

2015 LEGISLATIVE REPORT

63rd Wyoming Legislature, General Session



EQUALITY STATE
POLICY CENTER

Dear friends,

For over two decades, the Equality State Policy Center (ESPC) has been an advocate for Wyoming citizens who have historically been excluded from the governing process. I was privileged to take the helm of this respected organization in January and am thrilled to continue to help make our government more open and accessible to all Wyomingites.

In this report, you will find a snapshot of what ESPC prioritized and monitored during the 63rd Legislative Session. And you'll see that our work is far from complete. I appreciate your support and partnership and know that, together, we will continue to improve the state that we all love.



Brianna Jones, Executive Director

Accessible Process

60% of Wyoming's voting age population was registered to vote in 2014.

38.5% of Wyoming's voting age population participated in the 2014 General Election.

What Happened

- **Change of Party Affiliation (HB-131):** Proposed legislation to bar changes in political party affiliation on primary election day failed, as did a budget amendment with the same effect. ESPC does not support measures that limit eligible voters from participating in the electoral process.
- **Open Meetings (HB-232):** ESPC strongly opposed a withdrawn bill to change open meeting law and allow action to be taken in a closed executive session. The public has a right to know the votes of elected officials.
- **Electronic Poll Books (SF-52):** Voters in many counties will have more flexibility with the approval of the use of electronic pollbooks and the creation of "voting centers," allowing voters to cast ballots outside of their regular polling places. This does not mean all counties will implement the program.
- **Campaign Finance (HB-38/39):** This bill abolished PAC contribution limits for candidates for statewide political office, and raised PAC contribution limits to legislative candidates from \$3,000 to \$5,000 per election. It also removed the \$50,000 individual, aggregate campaign contribution cap.
- **Restoration of Voting Rights (HB-15):** This bill streamlined the process to restore voting rights to nonviolent felons upon completion of their sentence including probation.
- **Transparency Practices:** During this session, the Legislative Service Office published most Joint Conference Committee meeting notices electronically, a great step forward. The House Rules Committee adopted a rule for publishing legislation that fails in committee; ESPC encourages the Senate to adopt the same practice.

Accessible Process, continued

The Joint Rules Committee rejected a proposal to publicly disseminate the so-called cheat sheet for the budget. ESPC hopes they will reverse this decision for the 2016 budget session.

- **Capitol Renovation:** The Capitol Square renovation project continues to move forward. In 2014, the legislature approved up to \$290 million to include restoration of the Capitol, an addition and renovation of the Herschler Building, and expansion of the breezeway connecting the two buildings.

The scheduled completion date is in mid-2018. Until then, all officials and staff will be relocated and the legislature will convene at the Jonah Financial Center (3001 E. Pershing Boulevard in Cheyenne) for the next three legislative sessions.

Looking Forward

Our democracy works best when it is transparent and allows all voices to be heard. ESPC will continue to advocate for government by and for the people. Anticipated interim topics include primary election reform, voter registration requirements, and campaign finance.

We will expand our Citizen Lobbyist Training, ESPC's course to help citizens access and participate in the governing process. Dates and locations will be announced soon for sessions to be held in the interim.

Transparent Tax Policy

56 sales tax exemptions in Wyoming statute.

4 of the 56 exemptions require any monitoring or regular reports.

What Happened

- **Rolling Stock Tax Exemption (HB-25):** A sales tax exemption for the repair of railroad rolling stock was reauthorized and amended to include ESPC-supported economic impact reporting requirements and a 2021 sunset date.
- **Property Tax Refund Program (HB-05):** A program that provides a property tax refund for low-income elderly and disabled Wyomingites was reauthorized.
- **Flared Natural Gas (HB-05):** Legislation to remove the severance tax exemption for flared natural gas failed in committee. Our coalition partner, the Wyoming Outdoor Council, reports 3.9 billion cubic ft. of natural gas was flared in 2014, worth “over \$1 million in severance taxes, and \$6 million in state/federal royalties” (WOC figures).

Looking Forward

Over the interim, ESPC will work with the Joint Revenue Committee as they consider creating a framework to evaluate current and future tax exemptions. ESPC will continue to support our partners in work that creates equitable, transparent tax policy.

Working Families

\$310^k of Wyoming tax dollars are lost *every day* lawmakers refuse Medicaid expansion funds.

17.6^k Wyomingites lack access to affordable health insurance and would benefit from Medicaid expansion.

\$200^M incurred annually in uncompensated care costs, borne by Wyoming healthcare providers and hospitals.

\$5¹⁵ per hour is the minimum wage under Wyoming law.

What Happened

- **Medicaid Expansion:** The Department of Health, under direction from the legislature, wrote a proposal to bring our tax dollars home and expand access to Medicaid for 17,600 uninsured, working Wyomingites. This proposal (SHARE Plan, SF-129) failed in the Senate. It was also brought as a House budget footnote, failing by a wide margin. A separate proposal (SF-145) was approved and will provide a mere \$3 million to hospitals for partial reimbursement of the annual \$200 million in uncompensated care costs.
- **Minimum Wage:** Two separate proposals to raise Wyoming's minimum wage, currently at \$5.15 per hour, failed. One (HB-24) would have raised the minimum wage immediately, the other (SF-131) would have increased the minimum wage over time and eventually based the rate on the cost of living. ESPC supports a living wage for all Wyoming workers.
- **Digital Privacy:** The Digital Privacy Taskforce was reauthorized (SF-45) to continue work for consumer and worker protection. A proposed "right to privacy" constitutional amendment (SJ-01) failed. The existing statute was successfully amended to define personal identifying information (SF-36) and the legislature enacted rules for notifying consumers in the event of a data breach (SF-35). An ESPC-supported proposal (SF-41) to bar employers from requesting access to employees' personal electronic accounts failed.

Looking Forward

Wyoming families, businesses, and care providers cannot thrive while the Medicaid gap persists. ESPC will carry on work with lawmakers and the Coalition for Medicaid Solutions to find a path forward to help all.

Protecting our privacy is important for consumers and workers. ESPC will continue to advise and participate in the work of the Digital Privacy Taskforce.

Thank you

Gov. Mead, Senators Case, Craft, Driskill, Emerich, Esquibel, Hastert, Pappas, Ross, Rothfuss, Von Flatern, Representatives Allen, Blake, Byrd, Connolly, Dayton, Esquibel, Freeman, Madden, Nicholas, Paxton, Pelkey, Schwartz, Throne, Wilson, & Dan Zwonitzer

for working to keep **all** of Wyoming
healthy and strong.



Wyoming Coalition on Medicaid Solutions

Safe Workplaces

49th in the nation for worker safety and consistently among the worst in the country.

\$117^k in outstanding fines owed to the state of Wyoming for workplace safety violations.

What Happened

- **Discrimination (SF-115):** Legislation that would outlaw discrimination based on sexual orientation and gender identity in the Wyoming workplace passed the Senate by an historic margin (24-6), but died in the House by a vote of 26-33. ESPC asks Equality State legislators to end discrimination for all Wyomingites.
- **OSHA Penalties (SF-72/HB-236):** Identical bills to increase fines for workplace safety violations and worker fatalities failed to move forward in either body. ESPC supported these proposals, drafted during the interim, to codify meaningful penalties as part of the effort to enhance a culture of safety in Wyoming workplaces.
- **OSHA Regulations (HB-229):** A bill to allow Wyoming to enact more stringent safety regulations than the federal government failed for lack of a second in the House Minerals Committee. ESPC encourages lawmakers to take steps to protect workers using the best data, especially during this time of notable federal gridlock.

Looking Forward

ESPC will continue as an outspoken advocate for safe workplaces for all Wyomingites and looks forward to working with Wyoming industry, lawmakers, and agencies to keep our workforce safe and prosperous through a combination of education and meaningful enforcement.

The fourth annual Wyoming Workers' Memorial Day to commemorate workers who have been injured or killed on the job is 10 AM on April 28, 2015 in the rotunda of the Wyoming Capitol.

Our Coalition Partners

- AFL-CIO of Wyoming
- American Civil Liberties Union of Wyoming
- Brotherhood of Locomotive Engineers and Trainmen
- Brotherhood of Maintenance of Way Employees Division
- Cheyenne Professional Firefighters, IAAF Local 279
- Construction and General Laborers Union, Local 1271
- Greater Yellowstone Coalition
- Jackson Hole Conservation Alliance
- Matthew Shepard Foundation
- Northwest Carpenters Council, WY Chapter
- Operating Engineers, Local 800
- Powder River Basin Resource Council
- Sierra Club, Wyoming Chapter
- SMART - Transportation Division (formerly United Transportation Union)
- Southwest Wyoming Central Labor Council
- United Association of Plumbers and Pipefitters of America, Local 192
- United Steelworkers Union, Local 13214
- Utility Workers Union of America, Local 127
- Wyoming Wilderness Society
- Wyoming Association of Churches
- Wyoming Building and Construction Trades Council
- Wyoming Coalition Against Domestic Violence and Sexual Assault
- Wyoming Conference of Electrical Workers (International Brotherhood of Electrical Workers, Local 322)
- Wyoming Education Association
- Wyoming Equality/United Gays and Lesbians of Wyoming
- Wyoming Outdoor Council
- Wyoming Public Employees Association
- Wyoming Trial Lawyers Association
- Wyoming Wilderness Association
- Wyoming Wildlife Federation

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