



## WYOMING LEGISLATIVE SERVICE OFFICE

# Memorandum

**DATE** March 19, 2020

**TO** Management Council

**FROM** Senator Tara Nethercott, Co-Chairman  
Representative Dan Kirkbride, Co-Chairman

**SUBJECT** Proposed 2020 Interim Topics for the Joint Judiciary Interim Committee

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In response to the March 11, 2020 letter from Chairman Harshman and Vice-Chairman Perkins, this memorandum represents the letter of support from the Joint Judiciary Interim Committee (Committee). Following a March 10 meeting, the Committee has identified and prioritized the topics described below. The Committee intends to study these topics in three two-day meetings and can be grouped in the following categories: (1) Review of Wyoming Courts and Supreme Court Updates; (2) County and Prosecuting Attorney, District Attorney, and Sheriff Salaries; (3) Wyoming Ethics and Disclosure Act; (4) Youthful Offender Program; (5) Driving Under the Influence Review; (6) Elected Attorney General; and (7) Agency Reports and Wyoming Supreme Court Case Review. The Committee will also continue the two-year study of the public-records and public-meetings statutes that it started last year.

The Committee has tentatively scheduled three meetings to accomplish this work: May 19-20 in Riverton, August 20-21 in Rawlins, and October 26-27 in Cheyenne. This memo further describes each topic.

### 2020 INTERIM TOPICS

The Committee requests that Management Council approve the following topics for study and consideration during the 2020 interim. The topics are listed in order that the Committee's co-chairmen have prioritized them.

### **Priority # 1–Review of Wyoming Courts and Supreme Court Updates.**

*The Committee will review and consider the consolidation of Wyoming's courts, the process for allocating new district judges to judicial districts, and the status of court automation. The Committee will also receive reports and recommendations from the Wyoming Supreme Court.*

**Discussion:** With increased interest in court operations and the workload of Wyoming's judges, the Committee believes it is important to consider developing a process for allocating additional judges to judicial districts and consider whether a consolidated court system would result in increased efficiencies. The Committee also plans to receive updates from the Supreme Court on court automation and other administrative matters regarding Wyoming's courts.

### **Priority # 2-County and Prosecuting Attorney, District Attorney, and Sheriff Salaries.**

*The Committee will review and discuss the statutory salary caps for County and Prosecuting Attorneys, District Attorneys, and Sheriffs.*

**Discussion:** The salaries for county and prosecuting attorneys, district attorneys, and sheriffs have not been reviewed or amended in nearly a decade. The Committee wishes to review these salaries to ensure that they are competitive and adequate to attract excellent candidates to those positions in Wyoming's counties.

### **Priority # 3-Wyoming Ethics and Disclosure Act.**

*The Committee will comprehensively review the Wyoming Ethics and Disclosure Act and corruption in public works specifically related to bidding on public projects.*

**Discussion:** After reviewing Supreme Court cases involving theft by public officials during the 2019 Interim, the Committee sponsored 2020 Senate File 9, which proposed amendments to the Ethics and Disclosure Act. The Committee believes this is a good time to embark on a comprehensive review of the Ethics and Disclosure Act and legislative refinements to those statutes. As part of this, the Committee plans to review issues involved with bidding on public projects and corruption that may arise in that process.

**Priority # 4-Youthful Offender Program.**

*The Committee will review the Youthful Offender Program and identify and explore options for expanding the program and increasing the current age limits for participation in the program.*

**Discussion:** The Committee has received a request from the Department of Corrections to review the Youthful Offender Program and consider expanding the program to increase the age limit, add risk-based programming, and develop and update the program to provide a trauma-informed, gender-specific program that can be delivered in separate locations to males and females.

**Priority #5-Driving Under the Influence (DUI) Statutory Review.**

*The Committee will undertake a comprehensive review of the DUI statutes.*

**Discussion:** Over the years, Wyoming's statutes pertaining to driving-under-the-influence violations have been heavily amended and are located throughout various titles. The Committee would like to explore streamlining and consolidating the statutes to improve clarity while considering changes to the penalties to reduce recidivism, the utilization of alternative licensing arrangements, and the driver-license suspension process.

**Priority #6-Elected Attorney General.**

*The Committee will review and discuss whether Wyoming should elect its Attorney General.*

**Discussion:** In recent years, the Legislature has considered legislation regarding the election of the Attorney General. The Committee plans to take a closer look at the topic and review how other states handle the selection of their attorneys general.

**Priority #7-Agency Reports and Review of Wyoming Supreme Court Opinions.**

*The Committee will receive reports required by legislation from state agencies and will consider and sponsor necessary legislation identified after reviewing the reports. The Committee will also study and consider recent opinions where the Wyoming Supreme Court noted the absence of legislative action or called for legislative action.*

The Committee receives various reports from agencies, including the Supreme Court, the Department of Corrections, and the Office of Attorney General. The Committee will review the reports and consider any necessary legislation in response to the received reports. As it did last year, the Committee will also review the Wyoming Supreme Court's recent opinions where the Court interpreted statutes or noted the absence of legislative action or the need for legislative action.

**Carryover Topic: Public Meetings and Public Records.**

The Committee began a two-year study of the public-meetings and public-records statutes in 2019 and will continue its review in 2020. This year, the Committee will receive information from the Ombudsman as well as review the exceptions found in the Public Records Act and the Wyoming Public Meetings Act to ensure clarity by identifying necessary legislation.

**Other Topics.**

In addition to the topics listed above, the Committee will receive information from prosecuting attorneys about any difficulties in prosecuting sexual assault cases caused by unclear or ambiguous statutes and will discuss potential changes to the sexual assault statutes. The Committee will also receive information from county attorneys regarding Title 25 and clarifying what entity pays for certain portions of care for those individuals going through the Title 25 process. Finally, the Committee will consider the monetary threshold for felony theft.

We look forward to discussing these proposed topics with Management Council.



## WYOMING LEGISLATIVE SERVICE OFFICE

# Memorandum

**DATE** March 19, 2020

**TO** Members, Management Council

**FROM** Senator Eli Bebout, Co-chairman  
Representative Bob Nicholas, Co-chairman

**SUBJECT** 2020 Interim Topics for Consideration by the Joint Appropriations Committee

In response to the March 11, 2020 letter from Chairman Harshman and Vice-Chairman Perkins, this memorandum outlines the Joint Appropriations Committee's (Committee) interim topic request for the 2020 interim.

The Committee met on March 10, 2020 to discuss proposed interim study topics for the 2020 interim. The topics have been grouped into eight (8) categories in the following order, by priority: (1) Enterprise Technology Services; (2) Employee Group Insurance; (3) Strategic Revenue Declines; (4) Mental Health and Substance Abuse; (5) Community College Funding and Governance; (6) Office of Consumer Advocate; (7) Occidental Land Purchase; and (8) Databook Work Group.

### **PRIORITY #1 ENTERPRISE TECHNOLOGY SERVICES (ETS)**

The Committee will continue its systematic and comprehensive review of the structure, delivery of specialized applications and support services by ETS, cost, and prioritization of information technology (IT) budget requests to provide solutions to state agencies' IT needs. The Committee will also review the processes and decisions of ETS and state agencies that lead to the evaluation and justification for proposed IT projects, expenses, funding options, and prioritization. To the extent possible, the Committee will encourage and provide legislative support for ETS to produce solutions meeting the demands of various state agencies in addition to implementing large, integrated and complex IT projects efficiently (e.g.,: *Revenue Information System for the Wyoming Department of Transportation, EPICS (DFS); WyCAPs (DFS); and Offender Case Management System (DOC)*). This topic may result in legislation or revisions to appropriations.

### **PRIORITY #2 STATE EMPLOYEE AND OFFICIAL GROUP HEALTH INSURANCE**

The Committee will review state employee group insurance benefits. The Committee will review employer paid contributions, employee premiums, deductibles, co-payments, and benefits. The review will also include monitoring of funding status, expenditures, and program balances. The committee will

also consider various membership groups, the advantages and barriers to expanding membership and the result of a potential expansion of membership to other groups. The Committee will work with the Department of Administration and Information and develop policies, including potential legislation, to achieve and maintain financial stability in the system. This topic may result in legislation.

### **PRIORITY #3 STRATEGIC REVENUE DECLINES**

The Committee will review historical state revenue sources and how their volatility contributes to spending and reserve policies of the state legislature, including how such fluctuations contribute to general revenue issues. The Committee will assess appropriation trends over time and review other state responses to substantial revenue declines including reaching out to independent sources, e.g., NCSL, CSG, and PEW to compare findings of this review to the effects of revenue volatility and expenditure growth in surrounding states. This topic may result in legislation or supplemental revisions to appropriations.

### **PRIORITY #4 MENTAL HEALTH AND SUBSTANCE ABUSE**

The Committee will review the Department of Health's reimbursement formula associated with outpatient mental health and substance abuse units and corresponding community mental health providers and programs. This includes reviewing reimbursement funding structures and community mental health reimbursement provision costs in order to incentivize prevention of recidivism back to state and substance abuse facilities and programs, streamlining reimbursement policies and delivery systems from program to program, and ensuring that the priority patients are receiving the appropriate services. This topic may result in legislation.

### **PRIORITY #5 COMMUNITY COLLEGE FUNDING AND GOVERNANCE**

The Committee will work with Wyoming community colleges and the Community Colleges Commission to review the funding and governance structures of the state's community colleges. This includes reviewing best practices of other community colleges' governance structures, reviewing structural solutions that could be adopted to maximize efficiencies, and reviewing the roles, powers and duties of community college structure. This topic may result in legislation and supplemental revisions to appropriations.

### **PRIORITY #6 OFFICE OF CONSUMER ADVOCATE REVIEW**

The Committee will review the Office of Consumer Advocate's advocacy practices through observation and inquiry to understand how the office represents the interests of Wyoming citizens and all classes of utility customers to receive safe, efficient and reasonable utility services at just and reasonable prices pursuant to W.S. 37-2-401 through 404. This topic may result in legislation.

### **PRIORITY #7 "CHECKERBOARD" LAND PURCHASE**

The Committee will review historical recreational and industrial uses of the property comprising the occidental land purchase as well as potential revenues from such uses. The committee will use this review to estimate how the "checkerboard" land purchase might affect the State's budget revenues.

**PRIORITY #8 / WORKGROUP CONTINUATION OF DATABOOK REVISION AND BUDGET  
DOCUMENT TRANSPARENCY**

The Committee will review the Legislative Service Office (LSO) Databook and related budget documents to improve and streamline presentation, including transparency of state fiscal conditions, policies and actions for legislators and the public.

**MEETING SCHEDULE**

The Committee requests two (2) meetings each lasting two (2) days to consider the above topics.

The Databook Working Group (Priority #8) would be comprised of a four (4) person group with four (4) meeting days, two (2) of which may be in conjunction with scheduled meetings.

Meeting 1: TBD (Little America/Green River, likely July)

Meeting 2: TBD (Cheyenne, likely October)

Work Group: 4 person group with 4 meeting days TBD



Senator Eli Bebout, Co-chairman



Representative Bob Nicholas, Co-chairman

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## STATE of WYOMING LEGISLATURE

# Memorandum

**DATE** April 1, 2020

**TO** Members, Management Council

**FROM** Senator Cale Case, Co-Chairman  
Representative Dan Zwonitzer, Co-Chairman

**SUBJECT** Joint Revenue Committee - 2020 Interim Topics Request

In response to the March 11, 2020 letter from Chairman Harshman and Vice-Chairman Perkins, this memorandum represents the letter of support from the Joint Revenue Committee for the 2020 interim topics request. The Committee held an organizational meeting on March 11, 2020 and identified numerous important issues, which are described below. The Committee requests to study these topics in three two-day meetings and introduce related legislation in the 2021 General Session.

### **2020 INTERIM TOPICS**

The following topics, as prioritized by the Committee, are requested to be approved by the Management Council for study and consideration during the 2020 interim.

#### **Priority #1 – Review 2020 Legislation as it Pertains to Revenue**

In addition to SF0030 and SF0053 under Priority #8 and HB0159 under Priority #3, the Committee will review numerous bills it has sponsored as well as other revenue-related bills to determine if there is support for introduction in a General Session, including:

- HB0033 – Agricultural land qualification
- HB0063 – Fuel tax
- HB0064 – National corporate tax recapture
- HB0075 – Medicaid expansion - authorization
- SF0040 – Certification of cases to state board of equalization
- SF0043 – Sales and use tax – definitions update
- SF0059 – Governmental property

#### **Priority #2 – Taxation of Electricity**

Wyoming is a major electricity exporter. The Committee will investigate the feasibility and challenges of implementing a tax on electricity generation. This tax could be structured to allow a credit against tax liability for other taxes paid including taxes paid by fuel suppliers to thermal plants. The Committee will incorporate the concepts in 2020 HB 178 - Solar Taxation into a broader conversation on all electricity generation.

**Priority #3 – Update on Implementation of 2020 HB0159 (Monthly Payments of Ad Valorem Taxes) and required future conforming legislation.**

The Committee intends to review this legislation and receive an update from the Department of Revenue and possibly the affected industries on the implementation and infrastructure required to collect ad valorem taxes on a monthly basis. Additionally, the Committee will consider intermediate and longer-term implementation challenges and begin to address same. HB 159 was sponsored by the Select Committee on Coal/Mineral Bankruptcies.

**Priority #4 – Committee Education: Primer on Revenue Distributions and Investment Income Streams**

We intend to devote part of each meeting to educational issues. For example, the Committee will begin discussing current status, structure, and efficiencies of revenue distributions and investment income streams. This review, along with a CREG report update, will provide background information for potential legislation during the 2021 General Session.

**Priority #5 – Local Government Revenue Options**

The Committee intends to investigate potential options to increase local government revenue streams. The Committee will consider suggestions from cities, towns, counties and other interested stakeholders on options for additional funding for local governments.

**Priority #6 – Review of Fees and Leasing Rates Relative to Inflation**

The Committee intends to analyze a comprehensive review of fees charged by state agencies for various services. This includes evaluation of whether fees have increased relative to inflation and if potential for revenue increases exists with an across-the-board evaluation of fees charged. Specific consideration will be given to the issues of fees for the use state lands, including grazing fees and lease renewal terms.

**Priority #7 – Sales Tax Issues**

The Committee will consider potential issues and inefficiencies related to sales and use taxes. Potential topics include a review of existing tax exemptions and evaluation of the current sales and use tax rate.

**Priority #8 – Property Tax Exemption and Reporting of Property**

The Committee will review SF0053 (Property Tax Exemption) and SF0030 (Reporting of Property):

- **SF0053 (Property Tax Exemption)** -The bill establishes a property tax exemption for \$3,300.00 of the assessed value of business property for taxpayers who are current on their payment of taxes and who have submitted the required report on business property. The Committee will review the bill, amendments and the outcome of this legislation to determine if further action is necessary.
- **SF0030 (Reporting of Property)** -The bill revises the penalty for failing to report business property to the county assessor. It also requires the Department of Audit to collect specified information during audits and set fees for nonreported and omitted business property. The Committee will review the bill, amendments and the outcome of this legislation to determine if further action is necessary.

**Priority #9 – Gaming Regulation**

The Committee will review HB0171 Gaming Commission, to determine taxation and revenue structures as well as administrative functions in accordance with Section 13 of HB0002 mandating the Department of Revenue study the feasibility of incorporating a Gaming Division.

**Priority #10 – Taxation of essential health products**

The Committee will review SF0086 Essential health product dignity act.

We look forward to discussing these proposed topics with the members of Management Council.

**Meeting Schedule:**

Meeting 1: May 26-27, 2020 (Lander)

Meeting 2: August 24-25, 2020 (Green River)

Meeting 3: November 19-20, 2020 (Cheyenne)



## STATE of WYOMING LEGISLATURE

# Memorandum

**DATE** March 18, 2020

**TO** Members, Management Council

**FROM** Senator Henry H.R. "Hank" Coe, Co-chairman, Joint Education Interim Committee  
Representative David Northrup, Co-chairman, Joint Education Interim Committee

**SUBJECT** 2020 Interim Topics for Consideration for the Joint Education Interim Committee

The Joint Education Interim Committee (Committee) met on March 6 and 9, to discuss proposed study topics for the 2020 interim. The Committee's proposed topics have been grouped into five categories: 1) 2020 recalibration; 2) K-12 Education Program; 3) Postsecondary Education Governance; 4) School Safety; and 5) K-12 Absenteeism.

The Committee requests \$45,000 to hold three two-day meetings to accomplish its work. The meetings are tentatively scheduled for June 4-5 in Casper, September 3-4 in Laramie, and November 17-18 in Cheyenne. Each topic is described below and includes supporting information.

### **2020 INTERIM TOPICS**

The following topics, as prioritized by the Committee's co-chairmen, are requested to be approved by the Management Council for study and consideration during the 2020 interim.

#### ***Priority #1 2020 Recalibration***

The Committee members will attend the meetings of and monitor the activities of the Select Committee on School Finance Recalibration. Committee members not appointed to the Select Committee on School Finance Recalibration request authorization to receive per diem and mileage to attend these meetings, as has been previous Management Council policy. The appropriation contained in 2020 House Bill 40 – School finance – model recalibration, contemplates the Committee's attendance.

#### ***Priority #2 K-12 Education Program***

The Committee will study the K-12 education program, including the common core of knowledge and skills, student content and performance standards, graduation standards, district assessment systems, work-based learning programs, and reading assessment and intervention programs. The Committee anticipates this topic will be a two-year endeavor to fully grasp how each item is interwoven throughout the K-12 education program.

#### ***Priority #3 Postsecondary Education Governance***

The Committee will study postsecondary governance, both the University of Wyoming and Community Colleges. The Joint Education Interim Committee is to oversee the University of Wyoming's governance study authorized by 2020 Senate File 1, Section 337 (Budget Bill). The Committee believes it is appropriate

to include Community Colleges within this topic. The Committee anticipates this topic will be a two-year study as is contemplated in the Budget Bill. Further, the Committee requests Management Council authorization to proceed in contracting with the appropriate expertise to assist the Committee in this work.

Under this topic, the Committee will continue to monitor the implementation of the Wyoming Works and Community College Bachelor of Applied Science programs that were implemented during the 2019 General Session.

**Priority #4 School Safety**

The Committee will study K-12 and postsecondary school safety and security measures. This topic would continue to build upon the work of 2020 Senate File 79 – School safety and security, which related to K-12 school safety and security policies. The topic would also review ideas contained in 2020 House Bill 179 – Student hazing and try to identify uniform policies that can be put into place to address identification, prevention and reporting of hazing for K-20 education.

**Priority #5 K-12 Absenteeism and Truancy**

The Committee will study K-12 absenteeism and truancy. This topic would continue to build upon the work of 2020 Senate File 15 – Absenteeism and truancy to try to address responsibilities for enforcing attendance requirements among school districts, district attorneys, parents and others, including notification of the Wind River Tribal Court system when appropriate.

Thank you for your consideration of these important issues. We look forward to discussing these proposed topics with the members of Management Council.



Senator Henry H.R. “Hank” Coe, Co-chairman



Representative David Northrup, Co-chairman



## WYOMING LEGISLATIVE SERVICE OFFICE

# Memorandum

**DATE:** April 1, 2020  
**TO:** Members, Management Council  
**FROM:** Senator Brian Boner, Co-Chairman  
Representative Hans Hunt, Co-Chairman  
**SUBJECT:** **Joint Agriculture, State and Public Lands & Water Resources Committee - 2020 Interim Topics Request**

In response to the March 11, 2020 letter from Chairman Harshman and Vice-Chairman Perkins, this memorandum represents the letter of support from the Joint Agriculture, State and Public Lands & Water Resources Committee for the 2020 interim topics request. The Committee held an organizational meeting on March 9, 2020 and identified numerous important issues, which are described below. The Committee requests to study these topics in three two-day meetings and introduce related legislation in the 2021 general session.

### **PROPOSED 2020 INTERIM TOPICS**

The Committee proposes the following areas as interim topics for the 2020 interim:

#### **Priority #1—Aging Irrigation Infrastructure**

The Committee will receive reports from the Water Development Office and Bureau of Reclamation regarding aging irrigation infrastructure. The Committee could consider information related to:

- An inventory of irrigation facilities and systems, and potentially a prioritization of future funding needs; and
- Information from the Bureau of Reclamation, including the Bureau's responsibilities and the expected lifespan of facilities under their jurisdiction.

#### **Priority #2—Invasive Species**

The Committee requests permission to receive and consider reports from the Governor's Invasive Species Initiative. This may include consideration of recommendations made by the Initiative, expected this spring (2020). The Committee may look at increasing efficiencies in weed and pest control efforts as well as assessing the effects of relevant legislation from the 2020 session.

#### **Priority #3 – Animal Abuse Statutes**

The Committee intends to consider and review antiquated statutes regarding animal abuse. This may include consideration of due process for animal owners, enhance protections for common agricultural practices and additional legal options to prevent and deter abuse.

**Priority #4—Surface Damages, Water Disposals and Fresh Water Sales on State Lands**

The Committee intends to investigate ways to maximize revenue with industrial sales on state lands in order to provide increased revenue for school funding. This may include considering procedures to ensure the SLIB receives information regarding market prices for these assets and enhancing coordination with current leaseholders.

**Priority #5—Supporting Local Food Movements**

The Committee will review state and local food marketing opportunities. The review may include marketing opportunities in new markets as well as other ways Wyoming food can be produced, processed, marketed and sold. An update on livestock slaughter plants may be included as well.

**Priority #6—Trespass Laws**

The Committee intends to consider and review trespass statutes as related to Senate File 67, Criminal Trespass. This will include a review of the legal framework for current trespass laws and assess the potential impacts of proposed changes.

**Priority #7—Reports and Follow up**

The Committee requests to receive and consider reports concerning the following topics:

- Wyoming State Fair;
- UW College of Agriculture and Natural Resources Funding and Employee Status; and
- Hemp production in Wyoming

**Meeting Schedule:**

Meeting 1: May 12-13, 2020 (Wheatland)

Meeting 2: August 27-28, 2020 (Cody or Powell)

Meeting 3: November 12-13, 2020 (Lander)



WYOMING LEGISLATIVE SERVICE OFFICE

# Memorandum

March 30, 2020

**TO:** Members, Management Council

**FROM:** Senator Ogden Driskill, Co-Chairman  
Representative David Miller, Co-Chairman

**RE:** 2020 Interim Topics

In response to the March 11, 2020 letter from Chairman Harshman and Vice-Chairman Perkins, please let this memorandum serve as the “letter of support” for the interim topics request for the 2020 interim. Each topic is described below with information to support the topic.

## 2020 INTERIM TOPICS

The following topics, as prioritized by the Committee’s co-chairmen, are requested to be approved by the Management Council for study and consideration during the 2020 interim:

### Priority # 1 - Game and Fish Department

The Department will also provide regular updates on Chronic Wasting Disease (CWD), endangered species issues, animal damage claims and provide a specific overview on the different sections and units within the Game and Fish Department with a discussion of the budget and expenditures for each section. The Committee will examine and discuss issues regarding trapping, feed grounds and management, terrestrial invasive species, allocation system for big game licenses, additional access and incentives options for hunting on private land, and wildlife management and land management plans with federal partners.

### Priority # 2 - State Parks and Cultural Resources

The Department will provide a specific overview on the agency sections and units, employee numbers and budgetary needs of each section. The Committee will examine funding options for the Outdoor Recreation Division and discuss possible statutory changes to include any funding options, updates regarding Hot Springs State Park primarily focused on management and

concessionaires, possible legislation for the Hot Springs State Park Pilot Hill project, and lodging tax.

### **Priority # 3 - Office of Tourism**

Discussion with the Office of Tourism on their efforts to promote the state of Wyoming both in-state, out-of-state and abroad, how their expenditures support their goal of promoting vacationing in the state of Wyoming and their contributions to the state, county and local efforts to promote tourism. In addition, the Committee will discuss current and future promotion of outfitters, shooting sports and the state fair in Wyoming.

### **Priority # 4 – Rendering**

This topic was presented at the interim topics meeting and warrants Committee consideration. Discussion of how rendering could be utilized for wildlife waste and the possibility of drafting legislation to facilitate rendering if appropriate would be the goal of the Committee. It is anticipated the Committee would only dedicate approximately one (1) hour to the topic.

### **Meeting Dates**

The Committee intends to hold three two-day meetings to accomplish its work.

June 22-23rd (Thermopolis, WY)

August 11-12th (Dubois, WY)

September 23-24th (Location Ranch A–Near Sundance, WY)

We look forward to discussing these proposed topics with Management Council.

Senator Ogden Driskill, Co-Chairman

Representative David Miller, Co-Chairman



## STATE OF WYOMING LEGISLATURE

# Memorandum

**March 31, 2020**

**TO:** Members, Management Council

**FROM:** Senator Bill Landen, Co-Chairman  
Representative Tyler Lindholm, Co-Chairman

**RE:** **2020 Interim Topics**

In response to the March 11, 2020 letter from Chairman Harshman and Vice-Chairman Perkins, this memorandum represents the letter of support from the Joint Corporations, Elections & Political Subdivisions for the interim topics request for the 2020 interim. The Committee has identified seven priorities, which are described below. The Committee intends to study these topics in three two-day meetings and introduce related legislation in the 2021 general session.

### **2020 INTERIM TOPICS**

The following topics, as prioritized by the Committee's co-chairmen, are requested to be approved by the Management Council for study and consideration during the 2020 interim.

#### **Priority # 1 – Efficiency Review of State Boards and Commissions**

The Committee will conduct a comprehensive review of the Wyoming state boards and commissions and examine relevant statutes for consistency and efficiency. The Committee will review any inactive boards. The review will also include an examination of the funding sources for the boards and commissions. This topic relates to the Efficiency Commission's recommendations on the reorganization and consolidation of boards and commissions.

#### **Priority # 2 - Liquor Licenses**

The Committee will conduct a review of statutory provisions governing alcoholic beverages (Title 12). The Committee will review the statutes for outdated language, examine methods to streamline liquor license policy, and examine microbrewery, distillery and wineries carveouts and exceptions. The review will also look at the possible social costs of expanding access to alcoholic beverages.

#### **Priority # 3- Secretary of State statutory revisions**

The Committee will examine how other states address voting procedures during a natural disaster or pandemic. The Committee will continue its consideration of the Secretary of State Office's authority to determine the eligibility of persons running for office. The Committee will examine procedures for

election eligibility challenges. The Committee will also review discrepancies and conflicting language in the business statutes in Title 17 and related statutory changes to enhance economic diversification.

**Priority # 4- Utilities**

The Committee will continue its work on utility regulation, including by examining the following topics: third-party self-generation; large industrial customers outside normal services; utility deregulation; rate-payer backed bonds; and updates from the Public Service Commission.

**Priority #5-Statewide siting plan for utility scale wind and solar**

The Committee will discuss a statewide siting plan for utility scale wind and solar projects. The plan will look at identifying zones or areas appropriate for development, and the effect of these projects on state residents and wildlife and possible incentives that could be offered for projects that are developed in appropriate zones.

**Priority #6-Credit for Reinsurance & Continuing Education Revisions**

The Committee will examine a National Association of Insurance Commissioners model law on reinsurance to remain accredited by the NAIC. The Department of Insurance will provide an update to the Committee regarding requirements to maintain NAIC accreditation. The Committee will also work on updating continuing education requirements to modernize the Department of Insurance's processes.

**Priority #7-Continued discussion on Improvement and Service Districts-Financial Enforcement (2020 HB0089) and Motor Vehicles-Security Interest Perfection (2020 SF0063)**

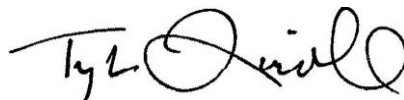
The Committee will continue discussion on 2020 HB0089, which concerns financial enforcement conducted by improvement and service districts, and 2020 Senate File 0063, which concerns requirements for perfection of motor vehicle security interests.

**Meeting Schedule:**

Meeting 1: June 10-11<sup>th</sup> (Sundance)

Meeting 2: September 10-11<sup>th</sup> (Pinedale)

Meeting 3: November 10-11<sup>th</sup> (Cheyenne)

Senator Bill Landen, Co-Chairman    Representative Tyler Lindholm, Co-Chairman



## STATE of WYOMING LEGISLATURE

# Memorandum

**DATE** March 19, 2020

**TO** Members, Management Council

**FROM** Senator Von Flatern, Co-chairman  
Representative John Eklund, Co-chairman

**SUBJECT** 2020 Interim Topics for Consideration for the Joint Transportation, Highways and Military Affairs Interim Committee

In response to the March 11, 2020, letter from Chairman Harshman and Vice-chairman Perkins, this memorandum represents the “letter of support” for interim topic requests for the 2020 interim. A description of each topic is provided below. The Committee intends to hold three two-day meetings to accomplish its work. The meetings are tentatively scheduled for May 4-5 in Lander, September 21-22 in Casper and November 30-December 1 in Cheyenne.

### 2020 INTERIM TOPICS

The following topics, as prioritized by the Committee’s co-chairmen, are requested to be approved by the Management Council for study and consideration during the 2020 interim.

#### ***Priority #1 Highway Matters***

The Wyoming Department of Transportation (WYDOT) and the Wyoming Highway Patrol have numerous responsibilities for regulating commercial traffic, applying fuel taxes and permit fees and ensuring vehicle, driver and highway safety. The Committee intends to study issues and receive updates from WYDOT, counties and municipalities, industry groups, other stakeholders and the public regarding:

- **Highway Funding Options**—The Committee intends to receive information regarding sustainable, long-term funding options for highways and to pursue implementation of recommendations.
- **Highway Safety**—The Committee intends to receive information regarding reducing collisions and injuries; highway safety and improvement options, particularly for I-80, to include: history of closures, accidents, design parameters and varied speeds for trucks; winter driving training for commercial drivers; automated vehicle identification systems (2020 SF0102); a highway safety incentive program (2020 HB0208); and primary seatbelt law pros and cons.
- **Statutory Updates and Reports**—The Committee seeks to study statutory changes to improve operations and customer service; a possible insurance discount for good drivers; autonomous vehicles; selective service data update via the driver’s license section; commercial driver’s license

examiners within rural areas and highway congestion, regulating who can travel on existing lanes or differential pricing.

### ***Priority #2 Transportation Matters***

The Committee intends to study issues and receive updates from WYDOT, counties and municipalities, industry groups, other stakeholders and the public regarding:

- **Commercial Licensing of 3-Axle Farm Truck**—The Committee intends to review the requirements of commercial registration for certain farm trucks.
- **Abandoned Vehicle and Lien Statutes**—The Committee intends to review abandoned vehicle and lien statutes as they relate to the towing industry.
- **WyoLink Update**—The Committee will receive reports from WYDOT, the Public Safety Communications Commission, county commissioners and Sublette County regarding recommendations to fund WyoLink and alternate systems in place.
- **Airport Authorities/Special Districts**—The Committee intends to review potential mill levies and possible ownership, operation and financing of airports by independent airport authorities or special districts.

### ***Priority #3 Military Matters***

The Committee intends to study issues and receive updates from the Wyoming Military Department, stakeholders and the public regarding:

- **Statutory Updates**— The Committee intends to review whether the statutes appropriately address issues relating to military personnel and their spouses, including educational benefits, out-of-state guard member benefits and the State Military Code.
- **Review of Veteran Services**— The Committee intends to review funding sources and support options to maintain service officers of the Veteran Service Organization to ensure claims and benefits continue to be processed effectively.
- **Reports to the Committee**— The Committee intends to study the relocation of the Wyoming Cowboy Challenge Academy, monitor the progress of the Veterans' Skilled Nursing Facility and Veterans' Home and receive other relevant reports.
- **Impacts of Military requirements of 2020 SF0036 Large scale solar and wind energy facilities**— The Committee intends to review potential impacts of W.S. 18-5-504(e) and 35-12-106(g) created by 2020 SF0036 to landowners, communities, wind developers and the Military Department.
- **Joint Resolution**— The Committee intends to study whether a joint resolution may be needed regarding hyperbaric oxygen treatment for traumatic brain injuries suffered by current and former military members.

We look forward to discussing these proposed topics with the members of Management Council.

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Michael Von Flatern, Co-chairman

A handwritten signature in black ink, appearing to read "John Eklund". The signature is cursive, with the first name being the most prominent.

John Eklund, Co-chairman



## WYOMING LEGISLATIVE SERVICE OFFICE

# Memorandum

**DATE** March 19, 2020

**TO** Management Council

**FROM** Senator Jim Anderson, Co-Chairman  
Representative Mike Greear, Co-Chairman

**SUBJECT** Proposed 2020 Interim Topics for the Joint Minerals, Business & Economic Development Interim Committee

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This memorandum is the letter of support for interim topics for the 2020 interim and responds to the March 11, 2020 letter from Chairman Harshman and Vice-Chairman Perkins. The Joint Minerals, Business and Economic Development Interim Committee (Committee) met on March 9, 2020 to discuss proposed interim topics for the 2020 interim. The topics have been grouped into seven categories: (1) Wyoming Energy Strategy and Energy Issues; (2) Wyoming Business Council; (3) Banking and Trust Company Issues; (4) Workforce Development and Educational Attainment in Wyoming; (5) Ad Valorem Tax Issues; and (6) Agency Reports.

The Committee has tentatively scheduled three meetings in Casper to accomplish its work: May 14-15, August 27-28, and November 5-6. The Committee also requests one additional meeting day should Management Council direct the Committee to study Priority 4, Workforce Development and Educational Attainment. This memo further describes each topic and the proposed tentative meeting schedule.

### 2020 Interim Topics

The Committee requests that Management Council approve the following topics for study and consideration during the 2020 interim. The topics are listed in order as prioritized by the Committee's Co-Chairmen.

### Priority No. 1: Wyoming Energy Strategy and Energy Issues

*The Committee will review issues pertaining to the decommissioning of electric generation facilities in Wyoming, including reviewing the implementation of 2020 House Bill 200 and 2019 Senate File 159. The Committee will also review and receive reports regarding the implementation of the Wyoming Energy Authority; the School of Energy Resources and Energy Resources Council and oversight of grants from the U.S. Department of Energy regarding carbon capture, utilization, and storage technology; and nuclear power issues, including small modular reactors and thorium generation.*

- *As part of this issue, the Committee will review issues regarding the securitization of coal-fired electric generation facilities and the use of ratepayer-backed bonds to reduce customer costs associated with early retirements.*

**Discussion:** With the rapidly changing landscape of the energy industry in Wyoming, the Committee believes it is crucial to study issues related to Wyoming's electric generation facilities and issues related to advancements in energy technology to ensure that Wyoming's energy industry remains stable and sustainable in the upcoming years.

### Priority No. 2: Wyoming Business Council

*The Committee will comprehensively study and review the Wyoming Business Council and its purposes, programs, and functions. Among other things, the Committee will review the economic disaster loan program, local economic development initiatives, and a legislative liaison for the Business Council.*

**Discussion:** The Committee would like to conduct a comprehensive review of the Wyoming Business Council to ensure that the Business Council is effectively contributing to developing and diversifying Wyoming's economy with the resources afforded to it. The Committee would like to review the efficacy of the programs under the Business Council's purview and consider whether a legislative liaison to the Business Council would improve communications and outcomes.

### Priority No. 3: Banking and Trust Company Issues

*The Committee will review potential revisions to Wyoming's banking and trust-company statutes, including the Uniform Consumer Credit Code, the Wyoming Money Transmitters Act, and the Consumer Rental Purchase Agreement Act.*

**Discussion:** The Division of Banking of the Department of Audit has asked the Committee to review various banking and trust-company statutes to account for changes in technology and to ensure Wyoming's continued competitiveness in the banking and trust industries.

#### Priority No. 4: Workforce Development and Educational Attainment in Wyoming

*The Committee will work with various industries and education stakeholders in Wyoming to learn more about industry and workforce needs, particularly regarding career-and-technical education.*

**Discussion:** While other committees have studied educational attainment and career-and-technical education, the Minerals Committee would like to focus on workforce development and the needs of various industries in Wyoming to ensure that Wyoming's graduates are well-prepared to enter the workforce here in Wyoming. The Committee plans on working with the Community College Commission, the Department of Education, and University of Wyoming, the Department of Workforce Services, and industry to review this issue from the perspectives of workforce development and economic development.

**Note:** If Management Council approves this topic, then the Committee respectfully requests one additional meeting day to allow sufficient time for all stakeholders to participate in the discussion on this topic.

#### Priority No. 5: Ad Valorem Tax Issues

*The Committee will review 2020 House Bill 159 and 2020 Senate File 139 and consider whether any revisions to those bills are necessary to ensure that the tax collection process works for Wyoming counties and for affected industries.*

**Discussion:** The Committee recognizes the importance of both the county collection of ad valorem taxes and the viability of Wyoming's mineral industries. The Committee would like to review House Bill 159 and Senate File 139 and the effects they will have on Wyoming's counties and industries. The Committee would propose any necessary changes to ensure that the collection of ad valorem taxes is viable and sustainable.

#### Priority No. 6: Agency Reports

*The Committee will receive reports from state agencies as required by legislation and will consider and sponsor necessary legislation identified after reviewing the reports.*

**Discussion:** The Committee receives various reports from agencies, including the Wyoming Business Council, the Aeronautics Commission, the Wyoming Education Attainment Executive Council, and the Department of Environmental Quality. The Committee will review the reports and consider any necessary legislation in response to the received reports.

### **2020 Proposed Meeting Schedule and Budget**

The Committee has tentatively scheduled three meetings during the interim to complete its work. If Management Council approves Priority 4 (Workforce Development and Educational Attainment), then the Committee would like to meet for an additional day this interim to ensure sufficient time for education on this important topic, consideration of any legislation the Committee develops, and in anticipation of the broad public interest in that topic. The Committee requests a standard budget of \$49,000 to account for these topics and meeting schedule.

We look forward to discussing these proposed topics with Management Council.



## STATE of WYOMING LEGISLATURE

# Memorandum

**DATE** April 1, 2020

**TO** Members, Management Council

**FROM** Senator Charlie Scott, Co-Chairman  
Representative Sue Wilson, Co-Chairman

**SUBJECT** **Joint Labor, Health & Social Services Committee -  
2020 Interim Topics Request**

In response to the March 11, 2020 letter from Chairman Harshman and Vice-Chairman Perkins, this memorandum represents the letter of support from the Joint Labor, Health & Social Services Committee for the 2020 interim topics. The Committee met on March 9, 2020 and decided upon the six priorities, described below. The Committee requests to study these topics in three two-day meetings and introduce related legislation in the 2021 general session.

**Priority #1—Mental Health and Substance Abuse** – The Committee seeks authorization to examine mental health and substance abuse issues to identify better health outcomes and savings to the State. Of note, the Committee may consider:

- Mental health work force needs;
- Suicide prevention;
- Sources and structure of funding for prevention services, community services, and residential services for children and adults;
- Follow up on Department of Corrections (DOC) issues and the transition of incarcerated individuals to community service providers upon release.

**Priority #2—High Costs of Health Care in Wyoming** – The Committee seeks authorization to continue examining options for addressing the high cost of health care in Wyoming. Of note, the Committee may:

- Identify options to address high fixed hospital capital expenses, including utilizing certificates of need or other means of addressing this issue;
- Follow up on the 2019 hospital and health care cost reports, including DOC health care expenditures, and cost of state employee group insurance;
- Consider the impacts of regulation and price transparency;
- Follow up on the report required under HB 0113 (Importation of prescription drugs—study).

**Priority #3—Wyoming's Aging Population** – The Committee requests permission to examine options to address the growing aging population in Wyoming. Among other proposals, the Committee may consider:

- Changes to Medicaid or community programs to support individuals in need of long-term care;

- Regulation of long-term care facilities, including financial viability and service availability, and rebasing of long-term care facility reimbursement rates;
- Review of existing long-term care workforce issues.

**Priority #4—Responses to Federal Actions, Litigation and Reports from State Agencies** – The Committee seeks authorization to respond to federal actions, litigation and reports from state agencies as follows:

- Monitor possible federal executive or court actions regarding but not limited to air ambulance services, electronic health records, the constitutionality of the Affordable Care Act (*See Texas v. United States*, 340 F. Supp. 3d 579 (N.D. Tex. 2018)), multiple employer welfare arrangements, health care sharing ministries, and Medicaid block grants.
- Receive updates on state health facilities and agency reports resulting from 2020 and 2019 legislation. Consider requests from agencies for statutory changes in response to federal actions, including possible changes to Department of Corrections statutory definitions;
- Follow up on the Centers for Medicare & Medicaid Services' actions regarding telehealth in response to COVID-19 pandemic. (*See Priority #6 below*).
- After-action report from agencies, providers and other stakeholders regarding necessary actions or statutory changes as a result of the COVID-19 pandemic.

**\*\* Priorities #5 and #6, listed below, will require minimal amounts of Committee time and therefore should not impose a significant demand on Committee resources during the interim.**

**Priority #5—Global Review of Programs for Indigent Citizens** – The Committee seeks authorization to review statutory programs in the Department of Health, the Department of Family Services, and other agencies to evaluate the cumulative effect of funding changes over the past five years on the indigent population and to determine whether any rebalancing is appropriate.

**Priority #6—Telehealth** – The Committee seeks authorization to examine options available to further utilize broadband and telehealth services to increase access to and reduce costs of health care services. Of note, the Committee may consider:

- Availability of FCC and USDA funding for Wyoming Business Council Broadband Development Program grants, for broadband and telehealth services for rural areas;
- Options to assist small health care providers with IT resources;
- Integration of electronic health records into telehealth services, including a stroke registry.

**Meeting Schedule:**

Meeting 1: May 28-29, 2020 (Casper)

Meeting 2: August 20-21, 2020 (Sheridan)

Meeting 3: November 5-6, 2020 (Cheyenne)

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**JOINT LABOR COMMITTEE Memorandum**

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## STATE of WYOMING LEGISLATURE

# Memorandum

**DATE** April 1, 2020

**TO** Members, Management Council

**FROM** Senator Perkins, Chairman  
Representative Barlow, Vice-Chairman

**SUBJECT** 2020 Interim Topics

In response to the March 11, 2020, letter from Chairman Harshman and Vice-Chairman Perkins, this memorandum represents the "letter of support" for the interim topic request for the 2020 interim. The Management Audit Committee intends to meet a total of four days during the interim, either as one-day or two-day meetings, to accomplish its work. The Committee requests \$8,000 in addition to its \$20,000 standard budget to accomplish interim topic studies related to its assigned agencies. Each topic is described below with information to support the topic.

### 2020 INTERIM TOPICS

The following interim topic priorities generally related to the Management Audit Committee's assigned agencies, as prioritized by the Committee's co-chairmen, are requested to be approved by the Management Council for study and consideration during the 2020 interim.

#### ***Priority #1 COVID-19 Related Work Request, Department of Audit***

It appears that the Coronavirus Aid, Relief, and Economic Security (CARES) Act will require State review of the expenditure of funds distributed to Wyoming for compliance with the CARES Act, including funds that are granted or otherwise distributed to political subdivisions of the State. The Committee may be a good vehicle to study how compliance by political subdivisions can be evaluated and the potential ramifications of noncompliance.

#### ***Priority #2 Wyoming Department of Enterprise Technology Services***

The Committee will review the operations of the Department of Enterprise Technology Services (ETS). This topic will include a consideration of the current process and interplay between ETS and other State agencies, specifically as it relates to major software procurement. The Committee will also review the Committee's 2011 recommendation to centralize ETS and, to the extent possible, whether any of the original goals of the recommendation have been achieved. Finally, the Committee will monitor the results of any information technology funding study conducted pursuant to Section 324 of 2020 Senate File 1 (2020 SEA 0040).

Supporting information: The Committee will review the work completed by the Joint Appropriations Committee during the 2019 interim, as well as additional detailed information provided by the Department of Enterprise Technology Services. The estimated time for this topic is 4-6 hours.

**Priority #3 Department of Administration and Information – Consolidation of Human Resources**

The Committee will review current human resources operations within State government and the potential need for consolidation of human resources services. The review will also consider the possible need for, and procurement of, a human resources information system.

Supporting information: The Committee will review information provided to the Efficiency Commission on the topic, as well as any additional information as provided by State agencies and the Department of Administration and Information. The estimated time for this topic is 4-6 hours.

**Priority #4 Department of Administration and Information – Employees' Group Insurance (EGI)**

The Committee will review and monitor any EGI cost management measures directed by the Legislature during the 2020 Legislative Session. The Committee will also work to identify further necessary changes, if any, to the group insurance program.

Supporting information: The Committee will review historical and projected EGI revenue and costs, processes for consideration and implementation of cost management options, and any additional information as provided by EGI. The estimated time for this is 4 hours.

We look forward to discussing these proposed topics with the members of Management Council.

**Priority #5 Department of Audit, Public Funds Division**

The Committee has requested Management Council authorization to serve as the designated home committee for the Wyoming Department of Audit, Public Funds Division as indicated in the letter dated December 10, 2019. If this request is approved, the Committee will continue its work on reviewing the public and private audits of political subdivisions (towns, school districts and special districts) to examine (i) the pervasiveness of lack of training by treasurers, clerks and boards and its effect on financial reporting, (ii) the gravity of corrective actions related to internal control in audit findings, and (iii) the degree to which corrective actions identified by auditors are resolved or ignored. The Committee will consider existing and potential legislation related to fiscal reporting and procedures for adequacy or additional legislation.

Supporting Information: The Committee has requested the Department of Audit (Department) submit all audits conducted internally and has currently received five audit reports from the Department since the November 2019 Committee meeting. The Department performs or receives approximately 325 audits annually. Currently, the percent of audits that result in corrective actions is not formally tracked. In FY 2019, special districts and other political subdivisions had combined annual revenues of \$3,521,404,857 and combined annual expenditures of \$3,241,591,821.

Enclosure

**MANAGEMENT AUDIT COMMITTEE Memorandum**



## MANAGEMENT AUDIT COMMITTEE

December 10, 2019

Management Council  
State of Wyoming Legislature  
200 W. 24<sup>th</sup> Street  
Cheyenne, WY 82002

Dear Members of Management Council:

The Management Audit Committee respectfully requests Management Council authorization to serve as the designated home committee for the Wyoming Department of Audit – Public Funds Division. The Director of the Department of Audit is statutorily required to report financial information regarding counties, cities, towns and special districts to the Legislature annually. In addition, auditing standards require the Division to provide audit reports to those charged with governance. The Public Funds Division currently does not have an assigned legislative home committee but does provide these reports to the Joint Corporations, Elections and Political Subdivisions Committee.

The Management Audit Committee has statutory authority under W.S. 28-8-107(b)(i)(D) to direct Legislative Service Office audits of the accounts and operations of any agency or entity directly or indirectly receiving state funds. Due to the governmental auditing focus of both the Management Audit Committee and the Public Funds Division, the Committee believes serving as the home committee for the Division and receiving Division audit reports would support the Committee's primary function and provide better coordination of efforts.

Sincerely,

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Senator Drew Perkins  
Management Audit Committee Chairman

A handwritten signature in blue ink, appearing to read "Eric Barlow", written over a horizontal line.

Representative Eric Barlow  
Management Audit Committee Vice-Chairman



## STATE of WYOMING LEGISLATURE

# Memorandum

**DATE** March 11, 2020

**TO** Members, Management Council

**FROM** Senator Drew Perkins  
Representative Tom Walters

**SUBJECT** 2020 Interim Topics for Consideration for the Select Committee on Capital Financing and Investments

This memorandum details the topics requested to be approved by the Management Council for study and consideration during the 2020 interim by the Select Committee on Capital Financing and Investments. On behalf of the Committee, the topics have been prioritized into four (4) categories below. Historically, the Committee has received approval for two (2), one-day meetings and \$17,000 to accomplish its work.

### ***2020 Interim Topics***

#### **#1: Statutory Responsibilities**

The Committee will review and examine its statutory authority for monitoring the state's investment and capital financing policies and receive related reports. In addition to other statutorily required reports, the Committee will receive the following reports and updates:

1. Update on State Treasurer's Office back office accounting and fiscal sub accounting systems;
2. Results of the operational audit of the State Treasurer's Office overseen by the State Loan and Investment Board pursuant to 2020 SF0001, Section 2, Section 060, footnote 2;
3. Update and status of the Investment Funds Committee, including revisions adopted in 2020 HB 164/HEA 61, Investment of public funds;
4. Update and status of the State Treasurer's Office internal investing build-out;
5. Investment performance and fees for fiscal year 2020; and
6. Performance compensation from the State Treasurer's Office and Wyoming Retirement System.

#### **Priority #2: Capital Gains and Losses**

The Committee will consider the treatment of capital gains and losses as income, adjustments to the corpus, and other mechanisms to increase the corpus relative to inflation.

#### **Priority #3: Spending Policies**

The Committee will review all established state spending policies. In addition, the Committee will study the future funding needs, and distribution of earnings to programs that receive distributions from state funds.

**Priority #4: Public Purpose Investments**

The Committee is charged by statute with monitoring state funds invested for a specific public purpose authorized or directed by the legislature. In carrying out this charge, the Committee will review the status of the state's public purpose investments and will receive updates on current investments.

***Meeting Schedule***

Two (2), one-day meetings and one is likely to be scheduled for November.

I look forward to discussing these proposed interim topics with the members of Management Council.



Senator Drew Perkins  
Chairman  
Select Committee on Capital Financing  
and Investment



Representative Tom Walters  
Vice Chairman  
Select Committee on Capital Financing  
and Investments

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## STATE of WYOMING LEGISLATURE

# Memorandum

**DATE** April 1, 2020

**TO** Members, Management Council

**FROM** Senator Cale Case, Co-Chairman & Representative Dan Zwonitzer, Co-Chairman

**SUBJECT** 2020 Interim Topics for Consideration for the Select Committee on Legislative Facilities, Technology & Process

In response to the March 11, 2020 letter from Chairman Harshman and Vice-Chairman Perkins, this memorandum represents the "letter of support" for the Select Committee's 2020 interim topics. The following topics, as prioritized by the Select Committee's Co-Chairmen, are requested to be approved by the Management Council for study and consideration at two (2) meetings during the 2020 interim:

**Priority #1: Review of Technology and Process Functions Relating to the Capitol Renovation**

The Select Committee will make recommendations regarding facility, technology and process functions related to the renovation of the Capitol that impact the legislative branch.

**Priority #2: General Responsibilities Relating to Legislative Process**

Review and recommend rule and process changes and other innovations to enhance the efficient, open and transparent operations of the Legislature.

**Priority #3: Website Enhancements**

The Select Committee wishes to continue development of the Legislature's Website, including additional features and enhancements to improve the public's access to the legislative process.

**Priority #4: General Responsibilities Relating to Technology**

Provide oversight of the Legislature's computer, audio/video and Website development by the LSO operations division staff. The Select Committee will review and update the Legislature's current information strategy to continue to guide technology development for the legislative branch.

We look forward to discussing these proposed topics with the members of Management Council.



## STATE of WYOMING LEGISLATURE

# Memorandum

**DATE** March 19, 2020

**TO** Members, Management Council

**FROM** Senator Ellis, Co-chairwoman  
Representative Larsen, Co-chairman

**SUBJECT** 2020 Interim Topics for Consideration for the Select Committee on Tribal Relations

In response to the March 11, 2020, letter from Chairman Harshman and Vice-Chairman Perkins, this memorandum represents the “letter of support” for interim topic requests for the 2020 interim. The Select Committee on Tribal Relations proposes 2020 interim study topics as described below. The Committee intends to hold two one-and-a-half day meetings to accomplish its work. The meetings are tentatively scheduled to be held in the months of August and November in Fremont County.

### **2020 INTERIM TOPICS**

The Select Committee on Tribal Relations works with the Eastern Shoshone Tribe, the Northern Arapaho Tribe, various state agencies, local communities and federal entities to address services and needs on and around the Wind River Reservation. The Committee’s co-chairs request that the Management Council approve the following topics for study and consideration during the 2020 interim.

#### ***Priority #1 Law Enforcement and Legal Services***

- The Committee would like to continue discussions regarding law enforcement jurisdiction issues, including Wyoming highway patrol and Fremont County law enforcement, to examine allowing Reservation law enforcement limited jurisdiction to issue citations to non-indigenous persons who violate state law on the reservation, to examine Wyoming Peace Officers Standards and Training certification compared with training that Reservation law enforcement undergoes, to review 2013 HB27 and to look into relevant court decisions.
- The Committee plans to receive updates on efforts to improve the tracking and recovery of missing and murdered indigenous persons, including developments from the Governor's task force.

#### ***Priority #2 Infrastructure, Land and Resources***

- The Committee intends to continue the effort by the committee during the last interim to study and facilitate discussion regarding solid waste on the reservation as part of the Fremont County Solid Waste District, and continue study of the illegal dumping taking place on the reservation,

and to get an update on the Inter-Tribal Council solid waste committee priorities and efforts, including any updates such as any memorandums of understanding between the Tribes and the United States Environmental Protection Agency or Fremont County Solid Waste Disposal District, any cleanup work, any status changes in transfer station operations, tipping fees and volumes, and an updated open dumps list.

- The Committee will receive updates from previous discussions with the Bureau of Indian Affairs about the maintenance and development of Reservation infrastructure, including an update on the BIA's effort to streamline their process in obtaining easements and rights-of-way, developing roads and facilities for the provision of natural gas, broadband, electricity, water and sewage. This subject includes understanding fractionated land, multiple heirships and the buyback program for Tribal members.

### ***Priority #3 Promotion of Intergovernmental Relationships***

The Committee will work to facilitate and foster communication and robust working relationships among State, Tribal, Federal and local entities. This includes pursuing opportunities for encouraging economic growth, nondiscrimination and wellbeing for citizens on the Reservation and in neighboring communities. Specific topics to be discussed include:

- Communication among the Wyoming Livestock Board, State and Tribal Game and Fish, Governor's office and Tribes regarding brucellosis containment in elk on Tribal Lands;
- Off-Reservation hunting and *Herrera v. Wyoming* case developments;
- Execution of the tribal vehicle registration exemption under W.S. 31-3-101(b)(xiv);
- Coordination with the Bureau of Indian Affairs on self determination Public Law 93-638 contracts and efforts with Congress to address issues in Indian Country;
- Developments of the Wind River Inter-Tribal Council and information from each Tribe's Business Council.

### ***Priority #4 Health and Education***

- The Committee would like to understand the state of emergency regarding methamphetamine addiction on the Reservation that the Northern Arapaho Business Council declared, receive updates on the status of addressing mental illness prevalence, discuss availability of housing and study incidence of homelessness on the Reservation.
- The Committee will examine health care developments that affect the Tribes and access to health care, including Indian Health Services reimbursements, elder care, and updates from the Wyoming Department of Health.
- The Committee plans to review higher education developments, including updates from the University of Wyoming regarding the new president and efforts toward recruitment, retention and inclusion of Native American students and from Central Wyoming College regarding implementation of the new Bachelor of Applied Science degrees.
- The Committee would like updates on recalibration efforts, implementation of Indian Education for All, the elk migration project, film translations and other humanities and cultural endeavors.

We look forward to discussing these proposed topics with the members of Management Council.



Senator Affie Ellis, Co-chairwoman



Representative Lloyd Larsen, Co-chairman



## STATE of WYOMING LEGISLATURE

# Memorandum

**DATE** March 12, 2020

**TO** Members, Management Council

**FROM** Senator Hicks, Chairman, Select Water Committee

**SUBJECT** 2020 Interim Topics

In response to the March 11, 2020, letter from Chairman Harshman and Vice-Chairman Perkins, this memorandum represents the "letter of support" for the interim topic request for the 2020 interim. Each topic is described below with information to support the topic.

The Committee has generally completed its business, including preparation of the Omnibus Water Bills, over four two-day meetings each interim.

### 2020 INTERIM TOPICS

The following topics, as prioritized by the Committee's co-chairmen, are requested to be approved by the Management Council for study and consideration during the 2020 interim.

**Priority #1 Statutory Responsibilities.** The Select Water Committee is required by statute to monitor the water development program, review project contracts and prepare annual legislation. The Committee is also required by statute to review and make recommendations regarding the project funding list under the Safe Drinking Water Revolving Fund program. Specifically, the Committee will examine eligibility criteria for the Small Water Projects Program, as well as the \$1,000 application fee for Level I studies and the potential for an updated fee schedule.

Supporting information: The Committee will conduct its traditional business over the 2020 interim as provided under W.S. 28-11-101.

**Priority # 2 Orphan Water Rights.** The Select Water Committee will review the issue of orphan water rights, or those water rights which due to urban growth are not currently being used but are difficult to change the place of use due to lack of historical consumptive use.

Supporting information: The Committee heard testimony that this topic is of increasing concern and would like to gather more information on the issue and potential solutions.

**Priority # 3 Distribution of Employees Assigned to North Platte Issues.** The Select Water Committee will review the number and distribution of State Engineer Office and Board of Control employees assigned to work on North Platte River Basin issues.

Supporting information: This topic was directed to the Committee by the Joint Appropriations Committee as an issue that arose during the 2020 budget hearings during a discussion on personnel at the State Engineer's Office.

**Priority # 4 Hydrologically Connected Surface and Groundwater.** The Select Water Committee will review how other states define and treat hydrologically connected surface and groundwater and work to develop a suitable definition, if feasible, for Wyoming.

Supporting information: The Committee is requesting this topic to study whether a definition of hydrologically connected surface and groundwater would work with existing Wyoming water law and provide the State clarity in identifying when sources of groundwater and surface water are adequately connected to be considered a single source of supply.

We look forward to discussing these proposed topics with the members of Management Council.



## WYOMING LEGISLATIVE SERVICE OFFICE

# Memorandum

March 30, 2020

**TO:** Members, Management Council

**FROM:** Senator Brian Boner, Co-Chairman  
Representative Lloyd Larsen, Co-Chairman

**RE:** 2020 Interim Topics

In response to the March 11, 2020 letter from Chairman Harshman and Vice-Chairman Perkins, the Select Federal Natural Resource Management Interim Committee is submitting the following interim topics meeting memorandum. The Committee's legislative purview is statutorily prescribed under W.S. 28-11-501(b), which generally requires the Committee to (1) review federal policies or actions that may impact the management, development, or use of the state's natural resources; and (2) develop and introduce legislative responses to federal policies and actions that are necessary to protect the state's interests. As a result, it appears the Committee may not need to submit a memorandum to Management Council for approval. However, this memorandum is being provided to make the Council aware the Committee's intent for the 2020 interim and to allow for the Council to identify other topics that it believes warrant Committee study and consideration.

The following topics, as prioritized by the Committee's co-chairmen, are planned for the 2020 interim:

### **Priority # 1 – Local Stakeholder Involvement in Policy and Decision-Making Process of Federal Agencies**

The Committee will continue to work with local communities, stakeholders and federal agencies to better promote local involvement in federal policy decision-making that affects Wyoming. Previous efforts on this topic generated encouraging dialogue but have not resulted in sufficient substantive changes on a policy-implementation level for consistent and meaningful local involvement. The Committee intends to receive updates from the State's federal partners, including the Bureau of Land Management (BLM) and the U.S. Forest Service, and hear from county commissioners on their work on this issue. The Committee will also focus on National Environmental Policy Act (NEPA) regulatory changes and receive updates from the Department of Interior and the Governor's Office on the State taking a leading role in this process.

**Priority # 2 – Permitting Process Through the DEQ and compliance requirements by the agency for federal regulations.**

The Committee intends to receive testimony from the Department of Environmental Quality on the structure of the agency, the divisions within the agency and the federal laws and regulations each division has primacy over or for which each division has enforcement responsibility. The Committee also intends to receive a summary of the agency's rulemaking process specific to its oversight of federal laws and regulations. Additionally, the Committee plans to hear testimony on the permitting processes administered by the agency—including what recourse an individual has if receiving conflicting directives—and explore avenues for making these processes streamlined and more effective.

**Priority # 3 – Government Updates**

The Committee intends to receive updates from numerous government stakeholders relevant to the Committee's statutorily assigned areas of inquiry. The committee hopes to hear testimony and review information provided by the Governor's Office, the BLM and the U.S. Forest Service relevant to: (a) wildlife migration corridors; (b) federal litigation regarding land management related issues; and (c) beetle infestation containment and remediation. In addition, the Committee will seek testimony regarding the COVID-19 pandemic and its affect on public access to and the use of public lands within the state.

**Priority # 4 – Good Neighbor Authority**

The Committee intends to review 2020 House Bill 58 (Good neighbor authority) and explore ways the bill's approach can be expanded to other applications. In doing so, the Committee will reach out to the following entities and request their input: (a) Office of State Lands and Investments; (b) Wyoming State Forestry Division; (c) Wyoming Weed and Pest Council (d) Wildlife and Natural Resource Trust; and (e) Wyoming Conservation Districts.

**Meeting Dates**

The Committee intends to hold 2 one-day meetings to accomplish its work, with the possibility of holding a third one-day meeting:

June 8th – Sheridan, WY  
August 10th – Green River, WY  
October 9th – TBD

We look forward to discussing these proposed topics with Management Council.

Senator Brian Boner, Co-Chairman

Representative Lloyd Larsen, Co-Chairman



## SELECT NATURAL RESOURCE FUNDING COMMITTEE

# Memorandum

**DATE** April 2, 2020

**TO** Members, Management Council

**FROM** Select Natural Resource Funding Committee

**SUBJECT** 2020 Interim Topics Request

This memorandum outlines the topics, tentative meeting plans and budget that the Select Natural Resource Funding Committee (the Committee) requests for the 2020 Interim.

### PROPOSED MEETINGS AND BUDGET REQUEST

The Committee requests approval to hold two meetings during the 2020 interim, one two-day meeting and one single day meeting. The first meeting will likely be during August of 2020 to visit ongoing projects. The second meeting will likely be held in December to mark-up draft large project funding legislation in advance of the General Session. The Committee requests a budget of \$8,000 for two meetings during the 2020 interim, consistent with its 2019 budget.

### PROPOSED 2020 INTERIM TOPICS

#### Priority #1—Large Project Funding Legislation

The Committee will review grant applications for large projects recommended by the Wyoming Wildlife and Natural Resource Trust Account Board and sponsor legislation to fund projects based on available funds. This topic represents the Committee's responsibilities under W.S. 28-11-401(b) to review and sponsor legislation for Board-recommended large projects.

#### Priority #2—Review of Ongoing Projects

The Committee will tour ongoing large projects funded in previous years to ensure funds are being expended properly and to monitor project progress. The Committee will also likely receive updates from stakeholders and the public on the impact of these projects.

#### Priority #3—Review of Conservation Efforts

The Committee will study conservation programs, including programs by The Nature Conservancy, Wyoming Stock Growers Land Trust and Rocky Mountain Elk Foundation.



## STATE of WYOMING LEGISLATURE

# Memorandum

**DATE** April 1, 2020

**TO** Members, Management Council

**FROM** Representative Tom Walters, Chairman, Select Committee on School Facilities  
Senator Bill Landen, Vice-Chairman, Select Committee on School Facilities

**SUBJECT** Select Committee on School Facilities 2020 Interim Topics

In response to the March 11, 2020 letter from Chairman Harshman and Vice-Chairman Perkins, this memorandum represents the "letter of support" for the Select Committee on School Facilities' (Select Committee) 2020 interim topics. The Select Committee recommends continued focus on its statutory responsibilities required under W.S. 28-11-301(b). The Select Committee requests approval for three, one-day meetings and \$18,000 to accomplish its work.

### **Priority #1 Statutory Responsibilities**

The Select Committee is charged by statute to: (1) monitor the assessment of statewide school facility needs, the prioritization of those needs and remediation of identified needs as undertaken by the school facilities commission and state construction department; (2) develop knowledge and expertise among its members relating to statewide facility adequacy; (3) prepare budget recommendations addressing statewide building and facility needs; and (4) review commission rules.

At the Select Committee's March 11 meeting, the following items were discussed and are anticipated to be considered and monitored throughout the interim:

- Status update on all planning, design, construction and component level projects;
- Status updates on educational suitability standards and measurement;
- Reports on governing documents (i.e. Commission rules and regulations, policies, and methodologies);
- Review of commission prototypes per W.S. 21-15-114 (a)(xi);
- Review of commission planning and budgeting of component level projects; and Review of revenue streams and local bonding options, including a review of historical practices.

The Select Committee believes each of these items fit within its statutory responsibilities.

### **Meeting Schedule**

Three, one-day meetings likely in June, September, and October.

We look forward to discussing the proposed topic with the members of Management Council on March 26, 2020.



STATE OF WYOMING LEGISLATURE

# Memorandum

March 31, 2020

**TO:** Members, Management Council

**FROM:** Speaker of the House, Representative Steve Harshman, Co-Chairman  
Senator Jeff Wasserburger, Co-Chairman

**RE: 2020 Interim Funding**

As Co-Chairmen of the Wyoming's Tomorrow Task Force, we write to respectfully request funding to continue the work of the Task Force during the 2020 interim. During the 2019 interim the Task Force studied College Promise Programs from around the country, discussed ongoing, in-state efforts to increase attainment of higher education certificates and degrees with stakeholders and agency representatives and evaluated how social support programs may be leveraged to support increased higher education attainment. At its December 2019 meeting, the Management Council authorized the Task Force to continue its work during 2020 interim.

During the 2019 interim, the Task Force held three meetings around the state and just more than \$6,000 is still available to the Task Force from funding provided that year. We would request that the Management Council provide the Task Force an additional \$7,500 to continue its work this year.

A handwritten signature in black ink, appearing to read "Jeff Wasserburger".

Senator Jeff Wasserburger, Co-Chairman

A handwritten signature in black ink, appearing to read "Steve Harshman".

Representative Steve Harshman, Co-Chairman