Macguire, Miller, Nicholas, Piiparinen, Roscoe, Salazar, Schwartz, Simpson, Sommers, Styvar, Sweeney, Tass, Walters, Washut, Winter
Excused: Representative(s) Northrup, Pelkey, Pownall
Ayes 31 Nays 26 Excused 3 Absent 0 Conflicts 0

HB1001H3003/ADOPTED
Page 5-after line 19 Insert and renumber as necessary:

"(x) Article 3, section 36 of the Wyoming Constitution limits the power of the legislature to make appropriations to persons, corporations or communities not under the absolute control of the state and article 16, section 6 of the Wyoming Constitution limits the authority of the state to loan or make donations to or in aid of any individual, association or corporation, except for the necessary support of the poor. And Article 7, Section 20 of the Wyoming Constitution recognizes the duty of the legislature to protect and promote the health and morality of the people. The extraordinary circumstances of the
COVID-19 public health emergency and resulting economic devastation justifies the distribution of CARES Act funds for the public purposes and expenses authorized by this act in accordance with these constitutional requirements. Nothing in this act shall be construed to authorize the distribution of federal funds through future legislation without regard to the limitations imposed by the Wyoming Constitution". ZWONITZER

HB1001H3004/FAILED
Page 10-lines 17 through 22 Delete entirely and renumber as necessary. CLEM, BLACKBURN, HALLINAN, STYVAR

HB1001H3005/WITHDRAWN

HB1001H3006/ADOPTED Delete "2020 Special".
Page 9-line 8 Delete line through "0002" and insert "2020 House Bill 1002 or 2020 Senate File 1002, if enacted into law". BARLOW

HB1001H3007/ADOPTED (CORRECTED COPY) Delete the Hunt et al., second reading amendment (HB1001H2008/A) to this line entirely and further amend as follows; after "governor" insert ". Expenses authorized under this paragraph shall include but are not limited to expenses to produce and process food incurred by businesses, cooperatives and political subdivisions of the state which have suffered adverse market effects or experienced unusual levels of strain in the supply chain due to the impacts from the COVID-19 novel coronavirus". HUNT

5/15/2020 H 3rd Reading:Passed 55-3-2-0-0

ROLL CALL
Ayess: Representative(s) Barlow, Blackburn, Blake, Brown, Burkhart, Burlingame, Clausen, Clem, Clifford, Connolly, Crank, Dayton-Selman, Duncan, Eklund, Eyre, Flitner, Freeman, Furphy, Gray, Greear, Haley, Hallinan, Harshman, Henderson, Hunt, Kinner, Kirkbride, Larsen Lloyd, Laursen Dan, Lindholm, Loucks, Macguire, Miller, Newsome, Nicholas, Obermueller, Olsen, Paxton, Pelkey, Piiparinen, Roscoe, Salazar, Schwartz, Simpson, Sommers, Stith, Sweeney, Tass, Walters, Washut, Western, Wilson, Winter, Yin, Zwonitzer
Nays: Representative(s) Edwards, Jennings, Styvar
Excused: Representative(s) Northrup, Pownall
Ayess 55  Nays 3  Excused 2  Absent 0  Conflicts 0

5/16/2020 S Received for Introduction
5/16/2020 Senate: Pursuant to JR 23-1 (h) referred directly to 3rd Reading
5/16/2020 S Appointed JCC01 Members
Senator(s) Dockstader, Gierau, Wasserburger
5/16/2020 H Appointed JCC01 Members Representative(s) Nicholas, Lindholm, Zwonitzer
5/16/2020 H See Mirror Bill SF1001