



## ACTION ALERT

WEEK SIX LEGISLATIVE SUMMARY  
MONDAY, FEBRUARY 19, 2013

Week six ended with some of the top issues of the 2013 legislative session wrapping up. The 2013/2014 supplemental budget bill was signed by both houses (expected to go to the Governor's desk on Tuesday), the issue of finding a long-term solution for funding highways was resolved with the passage of HB 69, and efforts to bring more accountability and reform to Wyoming's education system were solidified.

Overall, a total of 429 bills were numbered for introduction at the beginning of the session. With two weeks remaining in this year's session, 270 bills remained active at the crossover period. The Senate introduced 161 pieces of legislation and 110 of those bills have moved to the House for consideration. The House introduced 263 bills and passed 160 bills on to the Senate for deliberation. Five of the numbered bills were not introduced. Feb. 21 will be the last day for bills to be reported out of committee in the second house and Feb. 22 will mark the last day for Committee of the Whole on bills in the second house. Feb. 26 will be the last day for bills on third reading in the second house.

### CROSSOVER

During the leadership press conference last week two major areas received the spotlight – education and the budget. Aside from SF 104, which all but stripped the Superintendent of Public Instruction of her duties, other measures advanced this week. Ultimately, the Superintendent ended up with a biennial budget of \$1.3M and eight positions (she originally requested \$6.2M and 16 people). For a more detailed illustration of the progress of the education issues, please refer to a document published by the Wyoming Business Alliance entitled, *The Whys and Wherefores Education Brief*. It can be found at [www.wyomingbusinessalliance.com](http://www.wyomingbusinessalliance.com).<sup>1</sup>

The 2013/2014 supplemental budget added an additional \$78M to the \$3.2B biennial budget and this includes the \$61M in cuts agreed to by the Governor and the Legislature. Some of the biggest areas of contention include what to do with reserves, how much to build the permanent funds and the rainy day fund. Can agencies expect more cuts in the next biennium? With coal production on the decline, so is the possibility of the baseline of the State's budget security. Have we diversified our economy enough to sustain us through another dip in the economy?

Senate Vice President Eli Bebout (and current Senate Chairman of the Appropriations Committee) said this about the budget, "The overriding factor that I took away from the budget was the commitment that the Legislature has now made to looking long-term and to build the Permanent Wyoming Mineral Trust Fund," The Legislature rejected Mead's proposals to reduce the amount of state money flowing into inaccessible permanent savings by hundreds of millions to pump up the state's accessible rainy day fund, or Legislative Stabilization Reserve Account. More on this as the Legislature considers what to tackle for the interim.

### BILLS SIGNINGS

**HB 69 – Highway Funding** – Provides for a \$.10 increase to the gas and diesel tax rate. Fiscal Note: Total revenue generated would be \$71M annually with the current split among cities and counties and WYDOT. The bill passed out of House Revenue Committee on 1/14/13 by a vote of 7-2. The testimony was overwhelmingly in support of the bill. One amendment to sunset the tax in five years was rejected by the committee. After three readings, the bill passed the House by a vote of 35-24-1. The main supporters included Representative Madden and Speaker Lubnau, in addition to many others. The bill passed Senate Transportation with a vote of 4-1 and the full Senate on 2/14 with a vote of 18-12. There was little discussion in the Senate as compared to the House and one attempt to shift the burden of the tax increase to the large truck diesel users. The amendment was defeated.

<sup>1</sup> Other education measures include HB 221 which amends the State Government Fraud Reduction Act to allow employees to report irregularities to the Governor rather than to the director of the agency where the employee works; and there is a budget amendment for \$150,000 appropriated to the Department of Audit for an audit of the DOE personnel policies.

Senate opposition centered on Senators Hicks, Cooper and Meier. Strong supporters included Senators VonFlatern, Nicholas, Rothfuss, and a host of others. Many thanks to WTA members who helped support our educational efforts since the last legislative session. WTA also thanks the members of the Fuel Tax Coalition – for without this organized effort, the bill may not have succeeded. **The Governor signed the bill on 2/15.** House Enrolled Act. No. 38.

**SF 19 – Hospital District - elections** - Changes the procedure for establishing a special hospital district to a resolution from the county commissioners or a majority of the voters in the proposed district. Passed out of Senate Corporations Committee and the full Senate on 1/23 by a vote of 28-2. Passed the House on 2/13 by a vote of 41-17-2. **The Governor signed the bill on 2/15.**

**SF 30 – Special Districts** - Requires special districts to submit proposed budgets, and requires the Department of Audit to provide reports to boards of county commissioners. The bill passed out of Senate Revenue on 1/10/13 with a unanimous vote. The bill was amended to exclude irrigation districts (or any district that is currently under the jurisdiction of the district court). The bill passed the Senate on 1/18 with a vote of 19-11 and passed the House on 2/11 with a vote of 21-8-1. The standing committee amendment to exempt school recreation districts was taken out on the floor of the House. The House passed the bill on 2/11 with a vote of 47-11-2. Enrolled Act. No. 22. WTA supports this bill. **The Governor signed on 2/15. This bill was a good first step in bringing more accountability and transparency to the special districts. WTA will continue to work with the Revenue Committee to forward this effort in the future.**

## **BILLS OF INTEREST THIS WEEK**

**HB 77 - Wyoming Lottery** - Creates the Wyoming Lottery Corporation (not a state agency) to manage the statewide lottery, by which at least 45% of the net proceeds will be made available as prize money. The bill passed the House on 2/4 with a vote of 31-28-1. The bill now awaits a discussion on general file in the Senate. Currently the revenues are directed to the local governments; however we are expecting to see an amendment to shift them to the general fund or other funds. Expected next week.

**HB 78 – Budget Review Process** - Brings the WYDOT, Game & Fish under the standard budget review process. Would assume 5 more days for JAC to review the additional agencies. The bill was amended in the House Appropriations Committee to entail a review of these two agencies and not fully bring them under the standard budget process. Support. WTA testified in support of the bill. The bill passed the House on 1/23/13 with a vote of 57-3-0. Passed the Senate with a vote of 28-2 on 2/13. **House Enrolled Act No. 34.**

**HB 111 – Tips and gratuities – sales tax** - The bill allows all tips and gratuities to be excluded from sales tax. The bill passed out of House Revenue by a unanimous vote on 1/11/13 and the entire House on 1/18 with a vote of 59-0-1. Senate Revenue passed the bill unanimously this week. Passed the Senate on 2/13 with a vote of 25-5. **House Enrolled Act No. 35**

**HB 160 – Vehicle sales and use tax** - Amends the date by which the sales and used tax must be paid on a purchase vehicle from 50 day to 60 days. The bill passed House Revenue by a vote of 7-2, and the full House on 1/22 with a vote of 42-17-1. Senate Revenue passed the bill by a vote of 4-1. **The bill failed a vote on Senate General File on 2/14 by a vote of 13-17.**

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**WTA MEMBERS, PLEASE NOTE – WTA WEEKLY LEGISLATIVE POLICY MEETINGS EVERY MONDAY OF THE LEGISLATIVE SESSION**

**WHERE: 2120 CAREY AVE., CHEYENNE, 4<sup>TH</sup> FLOOR CONFERENCE ROOM**  
**WHEN: 2:00 PM**

**WHY: TO DISCUSS TIMELY LEGISLATIVE POLICY ISSUES, SUMMARY OF BILLS, AND MAKE RECOMMENDATIONS FOR WTA POLICY DIRECTION.**

**THE VOICE OF THE WYOMING TAXPAYER SINCE 1937.**

**CALL: 1-877-820-7831**

**PASS CODE: 6358761**

**ALL WTA MEMBERS ARE ENCOURAGED TO ATTEND.**

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**2013 LEGISLATIVE SESSION SCHEDULE - TENTATIVE**

Day 1 Tuesday, January 8 Session convenes.

Day 12 Wednesday, January 23 Last day for Senate Files to be submitted to LSO for introduction. (noon)

Day 15 Monday, January 28 Last day for House Bills to be submitted to LSO for introduction. (noon)

Day 19 Friday, February 1 Last day for bills to be reported out of Committee in house of origin.

Day 20 Monday, February 4 Last day for Committee of the Whole in house of origin.

Day 21 Tuesday, February 5 Last day for Second Reading in house of origin.

Day 22 Wednesday, February 6 Last day for Third Reading on Bills in house of origin.

Monday, February 18 President's Day Recess

Day 32 Thursday, February 21 Last day for bills to be reported out of Committee in second house.

Day 33 Friday, February 22 Last day for Committee of the Whole on bills in the second house.

Day 34 Monday, February 25 Last day for Second Reading on bills in the second house.

Day 35 Tuesday, February 26 Last day for Third Reading on bills in the second house.

Day 36 Wednesday, February 27 Concurrence on Amendments/Joint Conference Committee Reports.

Day 37 Thursday, February 28 Joint Conference Committee Reports; All JCC Reports due to Front Desk by 2:00 p.m.

ADJOURN by Midnight.

Friday, Monday, and Tuesday - March 1, 4 and 5 are available if necessary.