



STATE of WYOMING LEGISLATURE

Memorandum

DATE March 6, 2019

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 2019 Interim Topics for Consideration for the Joint Education Interim Committee

The Joint Education Interim Committee (Committee) met on February 22, 2019, to discuss proposed study topics for the 2019 interim. The Committee's proposed topics have been grouped into seven categories: 1) Community Colleges; 2) School Finance; 3) K-12 Education Government Efficiency Commission Recommendations; 4) School Safety and Security; 5) Department of Education Data Collection and Reporting Requirements; 6) K-12 Education Program; and 7) Hathaway Scholarship Award Amounts. The Committee may consider related legislation as a result of studying these priorities. The Committee requests \$40,000 to hold three two-day meetings to accomplish its work. The meetings are tentatively scheduled for June 5-6 in Casper, September 26-27 in Cody, and November 14-15 in Cheyenne. Each topic is described below and includes supporting information.

2019 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 2019 interim.

Priority #1 Community Colleges

The Committee will receive reports required by several laws enacted during the 2019 General Session regarding the community colleges, including reports on applied baccalaureate programs implemented or planned at community colleges and the evaluation of the financial impacts of implementing applied baccalaureate programs (**2019 SF 0111**). The Committee will request the Wyoming Community College Commission provide an overview of the community college funding formula to understand how colleges are funded and what impact applied baccalaureate programs and the Wyoming Works Program (**2019 SF 0122**) will have on the funding model in future years. The Committee will also receive an update on the electronic common transcript and transfer process system (**2019 HB 0204**) and a report on the administration of the statewide longitudinal education data system (**2019 HB 0001**).

Priority #2 School Finance

The Committee will make a recommendation to the Joint Appropriations Committee regarding an external cost adjustment to the K-12 education resource block grant model (funding model) for fiscal year 2021 pursuant to W.S. 21-13-309(o) and (u). Additionally, the Committee will study the funding model's transportation and special education components. The Committee will request the Department of Education update the Committee on the promulgation of rules related to the transportation component of the funding

model as a result of amendments made to the transportation component through **2019 HB 0308**. Finally, the Committee will request the Department of Education report on school district special education expenditures from school year 2018-19 and the implementation of the statewide funding model expenditure cap and out-of-district placement appropriation for the 2019-20 and 2020-21 school years (**2018 HB 140**).

Priority #3 K-12 Education Government Efficiency Commission Recommendations

The Committee will study two recommendations from the Government Efficiency Commission related to K-12 education. The first recommendation is to amend the State's Medicaid plan for special education. The Department of Health is directed through the 2019 budget bill, Section 343 (**2019 HB 0001**) to negotiate an amendment to the State's Medicaid plan to include services authorized for special education beginning school year 2020-21. The Committee will request the Departments of Education and Health provide status updates on the progress of amending the Medicaid plan and provide assistance to the Committee in implementing this across school districts and the respective state agencies. The second recommendation is related to K-12 shared services. The Committee will request school districts, the Department of Education and the State's efficiency contractor, Alvarez and Marsal to provide additional information on this topic and tangible recommendations on how to implement this efficiency recommendation. The Committee will review the Alvarez and Marsal **reports** and additional information provided by school districts and state agencies.

Priority #4 School Safety and Security

The Committee will study K-12 and post-secondary school safety and security measures. During the 2019 General Session, **HB 0203** proposed \$6,000,000 in appropriations to community colleges for safety and security improvements; **SF 0064** proposed to require each school district to develop and review comprehensive safety and security plans and established a school safety and security advisory committee as a duty of the State Superintendent of Public Instruction. The Committee will study these items to identify additional measures to improve safety among all schools.

Priority #5 Department of Education Data Collection and Reporting Requirements

The Committee will request the Department of Education provide information related to data collection and reporting requirements of school districts and other entities across the state. This topic is also related to the Wyoming Community College Commission's requirement to report on the statewide longitudinal education data system. During the 2019 General Session, many inquiries were made related to this topic and it warrants further discussion.

Priority #6 K-12 Education Program

The Committee will study the K-12 education program and request the Department of Education and State Board of Education provide information in the following areas: 1) civic education standards, 2) K-12 biliteracy and dual immersion programs, and 3) cardiopulmonary resuscitation (CPR). The Committee will also explore the concept of having a K-12 biliteracy diploma seal. During the 2019 General Session, **HB 0129** and **SF 0143** explored the possibility of requiring a civics proficiency exam and the Committee will study this concept further.

Priority #7 Hathaway Scholarship Award Amounts

The Committee will study the Hathaway Scholarship award amounts and consider options on how to increase award amounts. The Committee will also review the Hathaway accounts and the potential fiscal impact of increases in award amounts. During the 2019 General Session, **HB 0132** proposed a five percent increase to current award amounts. Additionally, should the Management Council wish for a committee to

JOINT EDUCATION COMMITTEE *Memorandum*

study the “Wyoming’s Tomorrow” concept proposed in the budget bill and **2019 HB 0310**, we would request our Committee study the topic.

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



STATE of WYOMING LEGISLATURE

Memorandum

DATE March 12, 2019

TO Members, Management Council

FROM Senator Bill Landen, Cochairman
Representative Tyler Lindholm, Cochairman

SUBJECT Joint Corporations, Elections and Political Subdivisions Interim Committee
2019 Interim Topics

The Joint Corporations, Elections and Political Subdivisions Interim Committee (Committee) met on February 26, 2019 to discuss proposed interim study topics for the 2019 interim. This memorandum outlines the topics the Committee requests to study during the 2019 interim. The Committee intends to hold three two-day meetings to accomplish its work. The meetings are tentatively scheduled for May 16 and 17 in Casper, September 16 and 17 in Jackson and November 18 and 19 in Cheyenne.

Priority #1 Utilities

1. Utility rates, regulations and policies
2. Coal fired power plants
3. Net metering
4. Wind farm developments

Electricity continues to be an important issue in Wyoming. For the past three years, this issue has been the Committee's number one priority and the Committee would like to continue working with the Wyoming Public Service Commission and other interested parties in studying this issue this interim. The Committee requests the opportunity to study utility rates, regulations and policies, including specific review of coal fired power plants, net metering and wind farm developments. In addition, the Committee would like to receive reports on Rocky Mountain Power's Multi-State Process, Black Hills' Mountain West Transmission Group and California's Independent System Operator. The Committee anticipates that it will need a subcommittee to fully study these issues and requests \$4,000 be added to the Committee's standard budget. The subcommittee would meet at least once and report back to the Committee its findings and recommendations on these important issues.

Priority #2 Local Issues

1. Municipal right-of-way franchise fees
2. County permanent reserve accounts
3. Vendor licensing

The Committee requests the opportunity to study important issues concerning our counties, cities and towns. Specifically, the Committee would like to study the impact franchise fees are having on access to the use of municipal rights-of-way, including whether some entities are disproportionately impacted by the fees. The Committee would also like to study historical, current and future potential avenues for counties to manage their reserves. Lastly, the Committee would like to study the licensure of vendors, including food truck vendors, by counties, cities and towns.

Priority #3 Insurance Department

1. Update statutes related to insurance
2. Indemnity provisions in construction contracts

The Committee requests the opportunity to work with the Wyoming Insurance Department to update various statutes in the Wyoming Insurance Code. Specifically, the Committee would like to review and consider legislation to update statutory requirements for surplus line brokers, life and health companies and property and casualty insurance companies. The Committee would also like to review and consider legislation to update the composition of guarantee associations. In addition, the Committee would like to study the impact of indemnity provisions in construction contracts.

Priority #4 Election Issues

1. Election Code revisions
2. Secretary of State's authority over election

The Committee requests the opportunity to receive and consider recommendations from the Secretary of State and county clerks to update the Election Code. Specifically, the Committee would like to study voter registration requirements, day of voting process and requirements, candidate filing periods and the write-in nomination process. The Committee would also like to study the statutory authority of the Secretary of State over applications for nomination to office.

Priority #5 Corporate Governance

1. Corporate directors and shareholder classes
2. Effect of court cases on Wyoming Limited Liability Company Act

The Committee requests the opportunity to study the general standards of corporate directors and consider legislation that would specify that corporate directors may consider the interests of all classes of shareholders, including preferred shareholders. The Committee would also like to review Wyoming's Limited Liability Company Act in response to recent federal court cases and consider whether statutory revisions are needed.

Priority #6 Public Meeting Requirements

The Committee requests the opportunity to study Wyoming's public meeting laws. The Committee would like to review the requirements, enforcement and compliance of public meeting laws for the legislative, executive and judicial branches of government and for the political subdivisions of the State.

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



STATE of WYOMING LEGISLATURE

Memorandum

DATE March 12, 2019

TO Members, Management Council

FROM Senator Cale Case, Co-chairman
Representative Dan Zwonitzer, Co-chairman

SUBJECT 2019 Interim Topics

In response to the February 15, 2019 letter from Chairman Harshman and Vice-Chairman Perkins, this memorandum represents the "letter of support" for the interim topic request for the 2019 interim. The Joint Revenue Interim Committee intends to hold four two-day meetings to accomplish its work: Each topic is described below with information to support the topic.

2019 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 2019 interim.

Priority #1 State Fiscal Structure Diversification

Continuing from the 2018 interim, the Committee will analyze Wyoming's revenue streams and study the implications of the existing state fiscal structure and its relationship to economic diversification. This topic will include a consideration of the long-term planning options for funding public education and general government services given the current state fiscal structure.

Supporting information: The Committee can consider the application of the REMI model to provide predictions of fiscal feasibility of various NAICS industries in Wyoming compared to other states. The comparison of Wyoming tax structure relative to other states will enable the Committee to have more detailed information than in past years on the effects of the Wyoming Fiscal Structure on economic diversification in Wyoming. The Committee estimates that this topic will take approximately six (6) hours.

Priority #2 Tax Studies

The committee will continue to consider modernization and reform of the state sales tax system, including potentially revenue neutral reductions in the tax rate coupled with expansion of the tax base. This topic will include:

- A. Electricity taxation modeling: Renewables, wind and solar, and possibly other generation sources.
- B. Study of the transitional difficulties of raising the valuation factor to address the limitations of the counties and cities have of trying to raise money via mill levies.

Supporting information: The Committee will Review and revise economic models of wind taxation to determine wind's capability of sustaining higher taxes. Several studies need to be reviewed including the University of Wyoming and the E3 model. The E3 model will require considerable staff resources to update as the original developer is conflicted out.

Raising the valuation factor would provide a larger base to work from but would require a corresponding reduction in mills for state and local purposes during the transition to be revenue neutral. After the transition, much of the burden and decision-making responsibility for taxes would be closer to the people. The Committee estimates that this topic will take eight (8) hours.

Priority #3 Assessment and Review of Recent Revenue Bills

The Committee will review recent legislation related to revenue that was brought by the Committee or by individual legislators for a determination by the Committee of how to proceed. This topic will include:

- A. 2019 House Bill 220 – National retail fairness act.
- B. 2019 House Bill 68 – School funding revenue
- C. 2019 House Bill 67 – Sales tax revisions
- D. 2019 House Bill 66 – Lodging tax
- E. 2019 House Bill 233 – Income tax
- F. The optional municipal tax and other local revenue options.

Supporting information: The Committee has spent significant time on issues related to revenue in the previous two interims. The Committee would like to review that previous work and determine how to proceed with those issues. The Committee estimates that this topic will take approximately six (6) hours.

Priority #4 Government Property Tax Exemptions.

The Committee will review the requirement that property owned by a governmental entity is exempt "when used primarily for a governmental purpose" found in both the Constitution and Title 39.

Supporting information:

The goal of this topic would be to clarify the intent of the requirement that property owned by a governmental entity is exempt "when used primarily for a governmental purpose" and provide assessors with clear legislative guidance which will ultimately result in uniform application of the exemption statutes. The Committee estimates that this topic will take approximately four (4) hours.

Priority #5 Tax Administration Issues

The Committee will review the issues related to tax administration, including:

- A. Personal property tax reporting, including a review of 2019 Senate File 6
- B. Oil and gas reporting issues
- C. Statements of Consideration
- D. Appeals of State Board of Equalization decisions by County Assessors, including a review of 2019 Senate File 23

Supporting information:

The goal of this topic would be to review specific tax administration issues brought to the Committee by the Department of Revenue, the State Board of Equalization and the County Assessors. The Committee estimates that this topic will take approximately four (4) hours.

Priority #6 Debts Owed to the State

The Committee will continue to review and consider options related to the collection of debts owed to the state. This topic may include consideration of the creation of a centralized program for collection of debts owed to the state. This topic may include the development of recommendations for a debt collection program including the organizational structure, oversight, responsibilities, technology requirements and timing.

Supporting information: This would be a continuation of efforts of the Committee from the 2017 interim related to the collection of debts owed to Wyoming. The Committee was previously involved in discussions with the State Auditor's Office and others on the potential implementation of a centralized program for the collection of State debts. The Committee estimates that this topic will take approximately three (3) hours.

Priority #7 Tobacco Taxation

This topic would include an update on 2019 Senate File 51 – Tobacco tax equivalence which authorizes the Governor to enter into negotiations with the Tribal Governments to develop a compact leading to equivalent tobacco taxation across the state including cigarettes sold on the Wind River Indian Reservation. This topic could also include consideration of the tax rate on tobacco products including vapor products.

Supporting information: The Committee would like to continue to review issues related to tobacco taxation including continuing to review the issue surrounding taxation of tobacco on the Wind River Indian Reservation. The Committee would also continue discussions related to the tax rate on tobacco products. The Committee estimates that this topic will take approximately four (4) hours.

Priority #8 Funding for Indigent Burials

The Committee consider funding sources to pay for indigent burials.

Supporting information: This topic would include a review of the current funding mechanism for indigent burials and a review of options to provide a permanent funding source to pay for indigent burials. The Committee estimates that this topic will take approximately three (3) hours.

Priority #9 Alcohol Laws

The Committee will consider legislation to modernize and streamline the alcohol laws found in Title 12 of the Wyoming Statutes

Supporting information: The Committee will consider legislation for simplification and streamlining of the state alcohol laws. The bill would be focused on updating the revisions in 2017 Senate File 43, separating microbrewery and winery statutes, analyzing the need for keg registration and adding additional statutory descriptions. The bill could include sunseting of the ability to transfer retail liquor licenses issued in 2020 and thereafter. The Committee estimates that this topic will take approximately four (4) hours.

If all topics above are approved, the Committee estimates approximately forty (40) hours of Committee meetings which may require a fourth meeting. We look forward to discussing these proposed topics with the members of Management Council.



WYOMING LEGISLATIVE SERVICE OFFICE

Memorandum

DATE March 11, 2019

TO Members, Management Council

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

SUBJECT 2019 Interim Topics for Consideration for the Joint Appropriations Committee

In response to the February 15, 2019 letter from Chairman Harshman and Vice-Chairman Perkins, this memorandum represents the "letter of support" for the interim topic request for the 2019 interim. The Joint Appropriations Committee (Committee) met on February 22, 2019 to discuss proposed interim study topics for the 2019 interim. The topics have been grouped into eight (8) categories in priority order: 1) Contract and Leasing Procedures; 2) Wyoming Retirement Plan Issues; 3) Salary Distribution, Flexible Labor and Employee Turnover; 4) Budget Stabilization and Simplification; 5) Enterprise Technology Services: Scope of Services; 6) Department of Corrections: Facilities, Staffing and Compensation; 7) Statutory Requirements and Receipt of Reports; and 8) Closure of Coal Power Plants. The Committee requests approval for one (1) two-day meeting and two (2) one-day meetings to accomplish its interim work. The Committee will outline its meeting dates and locations once its topic list is finalized. The Committee is requesting a total budget of \$35,500, not inclusive of December 2019 budget hearings. Each topic is described below and includes supporting information and interests.

2019 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 2019 interim.

PRIORITY #1 CONTRACT AND LEASING PROCEDURES

Conduct a review of multiple issues related to state contracting and leasing processes and procedures, primarily implemented by the Department of Administration and Information (A&I) and the State Construction Department (SCD). The review will include, but not be limited to: definition of "resident" contractor and resident preference; review of contractor outreach and establishing bid specifications; modernization of public notice requirements/processes; ensuring alignment of statutes with agencies and professional disciplines; competitiveness of leasing processes; evaluation of final contracting payment procedures, retainage, and timeliness; UW's Buy WYO program and potential metrics to be extended to other agencies or political subdivisions; and effectiveness of alternative construction delivery methods, including design-build.

Supporting Information: The Committee generally provides the first and most detailed legislative review and feedback on state construction projects, procurement and the leasing program. The Committee requests to conduct a more comprehensive review of the processes and standards used by both the A&I and SCD. The main purpose for this review is to ensure consistency, clearness, and effectiveness/efficiency of processes. The Committee will also look at contractor feedback for modernizing the State's approaches to contracting and leasing as well as alternative construction contracting methods. This topic may result in legislation.

PRIORITY #2 WYOMING RETIREMENT PLAN ISSUES

Review of specific retirement plan issues, including: review of actuarial assessment of all retirement funds; seek professional external input, assessments and comparisons; consider employee contributions; consider Firemen's Plan A, mandatory cost-of-living-adjustments (COLAs) and Judicial Retirement. The Committee will also review the manner of investing funds, specifically the benefits, costs and structure to provide increased in-house investing as compared to the use of external managers under contract.

Supporting Information: The Committee is the home legislative committee for retirement related issues. The Committee consistently hears issues about retirement plan benefits, contribution levels, and plan stability. The Committee requests to continue to explore additional ways in which the retirement plans can reach full funding as well as whether the plans' approaches to COLAs are reasonable and sustainable. A key review is understanding if internal investing can produce additional investment returns, and at what cost to the plans in terms of additional staffing, compensation and benefits. This topic may result in legislation.

PRIORITY #3 BUDGET STABILIZATION AND SIMPLIFICATION

Continue to build on 2018 Interim work to review and explore distribution of revenues, budget growth and budget processes that may contribute to or contain systemic growth. The Committee will also designate a small working group to meet for two to three days for an intensive review session to improve presentation of fiscal items in the LSO Databook.

Supporting Information: During the 2018 Interim, the Committee explored ways to simplify the State's budget process and presentation of fiscal information. The Committee requests to continue to work on ways to simplify the budgeting process, the number and nature of the State's profiled accounts, and presentation of both expenditure and revenues fiscal depictions for improved legislator and public consumption. This topic may result in legislation and/or revised reporting documents (e.g., LSO Databook revisions, etc.).

PRIORITY #4 SALARY DISTRIBUTION, FLEXIBLE LABOR AND TURNOVER

Study the distribution of appropriations for compensation of executive, judicial and higher education employees supported by general, federal and other funds. The Committee will also review the use of at-will, contract and flexible labor and evaluate the impact of compensation, including benefits, on employee turnover rates and turnover costs.

Supporting Information: Personnel costs are one of the primary drivers in the State's budget. 2019 House Bill 0001 appropriated a total of \$11.96 million in General Funds for compensation adjustments for executive, judicial and higher education employees. The Committee requests to review how compensation levels are impacted by these compensation adjustments, including additional federal and other funding; how appropriated funds will be distributed; the impacts of turnover; and whether alternative labor structures may assist agencies in efficiently meeting their missions. This topic may result in legislation or inform future appropriations.

PRIORITY #5 ENTERPRISE TECHNOLOGY SERVICES: SCOPE OF SERVICES

The Committee will initiate an information request with the Department of Enterprise Technology Services (ETS) to begin review of agency staffing, budgeting, and services provided to state agencies. The Committee will also review the original mission of ETS and identify examples of successes and areas requiring improvement. The Committee will also review the structure and delivery of specialized applications and support services for agencies related to legacy systems or systems not directly supported by ETS, e.g., state longitudinal education data system under the Community College Commission.

Supporting Information: The Committee continues to have questions about the efficiency and cost effectiveness of ETS consolidation with respect to agencies' information technology proposals and requests. The Committee requests to engage ETS and collect information on its operations and how it currently services state agencies. The Committee aims to better structure future interactions with ETS as well as develop an improved approach for vetting information technology requests for future biennial budget requests.

PRIORITY #6 DEPARTMENT OF CORRECTIONS: FACILITIES, STAFFING AND COMPENSATION

The Committee will continue its regular review of the Wyoming State Penitentiary (WSP) operations and maintenance and remediation efforts, as well as review information on position vacancies, out-of-state placements and expenditures. The Committee anticipates holding one interim meeting in Rawlins for the education of newer committee members. The Committee will receive and review contracted staffing and time studies for each correctional institution and field services division compared to best practice staffing levels and deployments. The Committee will review this information to assess staffing levels, compensation, and recruitment and retention challenges to identify, if necessary, alternate approaches to staffing Department of Corrections (DOC) institutions and field operations.

Supporting Information: The Committee has received regular reports from the DOC over the last few years related to water remediation and maintenance for the WSP in Rawlins, Wyoming. The Committee requests to continue this focus on the WSP as well as work with the DOC to identify potential alternative strategies to staffing, compensation, and recruitment/retention incentives as a result of DOC-contracted staffing studies to be completed by national corrections professional associations. This topic may inform future appropriations.

PRIORITY #7 STATUTORY REQUIREMENTS AND RECEIPT OF REPORTS

The Committee will receive reports required by legislation from state agencies, as provided by law, including:

- Receive and provide a recommendation on the K-12 external cost adjustment (ECA);
- Receive a report on higher education study on baccalaureate degrees; and
- Receipt of status report from the State's government efficiency contractor, or responsible parties within the executive branch.

This topic may result in legislation or inform future appropriations.

PRIORITY #8 CLOSURE OF COAL POWER PLANTS

The Committee will review the fiscal impacts to the State to assist in the preservation, use and continued operation of Wyoming coal-fired electric generating facilities. This review will include assessment of the cost of power from legacy coal-fired electric generation facilities compared to other forms of electric generation.

Supporting Information: As national electricity generating practices shift, the Committee believes it should review the ability of in-state coal-fired electric plants to continue operations as a key economic sector for and taxpayer to the State. The Committee requests to review recent information on challenges to coal-generated electricity as well as the impact of electric generating standards implemented in other states. The Committee may review 2019 Senate File 0159, New opportunities for Wyoming coal fired generation and 2017 Senate File 0071-Electricity production standard as a resource to guide this review. This topic may result in proposed legislation to support continued operation, employment and tax payments for Wyoming coal-fired electric generation facilities.

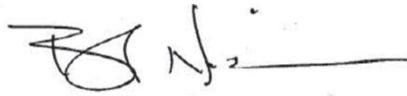
For each of the priorities listed, the Committee may sponsor legislation and consider related topics that are identified during review.

MEETING SCHEDULE

- Meeting 1: TBD. (Cheyenne, likely July)
- Meeting 2: TBD. (Rawlins)
- Meeting 3: TBD (fall 2019, after Joint Education Committee's ECA recommendation received)



Senator Eli Bebout, Co-Chairman



Representative Bob Nicholas, Co-chairman



STATE of WYOMING LEGISLATURE

Memorandum

DATE March 11, 2019

TO Management Council

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

SUBJECT Joint Travel, Recreation, Wildlife and Cultural Resources Interim Committee - Proposed 2019 Interim Topics

This memorandum is the letter of support for the Joint Travel, Recreation, Wildlife and Cultural Resources Interim Committee's topics for the 2019 interim. The Committee met on February 20, 2019 to discuss the 2019 proposed interim topics. The topics are grouped into four categories: (1) State Parks & Cultural Resources; (2) Game & Fish Department; (3) Tourism Update; and (4) Study Search & Rescue. The Committee has tentatively scheduled three, two-day meetings to accomplish its work: June 10-11, August 1-2, and October 2-3. This memorandum further describes each topic.

2019 Interim Topics:

The Committee requests that Management Council approve the following topics for study and consideration during the 2019 interim. The topics are listed in order as prioritized by the Committee's Co-Chairmen.

Priority No. 1: State Parks & Cultural Resources

Hot Springs State Park - The Committee will review and explore innovative ways to implement its statewide concession master plan. The Committee will receive updates on the status of current leases and concession operations at the park and will consider future plans. They will also request follow-up information on the State Parks & Cultural Resources Office's implementation of Senate File 116 (State parks-vendor contracts), including an update on its rule making process and the cancelling of month-to-month leases.

State Parks and Cultural Resources general update - State Parks and Cultural Resources will provide an update to the Committee on the Outdoor Recreation Office and provide information regarding funding models outside of the general fund for outdoor recreation support.

Priority No. 2: Gaming Commission

The Committee will conduct a comprehensive examination of lawful wagering and gaming in the state. The Committee will explore the concept of implementing a state-wide gaming commission. The review will also include research into other state gaming commissions and court action on the regional and national level. This review may result in proposed legislation to be sponsored by the Committee.

Priority No. 3: Game and Fish Department

Chronic Wasting Disease (CWD) - The Committee will request that the Game and Fish Department provide current information on CWD and its effect on the populations of white-tailed deer, mule deer and elk in Wyoming. The Department will be asked to discuss what actions are being taken to eliminate the disease from our wildlife population.

Aquatic Invasive Species - The Committee will request an update and overview on Wyoming's Aquatic Invasive Species Program. The Committee will also work with Game and Fish Department to analyze how they affect our waterways, the problems with invasive species being brought into our state and how best to mitigate these problems. The Committee will also gather public input regarding the program's priorities, evaluate potential partnerships and contributors to the current program and work with the Department on strategies to promote awareness and detection around the state.

License Carry-Over for Bison - Wyoming law allows for license carry-over for big game and trophy licenses, however bison are not listed as either. Consequently, the licenses do not qualify for carry-over no matter the surrounding circumstances. The Committee will consider possible legislative action to add wild bison to statute W.S. § 23-1-703, to allow for bison hunting license carry-over when good cause exists.

Licensing of Fishing Guides – Wyoming law does not require fishing guides to be licensed. During the interim, the Committee will examine the potential need for licensure of fishing guides. In doing so, the Committee will consider the laws of several states that do license fishing guides, review data on the increase of guided fishing trips on Wyoming's state rivers, and work to promote a consensus with fishing and hunting guides moving forward. The Committee will also gather public input to help determine whether licensing is necessary.

Separately, The Committee will request updates from Game and Fish on wildlife crossings, wildlife harassment and preference points (for information purposes only).

Priority No. 4: Office of Tourism

The Committee will ask that the Office of Tourism provide updates at the Committee's first and last meeting regarding actions taken by the Office to encourage tourism in Wyoming. The Committee will also ask for an update on improvements in efficiencies and communications within the Office.

Priority No. 5: Search and Rescue Study

The Committee will review the operational standards for search and rescue operations nationally, regionally and within Wyoming. The Committee will receive testimony regarding best practices in response time; level of response; resources available, training, purchasing and logistics. The Committee will also review what resources are available in the different areas of the state and consider how best to expedite treatment in the field, provide transportation to trauma centers and study other actions necessary to increase the quality of treatment and promote the survivability of injured individuals.

Priority No. 6: Agency Reports

The Committee will receive several reports from the Game and Fish Department, the Office of Tourism, and the Department of State Parks and Cultural Resources. The Committee will also consider sponsoring legislation based on any of the discussion points mentioned above.

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



STATE of WYOMING LEGISLATURE

Memorandum

DATE March 12, 2019

TO Members, Management Council

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

SUBJECT 2019 Interim Topics for Consideration for the Joint Transportation, Highways and Military Affairs Interim Committee

In response to the February 15, 2019, letter from Chairman Harshman and Vice-Chairman Perkins, this memorandum represents the “letter of support” for interim topic requests for the 2019 interim. The Joint Transportation, Highways and Military Affairs Interim Committee met on February 21, 2019, to discuss proposed 2019 interim study topics. A description of each topic with supporting information is provided below. The Committee intends to hold three two-day meetings to accomplish its work. The meetings are tentatively scheduled for May 22-23 in Gillette, August 12-13 in Cheyenne and October 10-11 in Casper.

2019 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 2019 interim.

Priority #1 Military Matters

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

- **Military spouse professional and occupational licensing requirements**—whether the statutes appropriately address issues military personnel and their spouses face when seeking professional and occupational licenses so that they can continue their vocations without undue delay or extra expense. Spouses in professionally licensed fields such as medical, legal, engineering, education, accounting or the cosmetic arts, face challenges due to delays or cost of transferring licenses to a new state or jurisdiction. Eliminating or mitigating these barriers will improve quality of life for military families.
- **Funding to support veteran’s claims service**—the possibility of state funding to support a Department Service Officer for the Wyoming Veterans of Foreign Wars (VFW). Without state funding to support the position it will be lost in 2022. This position acts as a power of attorney holder for Wyoming’s veterans before the Board of Veterans Appeals. Loss of the position would

result in a decrease in claims submitted to the Veterans Benefits Administration by 33%. The United States Department of Veterans Affairs (VA) requires the state to have this agreement with the service organizations for the Veterans Commission to be a VA recognized state agency.

- **Review and update statutes as they relate to military matters**—statute changes regarding several military matters, including: Wyoming's Judge Advocate must currently be an active member of the Wyoming National Guard (WYNG), but the Military Department would like to explore the option of allowing that position to be held by a federal civilian employee of the WYNG; current property tax emptions do not include newer qualifying decorations; and WYNG immunity and use of force for security officers may need to be defined.
- **Monitoring the progress of the veterans' skilled nursing facility** design and planning and the federal applications for the veterans' skilled nursing center, as provided in HB0082, which was passed during the 2019 legislative session.

Priority #2 Highway Matters

The Wyoming Department of Transportation (WYDOT) and the Wyoming Highway Patrol have numerous responsibilities for regulating commercial traffic, collecting 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:

- **Tolling I-80**—the possibility of tolling on Interstate 80 across southern Wyoming. A federal program created under President Bush allows for tolling of existing roadways that could not otherwise be adequately maintained or functionally improved without the collection of tolls. Up to three different states may participate in the program, and the Committee would like to explore having Wyoming participate. The Committee would like to follow up on a 2008-2009 WYDOT comprehensive report that included construction cost estimates and other fiscal impacts, how “toll diversion” might affect local businesses and state and federal fuel tax receipts, safety improvements from adding capacity and instituting tolling, probable impacts on law enforcement, federal funding impacts, environmental clearances and possible legal challenges.
- **Wildlife crossings**—reducing collisions and injuries while conserving wildlife resources. Fencing, underpasses, double cattle guards and jump outs to effectively reduce wildlife collisions and provide crossing opportunities for local animal species. Highways and roadways affect wildlife populations by disconnecting their habitat, creating barriers to animal movement and making it more difficult to find food and water, establish territory, successfully migrate to seasonal refuges and obtain other specific living requirements. Crossing opportunities can reduce the barrier effect of roads and traffic on wildlife habitat and can reduce vehicle collisions with large mammals an estimated 80-99%.
- **Indexing the fuel tax**—ensuring that the state receives all fuel tax revenue to which it may be legally entitled for the maintenance of and enhancements to the transportation system. The Committee aims to explore the possibility of linking the value of taxes on all types of combustible gases and liquids used to operate motor vehicles on public roadways and highways to a price index.

Priority #3 Department of 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 vehicle online permitting**—Commercial vehicles wrack up millions of miles daily across Wyoming, providing an important service to residents and nonresidents alike, and sustaining considerable employment and economic activity. The Committee seeks to study best practices and systems implemented in other states for online oversize/overweight permitting, review federal grant possibilities and requirements, and to establish a timeline and funding needs to implement a modernized, viable and sustainable online permitting program for commercial operators.
- **Review of the Public Safety Communications Commission's (PSCC's) mission and authority**—The Committee intends to review the PSCC mission, responsibilities, progress and legislative needs including statewide mission critical interoperable emergency communications, technologies for land mobile radios, 911 and long-term evolution (LTE), revenue and funding, and commission composition.
- **Revenue information system replacement**—The Committee aims to work with WYDOT to move forward with a solution for Revenue Information System (RIS) replacement based on the 2018 MathTech analysis and report. RIS modernization shall examine the data needs for other state agencies to accomplish a statewide data system.
- **Review and update statutes as they relate to transportation matters**—statute changes regarding several transportation matters to provide constituents with better access to services, including: revising notification requirements for driver's licenses, incorporating federal changes regarding commercial learner's permits, allowing for a ten-year look back period on DUI convictions consistent with federal guidance, and requirements for titles and transfers of ownership of motor vehicles.

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



Michael Von Flatern, Co-chairman



John Eklund, Co-chairman



STATE of WYOMING LEGISLATURE

Memorandum

DATE March 11, 2019

TO Members, Management Council

FROM Senator Brian Boner, Co-chairman
Representative Hans Hunt, Co-chairman

SUBJECT 2019 Interim Topics

In response to the February 15, 2019 letter from Chairman Harshman and Vice-Chairman Perkins, this memorandum represents the "letter of support" for the interim topic request for the 2019 interim. The Joint Agriculture, Public Lands and Water Resources Interim Committee intends to hold three two-day meetings to accomplish its work: Each topic is described below with information to support the topic.

2019 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 2019 interim.

Priority #1 University of Wyoming – College of Agriculture

The Committee will review the operations of the College of Agriculture and Natural Resources as the University of Wyoming. This topic will include a consideration of the current funding of the College of Agriculture and the current degree programs offered by the College. The Committee will also review the extension and research stations associated with the College.

Supporting information: The Committee will consider options to help ensure the College is offering programs that are Wyoming-centered including rangeland management, ecology, high-altitude cattle management and ranch manager programs. The Committee estimates that this topic will take approximately twelve (12) hours.

Priority #2 State Lands

The Committee will review the appraisal process used for state lands. This review will include a comparison of the appraisal process to the private sector process and the efficiency of the current process. This topic may also include instituting a formal process for disputing appraisals.

This topic will also include issues related to the potential for the exchange of isolated school parcels not generating revenue for public schools. Committee activity will be in conjunction with federal action to complete a land swap.

Supporting information: The Committee is requesting this topic to address concerns with the current appraisal process used for state lands and to determine if modifications to the current process are necessary. The Committee estimates that this topic will take approximately eight (8) hours.

Priority #3 Review of Commodity Boards and Commissions

The Committee will review the operation of the existing commodity boards in Wyoming including the Beef Council, the Wheat Marketing Commission and the Bean Commission. The review will include the history and current duties of the entities and opportunities for efficiencies within the entities and the Wyoming Business Council.

Supporting information: There are currently several different commodity marketing groups in Wyoming and the Committee has received interest in the creation of additional groups. The Committee review of this topic would enable the Committee to determine the operation of these groups and the opportunity for efficiencies including consideration of relocating these functions to a marketing division within the Department of Agriculture. The Committee estimates that this topic will take approximately six (6) hours.

Priority #4 Animal Damage Management Board

The Committee will review the operations and funding of the Animal Damage Management Board. The review will include the interactions of the Board with the Game and Fish Commission and counties and Federal-State cooperative programs. This topic may also include additional state needs related to predator control and current expenditures related to predator control.

Supporting information: The Committee is requesting this topic to educate the Committee on the operations of the Animal Damage Management Board and predator control in general to enable the Committee to make informed decisions related to future funding requests for the Board and for predator control. The Committee estimates that this topic will take approximately four (4) hours.

Priority #5 Invasive Species

The Committee will review efforts to inspect and control foreign goods transiting through Wyoming which may harbor invasive species. This topic will include a review of the current Wyoming procedures related to invasive species and a review of methods used in other states.

Supporting information: The Committee will consider the ability to subject shipments harboring invasive species to fines or confiscation and the ability to require the shipper or owner of the shipment to bear the costs of inspection. The Committee will consider legislation that would prohibit shipments originating from any state that exceeds established limits for invasive species found in shipments. The Committee estimates that this topic will take approximately six (6) hours.

Priority #6 Agency Updates

The Committee will receive updates and reports from executive branch agencies under its jurisdiction, including the Department of Agriculture and the Office of State Lands and Investments.

Supporting information: The Committee has historically received updates from executive branch agencies under its jurisdiction, which would include updates on legislation passed during the 2019 legislative session. In addition to other reports and updates, the Committee anticipates receiving an update on the progress of the State Fair Board.

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

JOINT AGRICULTURE COMMITTEE Memorandum



WYOMING LEGISLATIVE SERVICE OFFICE

Memorandum

DATE March 22, 2019

TO Management Council

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

SUBJECT Proposed 2019 Interim Topics for the Joint Minerals, Business & Economic Development Interim Committee

This memorandum is the letter of support for interim topics for the 2019 interim and responds to the February 15, 2019 letter from Chairman Harshman and Vice-Chairman Perkins. The Joint Minerals, Business and Economic Development Interim Committee (Committee) met on February 22, 2019 to discuss proposed interim topics for the 2019 interim. The topics have been grouped into seven categories: (1) Oil & Gas Issues; (2) State Primacy over NEPA Assessments; (3) Sage Grouse Mitigation Credits; (4) The Wyoming Energy Authority; (5) Utility Production Issues; (6) Department of Environmental Quality (DEQ) updates; and (7) Agency Reports.

The Committee has tentatively scheduled three meetings to accomplish its work: May 20–21 in Gillette, August 28–30 in Douglas, and November 4–5 in Casper. The Committee also wishes to plan a fourth meeting based on the anticipated public interest in the Committee's preferred top-two topics. This memo further describes each topic and the proposed tentative meeting schedule.

2019 Interim Topics

The Committee requests that Management Council approve the following topics for study and consideration during the 2019 interim. The topics are listed in order as prioritized by the Committee's Co-Chairmen.

Priority No. 1: Oil & Gas Issues

The Committee will comprehensively study and consider Wyoming's statutes and regulations pertaining to oil and gas, including bonding, the acquisition of oil-and-gas leases, the permitting process, split-estate issues, and drilling practices. The Committee will also consider standards and the regulation of soil health and clean water, including the application of produced water.

Discussion: The oil-and-gas industry in Wyoming has changed considerably in the last few years, with advances in technology and changes in public policy. The Committee believes that it is critical to holistically study Wyoming's oil-and-gas laws to modernize the state's laws to better align with current industry practices, to mitigate impacts on natural resources, to ensure that private-property rights continue to be held in high regard, and to ensure that this bedrock industry in Wyoming continues to positively support Wyoming's economy.

Priority No. 2: Oversight of the NEPA Evaluation Process at the State Level

The Committee will study the possibility for the state of Wyoming to enter into an agreement with the Department of Interior to provide for state primacy and oversight of environmental assessments and environmental impact statements prepared for major federal actions in the state.

The Committee would like to study the possibility and feasibility of the State of Wyoming assuming primacy for conducting environmental impact statements and environmental assessments for major federal actions in Wyoming. The Committee would study enacting a legislative framework to assert primacy over these assessments and would explore the State entering into a memorandum of understanding with the Department of the Interior to assume the responsibilities of these assessments that are currently required under the National Environmental Policy Act, 42 U.S.C. § 4321 et seq.

Priority No. 3: Sage Grouse Mitigation Credits

The Committee will study and consider legislation regarding sage grouse mitigation credits.

Discussion: In 2018, the Governor issued an executive order that provided a framework for compensatory mitigation for impacts to greater sage-grouse habitat in Wyoming. At the end of the 2019 General Session, the Committee heard a presentation from Bob Budd (Wyoming Sage-Grouse Implementation Team Chairman) on the status of the greater sage-grouse in Wyoming, the current conservation strategy, and the compensatory-

mitigation framework. The Committee wishes to further study the overall conservation strategy, including the compensatory-mitigation framework.

Priority No. 4: Wyoming Energy Authority

The Committee will receive reports, updates and recommendations regarding shaping the Wyoming Energy Authority and will consider legislation necessary for the Authority's commencement in 2020.

Discussion: 2019 Senate File 0037 requires the Committee to study the impacts of the Wyoming Energy Authority and to receive reports and recommendations on the merger of the Wyoming Pipeline Authority and the Wyoming Infrastructure Authority into the Wyoming Energy Authority. The Committee will develop and consider any legislation necessary to ensure the successful merger of the existing authorities and the successful commencement of the Wyoming Energy Authority in 2020.

Priority No. 5: Utility Production Issues

The Committee will receive reports, updates, and recommendations regarding issues involving the coal-based power industry and legislation for further use of carbon capture, utilization, and storage technologies and carbon-capture projects.

Discussion: The Committee recognizes the importance of coal to Wyoming and recognizes the rapidly shifting landscape of coal-powered plants and the coal market in Wyoming. The Committee will receive reports, updates, and recommendations regarding carbon capture, utilization and storage (CCUS) investment opportunities that could help sustain coal's long-term use. The Committee would work to identify regulatory and financial incentives for the greater use of CCUS technology on existing coal-powered units within the state, including the enhanced oil recovery prospects from coal production.

Priority No. 6: Department of Environmental Quality Updates

The Committee will receive reports, updates, and recommendations regarding funding, revenue streams and potential modifications to the Landfill Remediation Program from the Wyoming Department of Environmental Quality.

Discussion: The Committee receives various reports from the Department of Environmental Quality each year. This year, the Committee would like to study a possible modification to the Landfill Remediation Program to allow landfill credits for

past monitoring and remediation to be reimbursed through a one-time payment and a modification to the permitting process for mining regarding objections.

Priority No. 7: Agency Reports

The Committee will receive reports required by legislation from state agencies 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 Economically Needed Diversity Options of Wyoming (ENDOW) Council. The Committee will review the reports and consider any necessary legislation in response to the reports.

2019 Proposed Meeting Schedule

The Committee has tentatively scheduled three meetings during the interim to complete its work. The Committee would like to meet for an additional two days this interim to ensure sufficient time for education on these important topics, consideration of any legislation the Committee develops, and in anticipation of the broad public interest in our two highest-priority topics. Committee members received many calls and letters from constituents at the end of the 2018 interim, encouraging us to review oil-and-gas issues based on their experiences. We anticipate that agencies, industry stakeholders, landowners, and citizens will wish to comment on the oil-and-gas topic and the NEPA primacy topic.

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



JOINT LABOR COMMITTEE

Memorandum

DATE March 22, 2019

TO Members, Management Council

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

SUBJECT Joint Labor Committee—2019 Interim Topics Request

This memorandum outlines the topics that the Joint Labor, Health & Social Services Interim Committee (Committee) requests to study during the 2019 interim.

The Committee held an organizational meeting on February 22, 2019 to discuss proposed interim topics. The Committee intends to hold one two-day and two three-day hearings as follows:

- June 13–14, 2019 (Casper);
- September 23–25, 2019 (Evanston); and
- November 6–8, 2019 (Cheyenne).

PROPOSED 2019 INTERIM TOPICS

The Committee identified three cross-cutting themes it will emphasize in its work during the 2019 interim: 1) increasing the quality and availability of Wyoming's health care workforce; 2) improving Wyoming's health care system to meet the needs of Wyoming's citizens, including through service availability and quality and lowering costs; and 3) reducing the need for public assistance and giving individuals a meaningful pathway towards self-sufficiency.

The Committee proposes the following four issue areas as interim topics and requests approval to consider these topics during the 2019 interim:

Priority #1—Wyoming's Aging Population

The Committee requests permission to examine ways to address the growing aging population in Wyoming. Among other proposals, the Committee may consider:

- Changes to Medicaid to support individuals in need of long-term care;
- Regulation of long-term care facilities, including financial viability and service availability;
- Existing long-term care workforce issues;
- The retirement savings deficit;
- Surveillance cameras in nursing homes*; and
- Adult guardianship funding*.

* These are also possible Joint Judiciary Interim Committee topics.

Priority #2—Mental Health & Substance Abuse

The Committee requests permission to examine mental health and substance abuse issues to identify better health outcomes and savings to the State of Wyoming. Among other proposals, the Committee may consider:

- A Medicaid behavioral health waiver for adults;
- Services by community mental health providers, including financing, direct funding, Medicaid and private reimbursement;
- Title 25 issues, including stranded patients in community hospitals, pre-State Hospital diversions, post-State Hospital reintegration into communities and access to community services;
- Adolescent mental health, especially acute care and post-acute care placements and the continuum of care; and
- Department of Corrections issues including mental health and substance abuse funding, counselors in correctional facilities, and handoffs to community service providers when prisoners are released.

Priority #3—Wyoming's Workforce

The Committee requests permission to study Wyoming's workforce in two critical overlapping areas: health care and technology. The study will include reviewing educational opportunities, training programs, recruiting tools, financial aid programs (e.g., loan repayment programs for certain health care professionals) and telehealth and cybersecurity.

Priority #4—Responses to Federal Actions, Litigation and Reports from State Agencies

Air Ambulance

The Committee will monitor the implementation of 2019 HB 194 (Air ambulance coverage-Medicaid) and receive updates regarding ongoing litigation related to workers' compensation reimbursement rates for air ambulance providers.

Congressional Actions and ACA Litigation

The Committee will monitor legislation in Congress relating to health care and insurance, as well as take any necessary actions relating to ongoing litigation surrounding the constitutionality of the ACA (*Texas v. United States*, Fifth Circuit Court of Appeals) and the payment of cost-sharing reductions.

Multiple Employer Welfare Arrangements and Short-Term Health Insurance Plans

The Committee will monitor federal regulatory issues relating to multiple employer welfare arrangements and short-term health insurance plans for impacts on Wyoming's small and individual health insurance market.

Labor Standards Compliance

The Committee intends to work with the Department of Workforce Services to study Wyoming labor laws which may need to be amended to ensure compliance with federal requirements. These amendments will likely allow the Department of Workforce Services to take a greater role in enforcing labor laws.

JOINT LABOR COMMITTEE *Memorandum*

Alternative Nicotine Products/Vaping Issues

The Committee intends to review potential changes in federal regulation of alternative nicotine products.

Reports

During the 2019 interim, the Committee is required to receive reports from the Department of Health, including reports on the following topics:

- Multi-payer claims database (2019 HB 1);
- Review of sustained hospital viability (2019 HB 1); and
- Medicaid services for school districts (2019 HB 1).

Family First Prevention Services Act

Congress enacted the Family First Prevention Services Act (the Act) in February 2018. The Act is intended to provide in-home prevention services to families prior to the removal of a child from a home and to encourage kinship placement when removal is deemed necessary. The Committee intends to study the potential impact of the Act in Wyoming.

Medicaid Birth Cost Recovery

The Committee intends to review outcomes associated with recent legislation relating to Medicaid birth cost recovery (2018 HB 86).

TANF and SNAP Issues

The Committee intends to study the Temporary Assistance for Needy Families (TANF) case load and existing work requirements for the Supplemental Nutrition Assistance Program (SNAP).

Task Force Reports

During the 2019 interim, the Committee is required to receive a final report from the Opioid Addiction Task Force (2018 SF 78).

Additionally, in the 2018 interim, the Committee was required to receive a report from the Retirement Income Security Task Force (2018 SF 116). However, the Task Force's report was submitted after the final Committee meeting for the 2018 interim. During the 2019 interim, the Committee intends to review the work of the Task Force and the retirement savings deficit, with a focus on how this deficit can be reduced to improve citizens' quality of life in retirement and reduce potential impacts on the State of Wyoming's budget.



WYOMING LEGISLATIVE SERVICE OFFICE

Memorandum

DATE March 12, 2019

TO Management Council

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

SUBJECT Proposed 2019 Interim Topics for the Joint Judiciary Interim Committee

This memorandum is the letter of support for the interim topic request for the 2019 interim and responds to the February 15, 2019 letter from Chairman Harshman and Vice-Chairman Perkins. The Joint Judiciary Interim Committee (Committee) met on February 27, 2019 to discuss proposed interim topics for the 2019 interim. The topics have been grouped into seven categories: (1) Review of issues identified in recent Wyoming Supreme Court Opinions; (2) Judicial Updates, including the Family First Prevention Services Act and Guardian Ad Litem (GAL) and Parents' Counsel programs—agency location; (3) Review of Guardianships (especially relating to adults with developmental disabilities); (4) Justice Reinvestment Implementation Updates; (5) Review of the National Instant Criminal Background Check System (NICS); (6) Review of Trespass law; and (7) Sexual Abuse of Minors and Human Trafficking Statistics (informational only).

The Committee has tentatively scheduled three meetings to accomplish its work: June 3-4 in Gillette, August 15-16 in Casper and October 31 and November 1 in Cheyenne. This memo further describes each topic.

2019 Interim Topics

The Committee requests that Management Council approve the following topics for study and consideration during the 2019 interim. The topics are listed in order as prioritized by the Committee's Co-Chairmen.

Priority No. 1: Review of recent Wyoming Supreme Court Opinions.

The Committee will study and consider recent opinions where the Wyoming Supreme Court noted the absence of legislative action or called for legislative action.

Discussion: The Committee will consider issues that the Wyoming Supreme Court raised in the following cases: *Bohling v. State*; *Haskell v. State*; *Davis v. State*; *Nitchman v. State* and *Cothren v. State (I&II)*; and *In re Inquest Birkholz v. Teton Co. Coroner*. To the extent that the Committee identifies areas for statutory change, the Committee will consider possible legislation during the interim. If additional Wyoming Supreme Court opinions are identified as requiring legislative action, the Committee may consider those as well.

Priority No. 2: Supreme Court Updates (including the Family First Prevention Services Act and Guardian Ad Litem (GAL) and Parents' Counsel Programs).

The Committee will receive reports and recommendations from the Wyoming Supreme Court. The Committee will consider legislation from the Department of Family Services necessary to comply with federal funding requirements of the Family First Prevention Services Act. The Committee will also study and consider the agency location of the guardian ad litem and parents' counsel programs.

Discussion: The Committee will receive updates from the Wyoming Supreme Court, including a written update on the development, financial history, and future fiscal impacts of the e-filing system. The Committee will also consider legislation to align the practices of the Department of Family Services with the Family First Prevention Services Act, which became federal law in 2018. The Committee will also consider whether the Guardian Ad Litem program should remain in the Office of the Public Defender or whether it should be transferred to another agency and the necessity of a Parents' Counsel program.

Priority No. 3: The Committee will examine issues of adult guardianships as they relate to adults with developmental disabilities and current conservatorship and guardianship statutes.

The Committee will receive reports, updates and recommendations regarding adults with developmental disabilities and Title 3 – Guardian and Ward statutes.

Discussion: The Committee intends to learn more about issues involving adults with disabilities and how they and their situations interact with current guardianship and conservatorship statutes. If necessary, the Committee will consider legislation necessary to address any highlighted issues with current law.

Priority No. 4: Justice Reinvestment Updates

The Committee will receive reports and updates regarding the justice reinvestment program implementation.

Discussion: The Committee devoted a significant part of the 2018 interim to working with the Council of State Governments (CSG) Justice Center on justice reinvestment in Wyoming. Although justice-reinvestment issues involving mental health and substance abuse treatment options and availability may be better addressed by the Joint Labor, Health and Social Services Interim Committee, this Committee will receive a report from the Department of Corrections regarding the implementation of 2019 House Bill 53 (which establishes an incentives-and-sanctions program for probation and parole) and would like to consider additional justice-reinvestment efforts, including studying the feasibility of awards of good-time credits for time served in jail. At this time, the Committee anticipates considering only one (1) bill pertaining to this issue.

Priority No. 5: Review of the National Instant Criminal Background Check System.

The Committee will receive updates and recommendations regarding the National Instant Criminal Background Check System (NICS).

Discussion: The Committee intends to study and consider legislation regarding NICS and reporting requirements. This effort coincides with federal efforts to address reporting requirements and incentives for state reporting for the background system. The Committee will receive updates on federal efforts and how this legislation will affect Wyoming and will consider legislation regarding reporting requirements and legislation that aligns with federal action, if necessary.

Priority No. 6: Trespass

The Committee will receive reports and recommendations from stakeholders regarding Wyoming's law on trespass.

Discussion: The Committee intends to comprehensively review Wyoming's trespass statutes and receive reports from landowners and other stakeholders regarding issues with trespass, particularly of agricultural land. The Committee will consider legislation, if necessary, to update Wyoming's trespass laws and legislation based on recent federal court decisions regarding Wyoming's data-trespass laws.

Priority No. 7: Sexual Abuse of Minors and Human Trafficking

The Committee will receive information from state agencies regarding sentencing guidelines for persons convicted of sexually abusing minors and human trafficking statistics.

Discussion: The Committee would like to receive information and presentations on issues related to crimes involving sexual abuse of minors in Wyoming and human trafficking issues in Wyoming.

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



WYOMING LEGISLATIVE SERVICE OFFICE

Memorandum

DATE March 7, 2019

TO Members, Management Council

FROM Senator Drew Perkins
Representative Sue Wilson

SUBJECT 2019 Interim Topics for Consideration for the Select Committee on Capital Financing and Investments

In response to the February 15, 2019 letter from Chairman Harshman and Vice-Chairman Perkins, this memorandum represents the "letter of support" for the interim topic request for the 2019 interim for the Select Committee on Capital Financing and Investments ("Committee"). In the absence of a Chairman, Vice-Chairman, or appointees to the Committee, this memorandum summarizes the statutory responsibilities of the Committee and a request made by a member of the Committee during the 2018 Interim. On behalf of the Committee the topics have been grouped into four (4) categories: 1) Statutory Responsibilities: Reports; 2) Spending Policies Review; 3) Public Purpose Investments; 4) Review of "Income" in Article 15, Section 19 of the Wyoming Constitution. Historically, the Committee has received approval for two (2), one-day meeting and \$16,000 to accomplish its work.

2019 Interim Topics

The topics described below are requested to be approved by the Management Council for study and consideration during the 2019 interim.

- ***Priority #1 Statutory Responsibilities: Reports***

The Committee is charged, by statute, with monitoring the establishment and implementation of the state's investment and capital financing policies. Consideration of the following reports are anticipated:

- a) Update and status of the Investment Funds Committee from the State Treasurer's Office, including an evaluation of risk of state investments pursuant to W.S. 9-4-715(d)(ii);
- b) Investment policy statement for the legislative stabilization reserve account and investment performance of the account pursuant to W.S. 9-4-715(q)(iv);
- c) Update and status of the State Treasurer's Office internal investing build-out and performance compensation pursuant to W.S. 9-1-409(f) and on performance compensation from the Wyoming Retirement Board pursuant to W.S. 9-3-406(d);
- d) Report on investment performance and fees for fiscal year 2019 from the State Treasurer; and

- **Priority #2 Spending Policies Review**

The Committee will review the state spending policies for the state's funds pursuant to W.S. 9-4-719(p) and amounts within the Hathaway Endowment and Excellence in Higher Education Reserve Accounts in accordance with W.S. 21-16-1302(b) and 9-4-719(n). In a more detailed review this year, the Committee will assess: (i) the spending policies and distributions from the reserve accounts; (ii) size of reserve accounts; (iii) realistic potential of inflation-proofing the corpus funds and (iv) history of income, expenditures, and anticipated demands on the Hathaway Student Scholarship Endowment fund, Excellence in Higher Education Endowment fund; and Wyoming Wildlife and Natural Resource Trust fund.

- **Priority #3 Public Purpose Investments**

The Committee is charged by W.S. 9-4-715(n) 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.

- **Priority #4 Investment performance and policies.**

The Committee will assess the initial impact of the Investment Funds Committee on the state's investment policy and, separately, the asset allocation and performance of investment pools created after the adoption of 2016 Constitutional amendment A.


- **Meeting Schedule**

2-1 day meetings; one of which likely in November

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



Senator Perkins,
Senior member and former Chairman,
Select Committee on Capital Financing
and Investments



Representative Wilson
Senior member,
Select Committee on Capital Financing
and Investments



STATE of WYOMING LEGISLATURE

Memorandum

DATE March 12, 2019

TO Members, Management Council

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

SUBJECT 2019 Interim Topics for Consideration for the Select Committee on Legislative Facilities, Technology & Process

In response to the February 15, 2019, letter from Chairman Harshman and Vice-Chairman Perkins, this memorandum represents the "letter of support" for the interim topic request for the 2019 interim. The topics recommended by the Select Committee's Co-Chairmen include: review of technology and process functions relating to the Capitol Square Project, general responsibilities relating to legislative process, Website enhancements, and general responsibilities relating to technology. In the past, the Select Committee has typically conducted one to two one-day meetings during the interim.

2019 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 during the 2019 interim.

Priority #1: Review of Technology and Process Functions Relating to the Capitol Square Project

The Select Committee will make recommendations regarding facility, technology and process functions related to the renovation of the Capitol that impact the legislative branch as the Legislature prepares to move into its renovated space later this year.

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 on March 22.



STATE of WYOMING LEGISLATURE

Memorandum

DATE March 12, 2019

TO Members, Management Council

FROM Senator Case, Co-chairman
Representative Larsen, Co-chairman

SUBJECT 2019 Interim Topics for Consideration for the Select Committee on Tribal Relations

In response to the February 15, 2019, letter from Chairman Harshman and Vice-Chairman Perkins, this memorandum represents the "letter of support" for interim topic requests for the 2019 interim. The Select Committee on Tribal Relations proposes 2019 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 October in Fort Washakie.

2019 INTERIM TOPICS

The Select Committee on Tribal Relations works with the Eastern Shoshone Indian Tribe, the Northern Arapaho Indian Tribe, various state agencies, local communities and federal entities to address services and needs on and around the Wind River Indian Reservation. The Committee's co-chairmen request that the Management Council approve the following topics for study and consideration during the 2019 interim.

Priority #1 Promotion of Intergovernmental Relationships

The Committee will work to facilitate and foster communication and robust working relationships among State, Tribal, Federal and local entities and pursue opportunities for encouraging economic growth, nondiscrimination and wellbeing for citizens on the Reservation and in neighboring communities, including discussing:

- Developments of the Wind River Inter-Tribal Council and information from each Tribe's Business Council;
- Coordination with the Bureau of Indian Affairs (BIA);
- Synchronization and improvement of the relationships between the State Department of Family Services (DFS) and each Tribe's DFS;
- Requirements of the Tribal Employment Rights Ordinance for school construction, capital maintenance, regular maintenance and highway projects off the Reservation;
- Tobacco related or similar businesses, taxes or fees under consideration by either Tribe and how they may be compatible or at variance with State statutes, recent legislation and comparing with practices in other states;

- University efforts toward recruitment, retention and inclusion of Native American students.

Priority #2 Infrastructure

- The Committee intends to study and facilitate discussion regarding solid waste issues on the Reservation. The Committee intends to study status reports and projects regarding control of transfer stations, prohibiting illegal dumping of waste generated off the Reservation, formation of a Tribal solid waste disposal district, and working with the United States Environmental Protection Agency and the Fremont County Solid Waste District.
- The Committee aims to discuss timelines and needs for the Tribes to administer their own irrigation, health care, court and housing projects. In addition, 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 regarding peer to peer behavioral health services and the Section 1115 Tribal Uncompensated Care Demonstration Waiver.
- The Committee will receive updates and facilitate discussion about the maintenance and development of public utility infrastructure, including easements and rights-of-way, roads and facilities for the provision of natural gas, broadband, electricity, water and sewage.

Priority #3 Legal Services and Community Matters Involving Law Enforcement

- School absenteeism is an urgent matter that affects student success and involves many parties. In educational neglect and truancy situations, sometimes juvenile services or law enforcement needs to become involved with the parents or the student. The Committee intends to continue discussion from the previous interim and work with the County Attorney, Tribal Court, DFSs, community organizations and Education Committee to address truancy matters on and around the Reservation.
- The Committee plans to examine developing a better framework for tracking missing persons, to identify missing persons of native descent, to examine legislation from other states, and to improve the working relationship among agencies that track missing persons.
- The Committee would like to study school districts performance, leadership and personnel and opportunities in consolidation, including the frequent dismissal of school superintendents from Fremont County School District #38.
- The Tribes have built the inter-tribal Wind River Court. The Committee wants to keep all interested persons apprised of developments and to have an opportunity for discussion about the court facilities, personnel and development of a new inter-tribal law and order code.
- The Committee proposes to continue discussions regarding law enforcement jurisdiction issues, including highway patrol and Fremont County law enforcement.

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



Senator Cale Case, Co-chairman



Representative Lloyd Larsen, Co-chairman

JOINT TRANSPORTATION, HIGHWAYS AND MILITARY AFFAIRS INTERIM COMMITTEE Memo

JOINT TRANSPORTATION, HIGHWAYS AND MILITARY AFFAIRS INTERIM COMMITTEE

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STATE of WYOMING LEGISLATURE

Memorandum

DATE March 12, 2019

TO Members, Management Council

FROM Select Water Committee

SUBJECT 2019 Interim Topics

In response to the February 15, 2019 letter from Chairman Harshman and Vice-Chairman Perkins, this memorandum represents the "letter of support" for the interim topic request for the 2019 interim. Each topic is described below with information to support the topic.

2019 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 2019 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.

Supporting information: The Committee will conduct its traditional business over the 2018 interim as provided under W.S. 28-11-101. The Committee has generally completed its business, including preparation of the Omnibus Water Bills, over four two-day meetings each interim.

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



SELECT NATURAL RESOURCE FUNDING COMMITTEE

Memorandum

DATE March 22, 2019

TO Members, Management Council

FROM Select Natural Resource Funding Committee

SUBJECT 2019 Interim Topics Request

This memorandum outlines the topics and tentative meeting plans that the Select Natural Resource Funding Committee (the Committee) requests for the 2019 interim.

PROPOSED MEETINGS AND BUDGET REQUEST

The Committee intends to hold two one-day meetings during the 2019 interim. The first meeting will likely be during the summer of 2019 to visit ongoing projects. The second meeting will likely be held in January 2020 to mark-up draft large project funding legislation in advance of the Budget Session.

The Committee requests a budget of \$8,000 for two one-day meetings during the 2019 interim, consistent with its 2018 budget.

PROPOSED 2019 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.

As a component of this topic, the Committee will also likely study the impact of HB 142 (2019) which authorized transfers from the Wildlife and Natural Resource Income Account to the Trust Account.

Priority #2—Review of Ongoing Projects

The Committee intends to 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.