

2-28-2018

Hello Sublette County, this is Albert Sommers reporting to you from Cheyenne on Wednesday, February 28. Today we debated HB140, 168, 186, and 194; the debate took all day. These bills involved all of the hot topics including guns, school funding, capital construction funding, and the spending policy on the Permanent Mineral Trust Fund.

Passing third reading was HB140, making various amendments to school finance. The bill attempted to provide a comprehensive solution to school funding by incorporating about \$30 million in cuts, guaranteeing 45 percent of the SIPA account for K12 major maintenance, diverting online sales taxes to education, diverting half of the corporate filing fee to education, moving some Severance Tax and Federal Mineral Royalties on years that exceed current projections, modifying the freeze on bus reimbursements, and freezing special education funding. The bill was heavily debated, with 17 amendments attempted on it. Many of the amendments were designed to cut more out of education, but they were soundly defeated by the body. I supported most of what was in the bill, but do not agree with freezing special education at current levels. The bill requires a study on Special Education, which I do agree with. I believe we need to reduce the increasing costs of Special Education, but I worry about the unintended consequences of freezing funding for two years. I voted no on the bill for that reason, but I do support the bill's effort to find a broad solution to education funding.

Also passing third reading today was HB168, the "Stand Your Ground" bill that has been in the newspapers. This bill provides that a person who uses reasonable defensive force pursuant to W.S. 6-2-602 shall be immune from any arrest, detention, charging, citation or prosecution for using defensive force. Law enforcement, including our own sheriff's office, is very worried about the implications of this bill. If this law were enacted, a police officer could come up on two gangs fighting each other, and not be able to detain anyone for investigation, because self-defense could be claimed. We do not want to create a law that would forbid an officer from detaining a gang member to determine if a murder had been committed. I have been told that this proposed legislation fundamentally upends the normal criminal prosecution process by granting the criminal defendant a new right to a bench trial prior to his constitutional right to a jury trial. I could not support this bill, but the Senate has apparently amended a similar bill, which appears to eliminate many of the most egregious provisions.

I supported both State Capital Construction bills, HB194, and HB186, which further refine our spending policy on the Permanent Mineral Trust Fund. I can be reached at albert@albertsommers.com

Thank you