

WYOMING TAXPAYERS ASSOCIATION



February 7, 2015

Week Four of the 63rd Wyoming Legislature came to a close, marking the halfway point of the 37 day session. Friday was the last day for bills to be reported out of committee in the house of origin, and Monday, February 9th is the last day for bills to make it off of general file. The Joint Appropriations Committee completed its work on markup of the Governor's budget recommendation earlier in the week. Both houses have received it for introduction and will begin debate on the floor this week. This weekly report and the WTA Bill Tracking Sheet will keep you current on legislative action for the week relevant to the bills we are watching.

As of Friday, February 6, 2015, the total profiled General Fund appropriations for other bills (in addition to the Governor's budget recommendation) totaled \$3,643,682, up \$691,000 from last week. Prior to the completion of the JAC budget recommendation, total funding available for appropriation was profiled as having a negative balance. That was because the Governor's budget recommendation did not include specific funding designations in the supplemental budget. The JAC's budget recommendations includes these designations, and therefore, the balance of traditional funds available for appropriation is now reflecting a positive \$4,483,056 (see table below).

Funds Available (Cash, Revenue, Net Transfers)	15-16 Biennium Gov.'s Rec. Oct. CREG Status	15-16 Biennium Gov.'s Rec. Jan. CREG Status
Total Traditional Funds	3,612,501,549	3,656,919,786
Expenditures:		
2014 Budget Bill	-3,345,363,652	-3,345,363,652
2014 Budget Bill transfers	- 159,865,000	- 159,865,000
2015 Budget GF Approps. – Gov.'s (JAC) Rec.	- 166,234,840	- 8,720,509
Other 2014 Bills (GF Approp.) Bud. Session	- 24,983,887	- 24,983,887
Other 2015 Bills (GF Approp.) Gen. Session	- 3,643,682	- 3,643,682
Total Appropriations/Transfers	<u>-3,700,091,061</u>	<u>-3,542,576,730</u>
General Fund/BRA Balance	-87,589,512	114,343,056
Statutory Reserve (5% of GF revenues)	<u>-109,860,000</u>	<u>-109,860,000</u>
Total Traditional Funds Available for Appropriation **	-197,449,512	4,483,056

Source: Legislative Service Office, Fiscal Profile 2/6/2015

** The JAC also appropriates \$112,655,247 in "FY 2015 contingent revenues" and \$165,950,000 in "FY 2016 contingent revenues" should investment income from the PWTM meet the spending policy amount for each year, respectively. Governor's letter #1 also recommends accessing these revenues but does not designate appropriation priorities to these funds. JAC recommends the first \$75 million in unappropriated funds remaining in the BRA on June 30, 2016 in excess of the statutory reserve be transferred to the SIPA. Unappropriated funds in excess of the statutory reserve and the \$75 million SIPA transfer will be transferred to the LSRA.

WTA Bills of Interest This Session

The Legislative Policy Committee met on Monday, February 2 and submitted its recommendations to the Executive Committee, all of which were approved. Please see WTA's Bill Tracking Sheet for additional information on all of the bills the WTA is tracking.

HB 9 – ALTERNATIVE FUEL TAXATION – This bill provides for taxation of alternative fuels (LNG, CNG, electricity, et al) used to propel a motor vehicle. The effective tax rate will be \$0.24 per gallon. The gasoline gallon equivalency (GGE) will be used for CNG, LPG or electricity. The diesel gallon equivalency (DGE) will be used for LNG or renewable diesel. Electrical energy sold or used for the purpose of propelling a motor vehicle is exempt from all taxes if an electric vehicle decal has been obtained. **Introduced and Referred to Senate Revenue on 2/4.**

HB 25 – RAILROAD ROLLING STOCK TAX EXEMPTION-SUNSET – This bill repeals the sunset of the exemption (7/01/15) on the imposition of state sales and use tax on the repair, assembly, alteration or improvement of railroad rolling stock. **Passed House 53-7 on 1/26 and Received for Introduction in Senate 1/26.**

HB 44 – EMERGENCY 911 FEES-PREPAID WIRELESS – This bill proposes the imposition of a 911 emergency tax of 1.5% on every retail sale of prepaid wireless communications access in Wyoming. **Introduced and Referred to Senate Corporations on 2/4.**

HB 51 – EXCISE TAX-WELL SITE – This bill amends the definition of a well site from being the area within a 250-foot radius of an oil or gas wellbore to an area where production equipment is installed to store or prepare oil or gas for transportation off the well site. **Introduced and Referred to Senate Revenue on 2/4.**

HB 141 – MALT BEVERAGE TAX -REPEAL– This bill repeals the excise tax on malt beverages. **Received for Introduction to Senate on 1/29.**

HB 169 – TAX COLLECTIONS– This bill provides for monthly payment and reporting of ad valorem taxes by the taxpayer to the county treasurer in the county where production occurs, and requires each county to report monthly to the Department of Revenue. **Failed in House Revenue on 2/2.**

HB 173 – TOBACCO TAX REVISIONS– This bill provides for an increase in tobacco taxes on a pack of cigarettes of \$0.65/pack (108%) and increases state excise tax on other tobacco products by 130%. The revenue distribution is apportioned 45% to the general fund and 55% to Department of Health for tobacco cessation and prevention, and Medicaid. **Failed in House Revenue on 2/2.**

SF 42 – TASK FORCE ON MINERAL TAXES– This legislation creates a task force appointed by the President of the Senate, Speaker of the House, and Governor to study and simplify the mineral product taxes. It requires a report to the Joint Revenue Interim Committee to be delivered no later than November 30, 2016 and provides both an appropriation and effective date. **Received for Introduction in the House on 1/29.**

WTA Toast and Taxes

We were privileged to have Representative Don Burkhart, HD 15 (Carbon), Representative Tom Walters, HD 38 (Natrona), Representative Jim Allen, HD 33 (Fremont), and Representative Dan Kirkbride HD 4 (Platte) join 5 WTA board members for breakfast and lively discussion. QEP Resources is our gracious sponsor for this event – THANK YOU.

Toast & Taxes meets each Tuesday morning during session at 6:30 at the Egg & I.

WTA Members please note – WTA weekly Legislative Policy Meetings every Monday during the legislative session.

Where: 200 East 8th Avenue, Cheyenne, 2nd floor conference room
When: 2:00 p.m.
Why: To discuss timely legislative policy issues, summary of bills, and decide WTA policy direction.

To Call-In: 1-877-820-7831

Pass code: 6358761#

2015 Legislative Session – Tentative Schedule

(37 day schedule – Recess Friday & Monday for President's Day)

ASSUMES LEGISLATURE WILL NOT CONVENE ON SATURDAYS

SCHEDULE SUBJECT TO CHANGE WITHOUT NOTICE

- Day 1 January 13 - Session convenes.
- Day 12 January 28 - Last day for Senate Files to be submitted to LSO for introduction. (noon)
- Day 15 February 2 - Last day for House Bills to be submitted to LSO for introduction. (noon)
- **Day 19 February 6 - Last day for bills to be reported out of Committee in house of origin.**
- **Day 20 February 9 - Last day for Committee of the Whole in house of origin.**

2015 Legislative Session – Tentative Schedule (continued)

- Day 21 February 10 - Last day for Second Reading in house of origin.
- Day 22 February 11 - Last day for Third Reading on Bills in house of origin.
- February 13 - President's Day Recess
- February 16 - President's Day Recess
- Day 32 February 27 - Last day for bills to be reported out of Committee in second house.
- Day 33 March 2 - Last day for Committee of the Whole on bills in the second house.
- Day 34 March 3 - Last day for Second Reading on bills in the second house.
- Day 35 March 4 - Last day for Third Reading on bills in the second house.
- Day 36 March 5 - Concurrence on Amendments/Joint Conference Committee Reports.
- Day 37 March 6 - Joint Conference Committee Reports; All JCC Reports due to Front Desk by 2:00 p.m. ADJOURN by Midnight.
- March 9, 10 and 11 are available if necessary.