
NOTICE: This draft document contains proposed changes to Management Council Policies for remote participation at interim committee meetings and other legislative meetings held during the session. These changes will be considered for adoption at a future meeting of the Management Council.

Management Council Policy 21-01

Subject: Remote Participation at Legislative Meetings

(Source Notes: MC Minutes X/XX/2021)

The policies below outline remote participation at legislative meetings during the interim and session.

1. Remote Participation - Interim

- (a) In order for a legislative meeting during the interim to include remote participation, the meeting must be held at an approved facility.
- (b) With prior consent of the committee chairman, remote participation may be authorized for the following types of activities during the interim by legislative committees meeting in approved facilities:
 - (i) For members of the public to participate in a legislative meeting.
 - (A) Remote public participation shall be facilitated through the comment and sign-up feature on the committee's webpage or any other means authorized by the committee chairman and approved by the Management Council.
 - (B) The deadline for members of the public requesting to provide live testimony shall be 5:00 p.m. of the day immediately preceding the day on which the topic is noticed to be discussed by the committee. At the chairman's discretion, testimony may be accepted after this deadline if it is in the best interest of the work of the committee.
 - (C) Remote public participation may be subject to other limitations as determined by the committee chairman including limitations on the time allowed for public comment and the total number of requests approved per agenda topic.

(ii) To obtain testimony from designated presenters on a topic assigned to the committee.

(A) If the committee requests testimony from a presenter that is a state executive or judicial branch representative, the meeting shall be held in an approved facility that allows, at a minimum, for testimony via conference call.

(iii) For legislators who are unable to attend a meeting at the official meeting location.

(A) To the greatest extent possible, legislators shall attend legislative meetings in person at the official meeting location.

(iv) An entire committee may meet via remote means as provided in Management Council Policy II. 9.

(A) The official meeting location will be located at an approved facility room within the State Capitol Complex that is open to legislators and the public for participation.

(c) Remote Attendance at Legislative Meetings.

(i) Legislators who attend legislative meetings via remote means shall be considered present at the meeting, shall be permitted to vote and shall be counted for purposes of determining whether a quorum is present at the meeting.

(ii) Committee chairman shall retain the discretion, subject to the rules of the committee, to poll any legislator not in attendance on any action taken by the committee.

(d) Scheduling Remote Participation.

(i) Committee chairmen must work through LSO staff to facilitate remote participation at a legislative meeting or to arrange for a conference call line for executive and judicial branch representatives.

(ii) The LSO shall maintain a current list of approved facilities where legislative meetings with remote participation may be held.

2. Remote Participation - Session

(a) Legislative meetings held during the session at the State Capitol Complex shall allow for remote participation as provided in this policy.

- (b) Remote participation shall be available for the following types of activities during the session by legislative committees:
 - (i) For members of the public to provide public comment on a bill assigned to the committee.
 - (A) Public participation shall be facilitated through the comment and sign-up feature on the committee's webpage or any other means authorized by the committee chairman and approved by the Management Council;
 - (B) Public participation may be subject to other limitations as determined by the committee chairman including limitations on the time allowed for public comment.
 - (ii) To obtain testimony from designated presenters on a bill assigned to the committee.
 - (iii) For Senate confirmation conferences with prospective appointees.

3. Disclaimers Regarding Remote Participation

- (a) The LSO cannot guarantee connectivity between participants.
- (b) Participants must recognize problems with equipment, connectivity and scheduling may arise when participating remotely in legislative meetings.
- (c) Failure for individuals attending a meeting remotely to participate shall not invalidate the committee's actions at a meeting.

4. Definitions

- (a) As used in this policy:
 - (i) "Approved facility" means a facility determined by the LSO as equipped with appropriate audio-visual and information technology equipment that allows individuals who are not physically present at a facility to interact simultaneously with individuals at the facility;
 - (ii) "Legislative committee" means any standing committee, joint interim committee, select committee, joint conference committee, task force, subcommittee, council, commission or group on which at least one (1) legislator serves as a voting member;

(ii) "Remote participation" means the ability to participate in a live legislative meeting or event via video conferencing, audio conferencing, chat, webinar or other electronic means.

DRAFT

SECTION II. POLICIES GOVERNING INTERIM COMMITTEE ACTIVITIES

1. Approval of Interim Studies. Proposals for joint interim committee studies are subject to review and approval by the Management Council. The Management Council may assign additional work to any interim committee and may retain direction and supervision over any projects as it may deem advisable.
2. Committee Budgets.
 - (a) The Management Council shall determine the amount of money available for funding interim committee activities, and shall allocate funds to the interim committees according to the projects assigned and the priorities established.
 - (b) Interim committees may exceed their previously approved budget by not to exceed \$1500 where:
 - (i) The Committee is meeting for the last time during the interim (subject to subsequent approval from Management Council for additional meetings); and
 - (ii) If all members of the Committee planning to attend the meeting were to actually attend the meeting, the total amount the Committee would expend, as estimated by LSO, would be not more than \$1500. For the purpose of this policy, unless a legislator indicates he will not attend a meeting, it shall be assumed that he will attend the meeting.
 - (c) For information purposes, LSO will report to the Management Council within 30 days each time any Committee exceeds its budget in accordance with this policy.
3. Assignment of Studies. Notice of the assignment of interim studies or other work projects shall be given to the chairman of the joint interim committee.
4. Initial Committee Procedures. At the first meeting of the joint interim committee, the committee shall:
 - (a) Elect a chairman and vice-chairman or cochairman.
 - (b) Establish a plan for handling project assignments. If work is divided between subcommittees, designate subcommittee assignments and areas of responsibility.
 - (c) Prepare a budget of anticipated expenses.
 - (d) Adopt committee rules.
5. Use of Committee Funds. Funds allocated to a joint interim committee shall be used entirely for committee expenses such as travel, salary and per diem for members, expenses for public

hearings or other expenses as the committee may request and the Management Council may authorize.

6. Record of Committee and Legislator Accounts. The Legislative Service Office will keep separate accounts of expenditures and records of committee activities for each joint interim committee. All vouchers for committee expenditures shall be approved and signed by the designated committee chairman and countersigned by the director of the Legislative Service Office, before payment may be made. The Legislative Service Office shall publish annually an account of expenses for each legislator, including telephone expenses.
7. Committee Information to LSO; Minutes. As soon as possible after the organizational meeting, the chairman or cochairman of the joint interim committee shall provide the Legislative Service Office with a list of committee officers; the budget of the anticipated expenses; and other information as may be required for the proper conduct of the Legislative Service Office. The chairman, cochairman or a designee shall approve minutes and records of all committee meetings and activities.
8. Outside Funding for Committees. A joint interim committee may not apply for, receive or accept any grant, donation or gift of money for funding approved studies and work projects other than appropriations to the LSO or other appropriations specifically for that purpose. Any person, firm, corporation, foundation, association or other legal entity offering financial assistance for any work project or activity of the Legislative Service Office or the joint interim or select committees shall submit the offer to the Management Council. If the Management Council determines that the offer is without conditions that might reflect unfavorably upon the integrity of the Legislative Service Office, the joint interim or select committee or the product of the work project, the Management Council may accept the financial assistance and allocate funds received thereby to the appropriate committee. This restriction applies to individual legislators with respect to payment of expenses of the individual legislator when performing interim committee duties, studies or work projects.

The Management Council may apply for, receive and administer funds from any source it may deem appropriate.
9. Teleconference Remote Meetings, etc. ~~If the chairman determines it is in the best interest of the committee and the public, conserves state resources, or otherwise serves the needs of the Legislature,~~ meetings of the Management Council or any other legislative committee may be conducted ~~by telephone conference calls or by compressed or other video conferencing via remote means~~ and ~~an oral a~~ vote may be taken ~~by telephone or video~~ on any question when necessary (MC Minutes 01/04/2016; X/XX/2021).
10. Public meetings; Executive Sessions. Meetings of the Management Council or the joint interim committees will be open and public; provided the chairman of the meeting may call an executive session and exclude therefrom all persons except those whose presence is requested by the chairman. All minutes of meetings and records of the Management Council or the joint interim committees shall be open and public.

11. Committee Subpoenas. The Management Council or a joint interim committee may issue subpoenas or subpoenas duces tecum for the attendance of witnesses or the production of books, records and papers material and relevant to any investigation being lawfully conducted. Subpoenas shall be issued and signed by the chairman of the investigating body at the request of a majority of the members thereof. Subpoenas shall clearly state the nature of the investigation, the time and place where the witness is to appear or the books, records and papers to be produced for examination, and shall state that if the witness fails to appear or produce the books, records or papers as directed, he may be punished for contempt of the Wyoming Legislature. Subpoenas may only be issued by action of the full Management Council or joint interim committee and not by any subcommittee thereof.
12. Notice of Council Meetings. Written notice of meetings of the Management Council shall be given at least fifteen (15) days in advance of the meeting; provided this requirement may be waived by unanimous consent of the Management Council. Attendance at any meeting constitutes a waiver of written notice.
13. Notice of Committee Meetings. Joint interim committees shall give at least fifteen (15) days prior notice of all meetings except subcommittee meetings. Attendance at any meeting constitutes a waiver of written notice.
14. Committee Staff. All committee staff, including interns working with interim committees or select committees, shall be employed as members of the Legislative Service Office staff unless the staff members are specifically authorized and approved by the Management Council. This section does not apply to persons serving during a legislative session as a student intern or a legislative aide.
15. Committee Interns. If legislative interns are employed to assist with interim committee activities, they shall be employed by the director of the Legislative Service Office and assigned as an assistant to the permanent staff member serving the committee. All intern compensation and expenses shall be charged to the committee for which services are rendered.
16. Legislator Running for Statewide Office. Any legislator who becomes a candidate for statewide elective public office shall immediately resign from his or her chairmanship of any legislative interim committee or subcommittee.
17. JAC Compensation for Budget Hearings. Members of the Joint Appropriations Committee will be paid salary and per diem for each calendar day, including weekends, during which the Committee is holding budget hearings prior to the budget session. (Minutes 01/10/86).
18. Nonincumbents Attending Committee Meetings. Payment of expenses for nonincumbents to attend Interim Committee meetings after the November elections is subject to Management Council authorization.

19. New Chairmen Attending Committee Meetings. Following the general election, new committee chairmen who attend meetings of their newly assigned committee are authorized salary, mileage and per diem to be paid from the existing budget of their new committee. (Minutes 11/28/00).
20. Membership on Committees. Members on committees shall be appointed by the President and Speaker in accordance with law and rules of the Senate and House. The President and Speaker shall not appoint alternates to committees unless specifically authorized by law or rule. For purposes of this provision, "committee" includes any standing committee, joint interim committee, select committee, task force, subcommittee, council, commission or group but shall not include the Council of State Governments, Energy Council or the National Conference of State Legislatures. (Minutes 12/3/19).

DRAFT

Management Council Policy 18-01

Subject: **Streaming of Legislative Committee Meetings**

(Source Notes: MC Minutes 2/10/18; ~~X/X/2021~~)

1. A live broadcast shall be streamed via the Legislature's website for any official legislative committee meeting that is:
 - (a) Conducted in a room in the Capitol equipped with the necessary functioning broadcast capabilities; and
 - (b) Staffed by the LSO or session staff employed by the Legislature.
 - ~~(c) Held at an approved facility in which remote participation is authorized as provided in Management Council Policy 21-01.~~
2. A live broadcast shall not be required for any of the following meetings:
 - (a) Meetings in executive session;
 - ~~(b) Joint conference committee meetings;~~
 - ~~(c) Standing appropriation committees meeting on re-referral of bills;~~
 - ~~(d)~~ ~~(b)~~ Meetings of ~~standing~~ legislative committees in rooms without functioning broadcast capabilities.
3. The contents of any broadcast shall not be construed to supersede:
 - (a) The Journal of the House or Senate;
 - (b) Any other official written record of the meeting that reflects formal action or recommendation and that was approved and signed by the chairmen of the legislative committee.
4. Failure to broadcast a meeting shall not affect the validity of any action taken at the meeting.
5. Failure of broadcasting capability shall not delay a meeting.
6. Special notice about a live broadcast shall not be required to be included in a legislative committee's meeting notice.

7. The location specified on a legislative committee's meeting notice is the official meeting location. Any live broadcast is provided merely as a courtesy to the public with the following disclaimers:
 - (a) Users must recognize problems with equipment, connectivity and scheduling of live broadcast may arise;
 - (b) Users must understand that a live broadcast may not be functioning properly if there are technical or other difficulties;
 - (c) The Legislature cannot guarantee users will be able to connect to a live broadcast or hear the proceedings of a legislative committee meeting streamed via the Legislature's website.
8. Nothing in this policy shall be construed to require the Legislature or a legislative committee to purchase or install equipment to broadcast meetings.
9. As used in this policy:
 - (a) "Capitol" includes any location where the Legislature is housed or holds a legislative session;
 - (b) "Legislative committee" means any standing committee, joint interim committee, select committee, task force, joint conference committee, subcommittee, council, commission or group on which at least one (1) legislator serves as a voting member.

Management Council Policy 18-02

Subject: **Recording and Broadcasting Interim Committee Meetings**

(Source Notes: MC Minutes 2/10/18; [X/XX/21](#))

1. The LSO shall prepare ~~an audio~~ a recording of the public portion of each official meeting of a joint interim committee, select committee or task force that is staffed by the LSO.
2. The LSO shall post the following to the Legislature's website:
 - (a) A copy of any recording prepared as required by section 1 of this policy; and
 - (b) A copy of any meeting which is broadcast live by the LSO.
3. The contents of any recording or broadcast shall not be construed to supersede any official written record of the meeting that reflects formal action or recommendation and that was approved and signed by the chairmen of the committee or task force.
4. Failure to record or broadcast a meeting shall not affect the validity of any action taken at the meeting.
5. Failure of recording or broadcasting capabilities shall not delay a meeting.
6. Special notice about a recording or live broadcast shall not be required to be included in a meeting notice.
7. The location specified on a meeting notice is the official meeting location. Any recording or broadcast is provided merely as a courtesy to the public with the following disclaimers:
 - (a) Users must recognize problems with equipment, connectivity and scheduling of meetings for recording and broadcasting may arise;
 - (b) Users must understand that recordings and broadcastings may not be functioning properly if there are technical or other difficulties;
 - (c) The Legislature cannot guarantee users will be able to connect to a recording or a broadcast or hear the proceedings of a meeting posted to the Legislature's website.
8. Nothing in this policy shall:
 - (a) Require the Legislature, the LSO or any committee or task force to purchase or install equipment to record or broadcast meetings;

- (b) Require the recording or broadcasting of any portion of a meeting which is conducted in executive session;
 - (c) Be deemed to waive or modify any law related to public records, public meetings or the legislature.
9. This policy shall only be effective if 2018-House Bill 192 is enacted into law.

DRAFT

Management Council Policy 09-01

Subject: ~~Video Conferencing~~ Session

(Source Notes: MC Minutes 02/05/09, 09/30/10; 01/04/2016)

The policies below outline the use of video or internet based conferencing in legislative facilities and for legislative meetings during the legislative session. As used in this policy, "video" conferencing includes Internet based, compressed video or other video conferencing through electronic means.

1. ~~Types of Hearings~~

Video conferencing may be used for four types of activities during Session based on availability on a first-come, first-served basis:

- (a) ~~A committee chairman may schedule a video conference to obtain testimony from designated presenters approved by the committee chairman on a bill assigned to the committee. Special notice about the video conference will not be required to be included in the meeting notice.~~
- (b) ~~A committee chairman may schedule a public hearing on a bill assigned to the committee.~~
 - (i) ~~An official meeting location will be designated by the committee chairman and remote sites or access is provided merely as a courtesy to the public, with the understanding that the sites or access may not be operational if there are technical difficulties.~~
 - (ii) ~~Information about the video conference will be included in the committee meeting notice and the LSO will make additional sites or remote access known on the legislative website and may also provide notice by other appropriate means.~~
- (c) ~~Video conferencing may be used for Senate confirmation conferences with prospective appointees.~~
 - (i) ~~The official meeting location shall be designated by the committee chairman.~~
 - (ii) ~~Special notice about the video conference will not be required to be included in meeting notice.~~

~~2. Approval for Video Conferencing~~

- ~~(a) Individual members cannot schedule video conferencing in legislative facilities or require staffing by the Legislative Service Office, without approval of the presiding officer of the member's chamber.~~
- ~~(b) If an individual committee member would like to have a video conference as part of a committee hearing, they must work through the committee chairman for approval and the chairman must approve presenters identified in subsection 1(a) above.~~

~~3. Disclaimers Regarding Use of the System~~

- ~~(a) In coordinating video conferences, the LSO must work within the parameters of the system operators, and any sites and their respective policies and limitations.~~
- ~~(b) The LSO cannot guarantee connectivity between participants.~~
- ~~(c) Users must recognize that problems with equipment, connectivity, and scheduling with the participating systems are possible when holding video conferences.~~

Management Council Policy 10-03

Subject: ~~Video Conferencing Interim~~

(Source Notes: MC Minutes 09/03/10; 01/04/2016)

The policies below outline the use of video or internet based conferencing in legislative facilities and for legislative meetings during the interim. As used in this policy, "video" conferencing includes Internet based, compressed video or other video conferencing through electronic means.

1. ~~Types of Hearings~~

Video conferencing may be used for the following types of activities during the interim by legislative committees:

- (a) ~~With prior consent of the committee chair the video conferencing may be used to obtain testimony from designated presenters at specific site(s) on a topic assigned to the committee.~~
 - (i) ~~Video conference expenses will be charged to the requesting committee's interim committee budget.~~
 - (ii) ~~Special notice about the video conference will not be required to be included in the meeting notice.~~
- (b) ~~With prior consent of the committee chair, a public hearing may be held to gather public input on a topic assigned to the committee.~~
 - (i) ~~Video conference expenses will be charged to the requesting committee's interim committee budget.~~
 - (ii) ~~An official meeting location will be designated by the committee chair and remote sites or access is provided merely as a courtesy to the public, with the understanding that the sites or access may not be operational if there are technical difficulties.~~
 - (iii) ~~Information about the video conference will be included in the committee meeting notice and the LSO will make additional sites or remote access known on the legislative website and may also provide notice by other appropriate means.~~
- (c) ~~With prior consent of the committee chair, a video conference may be held for legislators unable to attend a meeting at the official meeting location.~~

- ~~(i) — If a legislator cannot attend a meeting at the official meeting location, the LSO will schedule a remote site or access as directed by the committee chairman.~~
- ~~(ii) — Video conference expenses will be charged to the requesting committee's interim committee budget.~~
- ~~(iii) — Notice shall be provided as specified in paragraph (b).~~
- ~~(iv) — For purposes of salary, per diem and travel expenses the meeting will be treated as an in-town meeting for legislators attending remotely.~~
- ~~(d) — An entire committee can meet via video conference at the direction of the chairman.~~
 - ~~(i) — Video conference expenses will be charged to the requesting committee's interim committee budget.~~
 - ~~(ii) — Per diem, salary and travel expenses will be treated as an in-town meeting for each legislator attending remotely.~~
 - ~~(iii) — Notice shall be provided as specified in paragraph (b).~~
 - ~~(iv) — The official meeting location will be designated by the chair.~~
- ~~(e) — The Committee chair may also schedule a video conference for special events to be held in accordance with paragraph (d).~~

~~2. — Approval for Video Conferencing~~

- ~~(a) — Individual members cannot schedule video conferencing in legislative facilities or require staffing by the Legislative Service Office, without approval of the Chairman of the Management Council, or if unavailable, the Vice Chairman.~~
- ~~(b) — If an individual committee member would like to have a video conference as part of a committee hearing, including attendance via video conferencing, they must work through the committee chairman for approval.~~
- ~~(c) — Except for use by the Legislature, its members and staff, any other use of legislative facilities for video conferencing by state agencies during the interim shall require the specific approval of the Chairman of the Management Council, or if unavailable, the Vice Chairman.~~

~~3. — Scheduling Video Conferences~~

- ~~(a) — Committee chairmen must work through LSO staff to request a video conference.~~

~~(b) Necessary legislative or other facilities must be reserved by the LSO through the normal interim committee scheduling process prior to LSO making video conferencing arrangements.~~

~~4. Disclaimers Regarding Video Conferencing~~

~~(a) In coordinating video conferences, the LSO must work within the parameters of the system operators and any sites and their respective policies and limitations.~~

~~(b) The LSO cannot guarantee connectivity between participants.~~

~~(c) Users must recognize problems with equipment, connectivity, and scheduling with the participating systems may arise when using video conferencing.~~

DRAFT

Management Council Policy 20-02

Subject: ~~Emergency COVID-19 Related Policies~~

(Source Notes: MC Minutes 4/16/20; 4/24/20; 10/14/20)

1. ~~**Applicability.** To the extent this policy is inconsistent with the Wyoming Legislative Service Office Personnel Manual, Travel Regulations or any other Management Council policy, this policy shall govern. This policy shall be in effect until the 2021 General Session is convened.~~

2. ~~**Remote and In-Person Activities.**~~
 - (a) ~~To the extent practicable, all official activities conducted during the interim by legislative committees shall allow for participation by remote means.~~

 - (b) ~~Members who attend official legislative committee meetings remotely shall be considered present in person at the meeting, shall be permitted to vote and shall be counted for purposes of determining whether a quorum is present at the meeting.~~

 - (c) ~~A live broadcast shall be streamed online for any official legislative committee meeting that is conducted through remote means through a video conferencing platform. The live broadcast shall be conducted in the manner and subject to the limitations provided in Management Council Policy 18-01.~~

 - (d) ~~For official legislative committee meetings conducted remotely through any video conferencing platform, only the members of the legislative committee, presenters listed on the meeting agenda, and members of the public who request and are approved to testify in advance shall be provided access to and allowed to directly participate in the video conference. Remote participation in the video conference by presenters listed on the meeting agenda and members of the public shall be limited to the agenda topic. Remote public participation shall be facilitated through the comment and sign up feature on the committee's website and any other means authorized by the committee chairmen. Remote participation in the video conference by members of the public may be subject to limitations as determined by the committee chairmen including deadlines for testimony requests and limitations on the time allowed for public comment and the total number of requests approved per agenda topic.~~

 - (e) ~~Any official activity of a legislative committee during the interim may be conducted in person if conducted at the State Capitol Complex in Cheyenne in accordance with State and local public health orders and COVID-19 protocols adopted by the Management Council. All official legislative committee meetings conducted in~~

~~person at the State Capitol Complex in Cheyenne shall be treated as indoor gatherings under applicable State and local public health orders.~~

~~(f) Any official activity of a legislative committee during the interim may be conducted in person at locations other than the State Capitol Complex in Cheyenne if conducted in accordance with State and local public health orders and policies of the facility where the activity is taking place. All official legislative committee meetings conducted in person under this subsection shall be treated as indoor gatherings under applicable State and local public health orders. LSO Staff shall provide support for all official legislative committee meetings but shall not travel to meetings held in person at locations other than at the State Capitol Complex in Cheyenne.~~

- ~~3. **Remote Session Per Diem.** A legislator attending a session via remote means shall be paid per diem at the rate specified by law. In lieu of the statutory per diem rate, any legislator may, by contacting the LSO Fiscal Officer, request to receive per diem in the amount provided for local meetings under Management Council Policy 10-03(1)(d)(ii) and A.2(e)(i) of the Management Council Travel Regulations or may waive per diem entirely.~~
- ~~4. **Internet Access Fees.** For the duration this section is in effect, the amount authorized under Management Council Policy 97-02 for internet access fees and set-up fees for legislators shall be amended from \$30 to \$60.~~
- ~~5. **Expenses.** Costs of the Legislature incurred as a result of the COVID-19 public health emergency shall be separately tracked and may be considered for reimbursement from any appropriate funding source.~~
- ~~6. **LSO Staff Leave.** For the period beginning April 1, 2020 and ending December 31, 2020, the Management Council adopts emergency paid leave for LSO Staff consistent with Divisions C (The Emergency Family and Medical Leave Expansion Act) and E (The Emergency Paid Sick Leave Act) of the Families First Coronavirus Response Act, H.R. 6201. The LSO shall administer the paid leave in a manner consistent with 29 CFR Part 826.~~