



**HB1001**

**Emergency appropriation-COVID-19 funds.**

Sponsored By: Management Council

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

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

**HB1001H2001/ADOPTED (CORRECTED COPY)**

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

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

**HB1001H2002/ADOPTED**

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

**HB1001H2003/FAILED**

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

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

**ROLL CALL**

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

**Nays:** Representative(s) Blackburn, Blake, Brown, Burkhardt, Burlingame, Clifford, Connolly, Crank, Dayton-Selman, Duncan, Edwards, Freeman, Furphy,

Hallinan, Hunt, Jennings, Lindholm, Macguire, Miller, Northrup, Olsen, Pelkey, Salazar, Schwartz, Stith, Styvar, Washut, Western, Winter, Yin  
**Ayes 30    Nays 30    Excused 0    Absent 0    Conflicts 0**

**HB1001H2004/FAILED**

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

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

**ROLL CALL**

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

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

**Ayes 25    Nays 35    Excused 0    Absent 0    Conflicts 0**

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

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

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

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

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

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

**HB1001H2006/ADOPTED**

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

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

**HB1001H2007/FAILED**

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

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

**ROLL CALL**

**Ayes:** Representative(s) Barlow, Blackburn, Burkhart, Clausen, Clem, Crank, Edwards, Flitner, Gray, Greear, Haley, Hallinan, Hunt, Jennings, Laursen Dan, Lindholm, Loucks, Macguire, Obermueller, Olsen, Piiparinen, Pownall, Styvar, Tass, Washut, Winter

**Nays:** Representative(s) Blake, Brown, Burlingame, Clifford, Connolly, Dayton-Selman, Duncan, Eyre, Freeman, Furphy, Harshman, Henderson, Kinner, Kirkbride, Larsen Lloyd, Miller, Newsome, Nicholas, Northrup, Paxton, Pelkey, Roscoe, Salazar, Schwartz, Simpson, Sommers, Stith, Sweeney, Walters, Western, Wilson, Yin, Zwonitzer

**Excused:** Representative Eklund

**Ayes** 26      **Nays** 33      **Excused** 1      **Absent** 0      **Conflicts** 0

**HB1001H2008/ADOPTED**

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

**HB1001H2009/FAILED**

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

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

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

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

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

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

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

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

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

"(x) If federal law, rules or guidance is amended, enacted or promulgated to allow for these expenses, for purposes of temporary tax relief to assist with impacts related to COVID-19 as follows:

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

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

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

Page 11-after line 21 Insert:

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

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

#### ROLL CALL

**Ayes:** Representative(s) Blackburn, Clem, Edwards, Gray, Hallinan, Jennings, Laursen Dan, Lindholm, Loucks, Miller, Olsen, Piiparinen, Salazar, Styvar, Tass, Washut, Western, Winter

**Nays:** Representative(s) Barlow, Blake, Brown, Burkhart, Burlingame, Clausen, Clifford, Connolly, Crank, Dayton-Selman, Duncan, Eklund, Eyre, Flitner, Freeman, Furphy, Greear, Haley, Harshman, Henderson, Hunt, Kinner, Kirkbride, Larsen Lloyd, Macguire, Newsome, Nicholas, Northrup, Obermueller, Paxton,

Pelkey, Pownall, Roscoe, Schwartz, Simpson, Sommers, Stith, Sweeney, Walters, Wilson, Yin, Zwonitzer

**Ayes** 18      **Nays** 42      **Excused** 0      **Absent** 0      **Conflicts** 0

5/15/2020      H 2nd Reading:Passed

**HB1001H3001/ADOPTED**

Page 10-line 5                      After "infrastructure" insert ", including major renovations or capital construction of facilities".  
LINDHOLM

**ROLL CALL**

**Ayes:** Representative(s) Barlow, Blake, Brown, Burlingame, Clausen, Clifford, Connolly, Crank, Dayton-Selman, Duncan, Flitner, Freeman, Furphy, Henderson, Kinner, Lindholm, Miller, Newsome, Obermueller, Olsen, Paxton, Roscoe, Salazar, Simpson, Sommers, Stith, Washut, Western, Wilson, Yin, Zwonitzer

**Nays:** Representative(s) Blackburn, Burkhart, Clem, Edwards, Eklund, Eyre, Gray, Greear, Haley, Hallinan, Harshman, Hunt, Jennings, Kirkbride, Larsen Lloyd, Laursen Dan, Loucks, Macguire, Nicholas, Piiparinen, Schwartz, Styvar, Sweeney, Tass, Walters, Winter

**Excused:** Representative(s) Northrup, Pelkey, Pownall

**Ayes** 31      **Nays** 26      **Excused** 3      **Absent** 0      **Conflicts** 0

**HB1001H3002/FAILED**

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

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

**ROLL CALL**

**Ayes:** Representative(s) Blake, Brown, Burlingame, Clausen, Clem, Clifford, Connolly, Crank, Dayton-Selman, Duncan, Freeman, Furphy, Haley, Henderson, Kirkbride, Larsen Lloyd, Lindholm, Newsome, Obermueller, Olsen, Paxton, Stith, Western, Wilson, Yin, Zwonitzer

**Nays:** Representative(s) Barlow, Blackburn, Burkhart, Edwards, Eklund, Eyre, Flitner, Gray, Greear, Hallinan, Harshman, Hunt, Jennings, Kinner, Laursen Dan, Loucks, Macguire, Miller, Nicholas, Piiparinen, Roscoe, Salazar, Schwartz, Simpson, Sommers, Styvar, Sweeney, Tass, Walters, Washut, Winter

**Excused:** Representative(s) Northrup, Pelkey, Pownall

**Ayes** 26      **Nays** 31      **Excused** 3      **Absent** 0      **Conflicts** 0

**HB1001H3003/ADOPTED**

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

"(x) Article 3, section 36 of the Wyoming Constitution limits the power of the legislature to make appropriations to persons, corporations or communities not under the absolute control of the state and article 16, section 6 of the Wyoming Constitution limits the authority of the state to loan or make donations to or in aid of any individual, association or corporation, except for the necessary support of the poor. And Article 7, Section 20 of the Wyoming Constitution recognizes the duty of the legislature to protect and promote the health and morality of the people. The extraordinary circumstances of the

COVID-19 public health emergency and resulting economic devastation justifies the distribution of CARES Act funds for the public purposes and expenses authorized by this act in accordance with these constitutional requirements. Nothing in this act shall be construed to authorize the distribution of federal funds through future legislation without regard to the limitations imposed by the Wyoming Constitution.". ZWONITZER

**HB1001H3004/FAILED**

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

**HB1001H3005/WITHDRAWN**

**HB1001H3006/ADOPTED**

Page 9-line 8 Delete "2020 Special".

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

**HB1001H3007/ADOPTED**

**(CORRECTED COPY)**

Page 11-line 4 Delete the Hunt et al., second reading amendment (HB1001H2008/A) to this line entirely and further amend as follows; after "governor" insert ". Expenses authorized under this paragraph shall include but are not limited to expenses to produce and process food incurred by businesses, cooperatives and political subdivisions of the state which have suffered adverse market effects or experienced unusual levels of strain in the supply chain due to the impacts from the COVID-19 novel coronavirus". HUNT

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

**ROLL CALL**

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

**Nays:** Representative(s) Edwards, Jennings, Styvar

**Excused:** Representative(s) Northrup, Pownall

**Ayes** 55      **Nays** 3      **Excused** 2      **Absent** 0      **Conflicts** 0

5/16/2020 S Received for Introduction

5/16/2020 Senate: Pursuant to JR 23-1 (h) referred directly to 3rd Reading

5/16/2020 S Appointed JCC01 Members

Senator(s) Dockstader, Gierau, Wasserburger

5/16/2020 H Appointed JCC01 Members

Representative(s) Nicholas, Lindholm, Zwonitzer

5/16/2020 H See Mirror Bill SF1001