

Draft Only
Approval Pending
**SUMMARY of
PROCEEDINGS**



JOINT JUDICIARY COMMITTEE

COMMITTEE MEETING INFORMATION

November 16-17, 2017
First State Bank
1405 16th Street
Wheatland, WY

COMMITTEE MEMBERS PRESENT

Senator Leland Christensen, Co-chairman
Representative Dan Kirkbride, Co-chairman
Senator Liisa Anselmi-Dalton
Senator Larry Hicks
Senator Dave Kinskey
Senator Tara Nethercott
Representative Bo Biteman
Representative Mark Jennings
Representative Jared Olsen
Representative Charles Pelkey
Representative Bill Pownall
Representative Tim Salazar
Representative Clark Stith
Representative Nathan Winters

OTHER LEGISLATORS PRESENT

Senator Brian Boner
Representative Eric Barlow

LEGISLATIVE SERVICE OFFICE STAFF

Torey Racines, Legislative Counsel
Brian Fuller, Staff Attorney
Jennifer Lockwood, Associate Research Analyst

The Committee Meeting Summary of Proceedings (meeting minutes) is prepared by the Legislative Service Office (LSO) and is the official record of the proceedings of a legislative committee meeting. This document does not represent a transcript of the meeting; it is a digest of the meeting and provides a record of official actions taken by the Committee. All meeting materials and handouts provided to the Committee by the Legislative Service Office, public officials, lobbyists, and the public are on file at the Legislative Service Office and are part of the official record of the meeting. An index of these materials is provided at the end of this document and these materials are on file at the Legislative Service Office. For more information or to review meeting materials, please contact the Legislative Service Office at (307) 777-7881 or by e-mail at lso@wyoleg.gov. The Summary of Proceedings for each legislative committee meeting can be found on the Wyoming Legislature's website at www.wyoleg.gov.

OTHERS PRESENT AT MEETING

Please refer to [Appendix 1](#) to review the Subcommittee Sign-in Sheet for a list of other individuals who attended the meeting.

EXECUTIVE SUMMARY

The Committee met for two days in Wheatland. The Committee heard testimony and considered draft legislation regarding post-conviction relief, edible marihuana issues, courtroom technology and operations, amendments to speeding fines, stalking penalties and domestic-violence crimes, probation and parole effectiveness, the defense of habitation law, an interstate corrections compact, volunteer health care, intercepting pari-mutuel winnings for child support, and child custody. The Committee voted to sponsor draft legislation concerning post-conviction relief based on newly discovered evidence of factual innocence, possession of marihuana products, possession of non-plant form marihuana, updates for required reports for adoptions, court information technology equipment, amendments to speeding fines, uniformity in domestic-violence law, revisions to stalking offenses and penalties, revisions for orders of protection, graduated and administrative sanctions for probation and parole, a corrections exception for the defense-of-habitation law, volunteer health care, child support amendments, child custody, the best-interests analysis for child custody decisions, and de facto custody.

CALL TO ORDER

Co-Chairman Christensen called the meeting to order at 8:04 a.m. on November 16, 2017. The following sections summarize the Committee proceedings by topic. Please refer to [Appendix 2](#) to review the Committee Meeting Agenda.

APPROVAL OF MINUTES

Minutes from the June 6-7, 2017 Committee meeting were approved by voice vote.

POST-CONVICTION RELIEF

Torey Racines, LSO Legislative Counsel, gave an overview of 18LSO-0047 ([Appendix 3](#)), which would allow persons convicted of felonies to petition for exoneration based on newly discovered evidence of factual innocence.

John Knepper, Chief Deputy Attorney General, Wyoming Attorney General's Office; Tina Olson, Chief Appellate Counsel, Office of the State Public Defender; Michelle Feldman and Aaron Lyttle, Rocky Mountain Innocence Project; and Matt Redle, Sheridan County and Prosecuting Attorney; addressed the Committee. Ms. Feldman noted that the bill draft would ensure that wrongfully convicted persons can seek relief based on newly discovered non-DNA evidence. Mr. Knepper stated that the bill draft contained helpful changes from various perspectives and would ensure that factually innocent persons have an opportunity to vindicate their rights in court. Ms. Olson supported changes in the bill draft from the Committee's last meeting.

Geri Maria Johnson, Cheyenne, expressed support for the bill draft and asked the Committee to seek justice in its work.

Senator Nethercott moved the Committee sponsor 18LSO-0047. The motion passed by roll call vote, and the Committee adopted the following amendment:

Page 4, line 10: After “trial” insert “or during the resolution by the trial court of any motion to withdraw a guilty plea or motion for new trial”.

EDIBLE MARIHUANA ISSUES

Mr. Racines provided an overview of the interim topic and bill drafts 18LSO-0033 ([Appendix 4](#)), which would provide penalties for possession of non-plant form marihuana; and 18LSO-0031 ([Appendix 5](#)), which would define marihuana product to include marihuana not in plant form and would provide offenses and penalties for possession of certain weights of marihuana products.

Judge Marvin Tyler, Ninth Judicial District Judge, noted that the bill drafts would clarify what offenses are misdemeanors or felonies.

Sarah Barrett, Forensic Scientist, Department of Criminal Investigation, discussed quantifying marihuana amounts in marihuana products and issues with analyzing tetrahydrocannabinols (THC) using current technology.

Mr. Knepper stated that the need is for a threshold amount of marihuana products that would be considered a felony and noted that prosecutors had discretion on charges. He also noted that the issue of edible drugs was becoming more prevalent in Wyoming, noting the introduction of other drugs into edible form. Mr. Knepper provided suggested changes for the bill drafts.

Byron Oedekoven, Wyoming Association of Sheriffs and Chiefs of Police, highlighted issues that sheriff and police departments have encountered with edible marihuana and other drugs in edible form.

Sheriff Clint Becker and Ben Peech, Converse County Sheriff’s Office, discussed the issue of the amount of THC doses in edible marihuana and provided suggestions for the bill drafts.

Ms. Johnson expressed concern with criminalizing edible marihuana and costing taxpayers additional costs in convicting and incarcerating individuals with edible marihuana.

Frank Latta, Wyoming NORML, stated his opposition to the bill drafts and did not wish to see more marihuana-related felonies.

Bruce Williams, Gillette, e-mailed the Committee information on the effects of marihuana laws ([Appendix 6](#)).

Representative Pownall moved the Committee sponsor 18LSO-0033. The motion passed by roll call vote with Representatives Biteman, Olsen, and Pelkey voting no. The Committee adopted the amendment outlined in the staff comment in the draft of 18LSO-0033 ([Appendix 4](#)).

Representative Pownall moved the Committee sponsor 18LSO-0031. The motion passed by roll call vote with Representatives Biteman, Pelkey, and Stith voting no ([Appendix 5](#)).

JUDICIAL UPDATES RELATING TO COURTROOM TECHNOLOGY AND OPERATIONS

Mr. Racines provided an overview of 18LSO-0030 ([Appendix 7](#)), which would require the filing of an informational report with every petition for the adoption of a minor and would require the clerk of court to submit information to the state registrar on a monthly basis.

Ronda Munger, Deputy Court Administrator, Wyoming Supreme Court, described current issues with the transfer of adoption information and stated that the bill draft would provide a cleaner and more reliable process for transferring information from courts to the state registrar.

Guy Beaudoin, Deputy Registrar, Vital Statistics Services, expressed support for the bill draft and discussed issues with creating birth certificates with incomplete information and his office's efforts to move to electronic records and submission.

Senator Anselmi-Dalton moved the Committee sponsor 18LSO-0030. The motion passed unanimously by roll call vote. The Committee adopted the amendment on pages 2-3 of the bill draft for an alternate paragraph (vi) (Appendix 7).

Mr. Racines provided an overview of 18LSO-0052 ([Appendix 8](#)), which would delineate responsibility for courtroom technology equipment between the judicial branch and the counties.

Justice Michael Davis, Wyoming Supreme Court, discussed issues with current technology in courtrooms and with counties not funding or repairing technology infrastructure. Justice Davis noted that the Supreme Court would be willing to fund electronics if the counties were willing to provide wiring and infrastructure. He discussed current memoranda of understanding with the counties and how the legislation would aid the agreements the Court had with the counties.

Julie Goyen, Chief Information Officer, Wyoming Supreme Court, provided the Committee with a five-year plan for technology upgrades in the court buildings throughout Wyoming ([Appendix 9](#)). Ms. Goyen outlined costs of implementation and maintenance for the projects in each of the nine judicial districts.

Judge Tyler discussed how technology has aided his courtroom but noted issues with current technology, particularly with jurors' ability to see and hear everything.

Pete Obermueller, Executive Director, Wyoming County Commissioners Association, and Sandy Kontour, Platte County Commissioner, expressed support for the bill draft and noted that the bill would clarify who would pay for what technology, infrastructure, and maintenance.

Senator Kinsky moved the Committee sponsor 18LSO-0052. The motion passed by roll call vote with Senator Hicks voting no. The Committee adopted the following amendment:

Page 3, line 16: After "standards" insert "adopted by the board of judicial policy and administration".

Justice Kate Fox, Wyoming Supreme Court, provided an update on access to courts. She provided the Committee with Equal Justice Wyoming's annual report ([Appendix 10](#)) and discussed accomplishments and programs to provide attorneys and legal aid to those who financially qualify for assistance. Justice Fox discussed the Access to Justice Commission and noted that domestic relations law was an area in which access to justice could be improved.

STREAMLINED BAIL AND FORFEITURE SCHEDULE

Brian Fuller, LSO Staff Attorney, provided an overview of 18LSO-0034 ([Appendix 11](#)), which amends speeding fines to have three categories (general, school, and construction/residential) of fines and reduces fine amounts by 20%.

Lieutenant Colonel Shannon Ratliff, Wyoming Highway Patrol, noted that any law enforcement agency in Wyoming could use this schedule and that things would be simplified for officers. He noted concern with calculating fines that did not round to an even dollar amount. Colonel Ratliff stated that the bill draft does address current issues with properly calculating fines and issuing citations.

Ms. Munger provided the Committee with information comparing the differences in fines for various speeding violations (**Appendix 12**). She noted that fines for speeding go to local schools and discussed where various court costs and fees go.

Senator Hicks moved the Committee sponsor 18LSO-0034. The motion passed unanimously by roll call vote. The Committee adopted the following amendments:

Page 2, line 22	Delete “ <u>one dollar and sixty cents (\$1.60)</u> ” insert “ <u>one dollar (\$1.00)</u> ”
Page 4, line 1:	Delete “ <u>one dollar and sixty cents (\$1.60)</u> ” insert “ <u>one dollar (\$1.00)</u> ”
Page 4, lines 6-7:	Delete “ <u>five dollars and sixty cents (\$5.60)</u> ” insert “ <u>five dollars (\$5.00)</u> ”
Page 4, lines 13-14:	Delete “ <u>five dollars and sixty cents (\$5.60)</u> ” insert “ <u>five dollars (\$5.00)</u> ”
Page 4, lines 20-21:	Delete “ <u>five dollars and sixty cents (\$5.60)</u> ” insert “ <u>five dollars (\$5.00)</u> ”
Page 5, line 9:	Delete “ <u>one dollar and sixty cents (\$1.60)</u> ” insert “ <u>one dollar (\$1.00)</u> ”

STALKING PENALTIES, DOMESTIC VIOLENCE, SEXUAL ASSAULTS, RESTRAINING ORDERS, AND FAMILY VIOLENCE

Mr. Racines provided an overview of 18LSO-0002 (**Appendix 13**), which amends penalties for crimes related to domestic assault and battery, strangulation, and stalking and amends enhanced penalty provisions.

Brett Johnson, Assistant District Attorney, Natrona County, expressed support for the bill draft but noted that enhancing penalties would likely have little effect on crime deterrence. He discussed the potential correlation between mass shootings and domestic violence.

Tara Muir, Wyoming Coalition Against Domestic Violence and Sexual Assault, expressed support for the bill draft and noted the need to have an intervention program for first-time domestic-violence offenders as well as the need for an extended probation term.

Carol Pickett, Hot Springs County, expressed concern that prosecutors were not charging domestic-violence crimes and suggested the need for more support for rehabilitation and for families.

Stacie Hoxie, Weston County Focus, expressed support for the bill draft and for efforts to reform domestic-violence crimes.

Representative Pelkey moved the Committee sponsor 18LSO-0002. The motion passed unanimously by roll call vote. The Committee adopted the following amendments:

Page 3, lines 10-13:	Delete entirely.
Page 8, lines 6-11:	Delete entirely.

Mr. Racines provided an overview of 18LSO-0027 (**Appendix 14**), which amends elements and penalties for the offense of stalking, amends jurisdiction for stalking offenses, and amends the definition of stalking as it relates to protection orders.

Mr. Knepper described situations where a prosecutor may have wanted to charge a person with stalking but where there was no subjective fear on the victim's part.

Cara Chambers, Victim Services Director, Wyoming Attorney General's Office, noted that the bill draft more appropriately addresses issues prosecutors are having with victims testifying to stalking incidents.

Taylor Courtney, Investigator, Natrona County Sheriff's Office, expressed support for the bill draft and supported the uniformity it would bring for stalking after the issuance of a protective order. He also noted a connection between stalking and homicides and stated the need for prosecutors to file charges even when the victim does not support that.

Ms. Muir expressed support for the bill draft and stated that stalking should be charged based on the stalker's behavior, not on the impact of stalking on the victim.

Sheryl Foland, Casper, noted her work with victims of stalking and expressed support of the bill draft. She stated that protection orders lack real consequences until the stalker escalates and harms the victim.

Senator Kinskey moved the Committee sponsor 18LSO-0027. The Committee passed the motion by roll call vote with Senator Hicks and Representative Jennings voting no. The Committee adopted the following amendments:

- Page 2, lines 17-19: Reinsert stricken language.
- Page 2, line 22: After "person" insert "and which in fact causes fear".
- Page 3, line 3: After "property" insert "and which in fact causes fear".
- Page 4, line 22: After "Wyoming." delete the balance of the line.
- Page 5, lines 1-3: Delete entirely.
- Page 5, lines 15: After "6-2-506(b)" delete the balance of the line.
- Page 5, line 16: Delete entirely.
- Page 5, line 17: Delete the line through "conduct".

Mr. Racines provided an overview of 18LSO-0032 (**Appendix 15**), which revises the process for orders of protection and which would amend felony stalking to include stalking committed while a domestic-violence protection order is in place.

Mr. Johnson and Ms. Chambers expressed support for the bill draft and noted the need to address a current problem prosecutors face.

Mr. Knepper noted a federal grant to aid individuals in securing attorneys while seeking orders of protection.

Ms. Muir expressed support for the bill draft but suggested the Committee extend the length of an order of protection beyond one year.

A Wyoming citizen shared her story of being sexually assaulted and blackmailed and described the experience of securing an order of protection and challenges she faces as the one-year order expires and having to renew the order annually.

Senator Kinsky moved the Committee sponsor 18LSO-0032. The motion passed unanimously by roll call vote.

MEETING RECESS

The Committee recessed at 5:29 p.m.

CALL TO ORDER

Co-Chairman Kirkbride called the meeting to order at 8:00 a.m. on November 17.

REVIEW OF PROBATION AND PAROLE EFFECTIVENESS

Mr. Racines provided an overview of 18LSO-0028 ([Appendix 16](#)), which amends probation and parole administrative sanctions.

Bob Lampert, Director, Wyoming Department of Corrections (WDOC), expressed support for the bill draft, noting that administrative sanctions were a strong alternative to revoking probation or parole and imposing a prison sentence. Director Lampert noted that substance abuse is a primary reason for revocation and expressed concern about funding for implementing the administrative sanctions.

Steve Lindley, Deputy Director, WDOC, stated that the bill draft would help the department find the most cost-effective way to protect public safety while addressing increasing substance-abuse treatment needs. Mr. Lindley noted potential savings from less probationers and parolees returning to prison and encouraged the Committee to consider adding an additional staff member.

Dawn Sides, Field Services Administrator, WDOC, expressed concern about operating the residential treatment sanction without additional staff.

Judge Tyler noted that the bill draft would provide clarity for the process for probation revocation and options for sanctions.

Ed Risha, Director, Wyoming Board of Parole, expressed support for the bill draft and noted the issue of substance abuse among probationers and parolees and the need for treatment options instead of prison.

Sabrina King, Wyoming ACLU Director, expressed support for the bill draft as a means to divert people out of prison and encouraged further legislation for further alternative sanctions and treatment options.

Tom Jubin, Wyoming Trial Lawyers Association, expressed support for the bill draft and discussed issues with due process for administrative sanctions involving short jail time.

Mr. Oedekoven stated that support for early intervention is cost-effective in the long-term and expressed support for further funding for early treatment and programming options.

Senator Hicks moved the Committee sponsor 18LSO-0028. The motion passed by roll call vote with Senator Nethercott voting no. The Committee adopted the alternative subparagraph (C) on pages 4-5 of the bill draft and the following additional amendments:

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Page 2, line 21: After “rewards” insert “for positive behavior”
 Page 5, line 13: After “department” insert “of corrections”

Mr. Fuller provided an overview of 18LSO-0003 (**Appendix 17**), which eliminates the provision of special good time.

Director Lampert expressed concern with the bill draft, noting that special good time was a meaningful tool for managing inmate behavior and that the Department and Board of Parole were conservative in awarding special good time.

Director Risha opposed the bill draft, noting that the Board of Parole considers special good time a major tool that helps inmates enter treatment and reentry programs after completing intensive residential substance-abuse treatment. Director Risha noted that special good time is awarded when inmates exceed expectations and when inmates express a good reason for how special good time assists them. He also noted that victims could address the Board privately before parole is considered.

Mr. Jubin (on his own behalf) noted that special good time was an effective management tool and could not articulate a good policy reason for eliminating it.

Representative Pownall moved the Committee sponsor 18LSO-0003. The motion failed by roll call vote with Senator Hicks and Co-Chairman Christensen voting yes.

REPORTS FROM THE DEPARTMENT OF CORRECTIONS

Mr. Racines provided an overview of 18LSO-0108 (**Appendix 18**), which provides an exception to self-defense of habitation to include WDOC employees and amends the definition of habitation to exclude inmate housing areas.

Director Lampert and Mr. Oedekoven expressed support for the bill draft.

Senator Anselmi-Dalton moved the Committee sponsor 18LSO-0108. The motion passed unanimously by roll call vote.

Mr. Racines outlined 18LSO-0107 (**Appendix 19**), which would authorize WDOC to enter an interstate compact for receiving and sending inmates to and from other compact states.

Director Lampert noted that the bill draft would expand flexibility to contract with other states for sending or receiving inmates and discussed the process for inmate exchange under a regional compact and through independent agreements with non-compact states.

No members of the public commented on this bill draft.

Representative Pownall moved the Committee sponsor 18LSO-0107. The motion failed by roll call vote by failing to gain a majority of House committee members. Representatives Biteman, Jennings, Olsen, Pelkey, Salazar, and Winters voted no.

Director Lampert provided a brief update on the Department, discussing hiring and salary issues and mitigation efforts to remedy buildings at the Wyoming State Penitentiary.

VOLUNTEER HEALTH CARE

Mr. Racines discussed 18LSO-0035 ([Appendix 20](#)), which would create a volunteer health services program and grant coverage to volunteer providers under the Wyoming Governmental Claims Act (WGCA).

Senator Nethercott outlined changes to the bill draft from the last meeting and discussed a handout ([Appendix 21](#)) from the Department of Health regarding improving access to healthcare services to low-income residents.

Tom Forslund, Director, Department of Health, expressed support for the current version of the bill draft.

Sheila Bush and Nick Healey, Wyoming Medical Society; and Matt Micheli and Eric Boley, Wyoming Hospital Association, discussed issues with the bill draft, particularly with acute and emergent medical situations and WGCA coverage for pharmacists and other providers who were not listed in the bill draft. Ms. Bush also noted issues with lawsuits making it more difficult for physicians to seek jobs. The Committee asked the speakers to provide amendments for Committee consideration.

Mr. Jubin expressed support for the bill draft and noted that the bill is likely best suited for clinic days for individuals with lower incomes to receive services.

Representative Eric Barlow discussed issues with immunity for volunteer providers and discussed termination of a contract for providing volunteer health care.

Senator Kinsky moved the Committee sponsor 18LSO-0035. The motion passed by roll call vote with Representative Jennings voting no. The Committee adopted the following amendments:

Page 3, line 12: After “nurses,” insert “pharmacists,”
 Page 6, line 16: After “department” insert “, health care provider or medical facility”
 Page 6, line 17: After “contract” delete the balance of the line.

CHILD SUPPORT/PARI-MUTUEL INTERCEPT

Mr. Racines provided an overview of 18LSO-0029 ([Appendix 22](#)), which amends provisions related to presumptions for child support.

Kristie Arneson, Senior Policy and Legal Analyst, Department of Health, discussed changes to the child support guidelines and referred the Committee to information for calculating parenting time and support ([Appendix 23](#)).

Former Senate President Tony Ross and Devon O’Connell, Access to Justice Board, noted that the bill draft would have considerable impact on current Wyoming law and encouraged the Committee to form a task force to consider revisions to all of Title 20, which addresses domestic relations.

Don Adams described his experience in paying child support and noted that parents pay costs other than child support payments, including insurance.

Cathi Hart noted that those who pay child support also pay insurance, lawyer fees, student loans, and travel costs to visit children.

Senator Brian Boner provided the Committee with a draft of 18LSO-0135 ([Appendix 24](#)), which would permit using assets of an incarcerated parent to pay child support. Senator Boner described a situation occurring in his district and invited feedback from the Committee on the bill draft. Senator Boner also expressed his support for 18LSO-0029.

Representative Pownall moved the Committee sponsor 18LSO-0029. The motion passed by roll call vote with Representative Pelkey voting no. Senator Kinskey was excused.

Mr. Racines outlined 18LSO-0001 ([Appendix 25](#)), which would permit the interception of pari-mutuel winnings to pay unpaid child support.

Charlie Moore, Executive Director, Wyoming Pari-Mutuel Commission, stated that the commission would work closely with permittees to create rules for intercepting winnings. Mr. Moore discussed the logistics of collecting winnings and safety issues in facilities.

Ms. Arneson expressed support for the bill draft and noted that other states are seeing significant returns.

Judy Horton, Wheatland, opposed the bill draft and raised questions about the amount and type of winnings to withhold and issues with lag time in reporting child support payments.

Sherry Barta, Wyoming Downs, opposed the bill draft and expressed concern about the safety of employees as they withhold winnings from customers.

Senator Nethercott moved the Committee sponsor 18LSO-0001. The motion failed by roll call vote by an equally divided vote among Senate Committee members. Senator Anselmi-Dalton and Co-Chairman Christensen voted no. Senator Kinskey was excused.

CHILD CUSTODY

Mr. Racines provided an overview of 18LSO-0010 ([Appendix 26](#)), which would provide that no form of custody may be favored or disfavored. Mr. Racines noted a recent Wyoming Supreme Court decision that briefly discussed this issue ([Appendix 27](#)).

Mr. Racines also outlined 18LSO-0011 ([Appendix 28](#)), which revises terms related to child custody to reflect a division of parental responsibilities.

Lily Sharpe, State Court Administrator, Wyoming Supreme Court, provided remarks on behalf of Judge Tyler, who noted that judges do not always receive evidence of all alternative arrangements that may be in the child's best interests and that evidence tends to show what is in the parents' best interests.

Doug Bailey, Cheyenne attorney, noted that child custody determinations are zero-sum decisions with the perception that one parent wins and the other loses. Mr. Bailey encouraged solutions that would have both parents involved in decision-making and in their children's lives.

Steve Melchior, Cheyenne attorney, noted that parents positioned themselves for custody based on a financial incentive and attorneys were working to position their clients to obtain the most favorable outcome. Mr. Melchior encouraged the Committee to provide a clear legislative directive for not favoring or disfavoring a particular form of custody.

Kathy Russell described situations where a parent received custody of a child who did not know the parent. She encouraged the committee to sponsor 18LSO-0010.

Carol Milano described a situation where a child was alienated from the parent who did not have custody and provided the Committee with a handout regarding the need for involvement from both parents ([Appendix 29](#)).

Deb Mincer, Cheyenne attorney, did not express a preference for either bill draft but encouraged the Committee to consider revisions to Title 14 in a task force.

Jenny Hall, Wyoming Trial Lawyers Association, stated that the bill drafts constituted major changes to Wyoming law and should adopt a task force to look at these changes and other changes to Wyoming law.

Bryan Rogers, Cheyenne attorney, noted that current laws make it more challenging for parents to collaborate and reach settlements, especially for custody. Mr. Rogers expressed support for the bill drafts.

Mr. Ross, Access to Justice, cautioned against adopting a presumption for custody in statute and encouraged the Committee to seek solutions that improve access to legal representation in domestic cases.

Representative Pownall moved the Committee sponsor 18LSO-0010. The motion passed unanimously by roll call vote, with Senator Kinskey and Representative Salazar excused. The Committee adopted the amendment in the staff comment on page 2 of the bill draft.

Representative Winters moved the Committee sponsor 18LSO-0011. The motion passed by roll call vote with Representative Pelkey and Co-Chairman Christensen voting no. Senator Kinskey and Representative Salazar were excused.

Mr. Fuller provided an overview of 18LSO-0104 ([Appendix 30](#)), which would permit certain relatives to gain custody of children as de facto custodians. Mr. Fuller also discussed a memo that highlighted issues with de facto custody ([Appendix 31](#)).

Representative Barlow expressed his support for the bill draft and discussed issues with custody for non-parents.

Annie McGlothlin expressed support for the bill draft and discussed issues with custody of her grandchildren and provided information on de facto custody to the Committee ([Appendix 32](#)).

Art Huckfeldt expressed support for the bill draft and noted that third-party custody may be in the child's best interests. He also shared his story of raising a relative's children after abandonment.

Ms. Russell noted that abandonment was the primary issue leading to non-parents raising children.

Lynn Conrad discussed challenges children have faced when parents reenter the children's lives and challenges non-parents face when raising children without being able to contest custody.

Ms. Chambers, Ms. Arneson, and Korin Schmidt, Deputy Director, Wyoming Department of Health, expressed no opinion on the bill draft but discussed concerns with the bill draft and its effect on current law.

Representative Pelkey moves the Committee sponsor 18LSO-0104. The motion passed by roll call vote with Representative Jennings voting no and with Senator Kinskey and Representative Salazar excused. The Committee adopted the following amendments:

Page 4, lines 12-13:	Delete entirely.
Page 10, line 6:	Insert "The child, if the child is at least twelve (12) years of age."
Page 11, line 18:	After "3-10-104" insert "and that there is a lack of demonstrated consistent participation by the child's parents that creates a compelling state interest sufficient to justify granting the petition or motion."
Page 13, line 20-page 14, line 2:	Delete entirely.

MEETING ADJOURNMENT

There being no further business, Co-Chairman Kirkbride adjourned the meeting at 6:54 p.m.

Respectfully submitted,

Senator Leland Christensen, Co-Chairman

Committee Meeting Materials Index

Appendix	Agenda Item	Appendix Description	Appendix Provider
1	Committee Sign-In Sheet	Lists meeting attendees.	Legislative Service Office
2	Committee Meeting Agenda	Provides an outline of the topics the Committee planned to address at meeting.	Legislative Service Office
3	Post-Conviction Relief	18LSO-0047: Post-conviction relief.	Legislative Service Office
4	Edible Marihuana Issues	18LSO-0033: Possession of non-plant form marihuana.	Legislative Service Office
5	Edible Marihuana Issues	18LSO-0031: Possession of marihuana products.	Legislative Service Office
6	Edible Marihuana Issues	Hypatian Chronicle	Bruce Williams
7	Judicial Updates Relating to Courtroom Tech. and Operations	18LSO-0030: Required reports in adoptions.	Legislative Service Office
8	Judicial Updates Relating to Courtroom Tech. and Operations	18LSO-0052: Court information technology equipment.	Legislative Service Office
9	Judicial Updates Relating to Courtroom Tech. and Operations	Courtroom Technology Rollout: Approved Five-Year Plan.	Wyoming Supreme Court
10	Judicial Updates Relating to Courtroom Tech. and Operations	Equal Justice Wyoming Annual Report.	Access to Justice Comm'n
11	Streamlined Bail and Forfeiture Schedule	18LSO-0034: Speeding fines amendments.	Legislative Service Office
12	Streamlined Bail and Forfeiture Schedule	Comparison of Speeding Fines.	Wyoming Supreme Court Administrative Office
13	Stalking Penalties	18LSO-0002: Uniformity in domestic violence law.	Legislative Service Office
14	Stalking Penalties	18LSO-0027: Stalking revisions.	Legislative Service Office

15	Stalking Penalties	18LSO-0032: Orders of protection-revisions.	Legislative Service Office
16	Review of Probation & Parole Effectiveness	18LSO-0028: Justice reform-graduated sanctions.	Legislative Service Office
17	Review of Probation & Parole Effectiveness	18LSO-0003: Sentencing-elimination of special good time.	Legislative Service Office
18	Reports from Wyo. Dep't of Corrections	18LSO-0108: Corrections exception to defense of habitation law.	Legislative Service Office
19	Reports from Wyo. Dep't of Corrections	18LSO-0107: Interstate corrections compact.	Legislative Service Office
20	Volunteer Health Care	18LSO-0035: Volunteer health care.	Legislative Service Office
21	Volunteer Health Care	Improving Access to Healthcare.	Wyo. Dep't of Health
22	Child Support/Pari-Mutuel Intercept	18LSO-0029: Child support amendments.	Legislative Service Office
23	Child Support/Pari-Mutuel Intercept	Wyoming Child Support Guidelines Proposal.	Wyo. Dep't of Health
24	Child Support/Pari-Mutuel Intercept	18LSO-0135: Child support-use of incarcerated person's assets.	Senator Brian Boner
25	Child Support/Pari-Mutuel Intercept	18LSO-0001: Child support pari-mutuel winnings intercept.	Legislative Service Office
26	Child Custody	18LSO-0010: Custody in the best interest of the children.	Legislative Service Office
27	Child Custody	<u>Ransom v. Ransom</u> , 2017 WY 132.	Legislative Service Office
28	Child Custody	18LSO-0011: Child custody.	Legislative Service Office
29	Child Custody	Dads are just as important as moms	Carol Milano
30	Child Custody	18LSO-0104: De facto custodian act.	Legislative Service Office
31	Child Custody	18LSO-0104 Memorandum	Legislative Service Office
32	Child Custody	Information for Children Rights	Annie McGlothlin