

# WYOMING TAXPAYERS ASSOCIATION



February 21, 2015

Week Six of the 63rd Wyoming Legislature came to an end on day 27 of the proposed 37-day session, following exhaustive work on the budget in both houses, and with fireworks in the House Labor, Health & Social Services Committee.

Both houses concluded work this week on the 2015 supplemental budget. Faced with the challenge of getting through third reading amendments before adjournment on Thursday, legislators didn't leave the Capitol until after well after 7 p.m. A total of 67 amendments (43 in the House and 24 in the Senate) were debated. Overall, the House and the Senate ended not very far apart in dollar terms. As of Friday, February 20, 2015, the total profiled General Fund appropriations for **other bills** (those in addition to the Governor's budget recommendation) totaled \$8,505,221, which was down \$222,961 from last week. The discrepancy between both houses on supplemental budget appropriations is relatively modest, differing by \$562,467. (See table below).

Excitement followed on Friday in the House Labor, Health & Social Services Committee. The bill being heard was SF0115ENG, the controversial "Discrimination" bill. The bill prevents employers from being able to discriminate on the basis of sexual orientation or gender identity. Following lengthy public testimony, committee member, Rep. Harlan Edmonds, HD12 – Laramie, offered an amendment to the proposal's effective date of "when hell freezes over." Chairman Elaine Harvey promptly dismissed Edmonds for lack of "civility." Edmonds gave a no vote as he left the room but was counted as "absent" by Chairman Harvey. The bill passed committee vote 6-2 and advances to the House floor.

<b>Funds Available (Cash, Revenue, Net Transfers)</b>	<b>15-16 Biennium House Status</b>	<b>15-16 Biennium Senate Status</b>
Total Traditional Funds	3,656,919,786	3,656,919,786
Expenditures:		
2014 Budget Bill GF Appropriations	-3,345,363,652	-3,345,363,652
2014 Budget Bill transfers from GF to other accts.	- 159,865,000	- 159,865,000
2015 Budget Bill GF Appropriations	- 9,269,656	- 8,707,189
Other 2014 Bills w/ GF Approps. - Budget Session	- 24,983,887	- 24,983,887
Other 2015 Bills w/ GF Approps. - General Session	- 8,505,221	- 8,505,221
Total Appropriations/Transfers	<u>-3,547,987,416</u>	<u>-3,547,424,949</u>
General Fund/BRA Balance	108,932,370	109,494,837
Statutory Reserve (5% of GF revenues)	<u>-109,860,000</u>	<u>-109,860,000</u>
Total Traditional Funds Available for Appropriation **	<u><b>-927,630</b></u>	<u><b>-365,163</b></u>

Source: Legislative Service Office, Fiscal Profile 2/20/2015

\*\* 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 PWMTF meet the spending policy amount for each year, respectively. The House position appropriates an additional \$438,724 in "FY 2015 contingent revenues" and appropriates an additional \$3,776,362 in "FY

2016 contingent revenues". The Senate position reduces appropriations from "FY 2015 contingent revenues" by \$3,375,000 and reduces appropriations from "FY 2016 contingent revenues" by \$5,600,000.

\*\* 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 16<sup>th</sup> to review and discuss the current list of bills and there were no additions or WTA position changes. Please see WTA's Bill Tracking Sheet for additional information on all of the bills the WTA is tracking and the current status.

**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. **Signed by House Speaker and Senate President on 2/20/15. HEA No. 0025**

**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. **Placed on General File in the Senate 2/20.**

**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. **Passed Senate Committee of the Whole on 2/20.**

**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. **Passed Senate 3<sup>rd</sup> reading and received in the House for Concurrence on 2/20 .**

**HB 141 – MALT BEVERAGE TAX -REPEAL**– This bill repeals the excise tax on malt beverages. **Introduced in Senate and referred to Senate Revenue Committee on 2/18.**

**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. **Passed the House Committee of the Whole on 2/20/15.**

## **WTA Toast and Taxes**

We were privileged to have Representative Tom Walters, HD 38 (Natrona), Representative Mike Madden, HD 40 (Johnson/Sheridan), and Representative John Freeman HD 60 (Sweetwater) join 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, 2<sup>nd</sup> 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.
- 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.

## ADOPTED 2015 SUPPLEMENTAL BUDGET AMENDMENT LIST – HOUSE BILL 0001

Amendment	Sponsor	House	Order	Sequence	Description	Status
HB0001H2003	Larsen	H	2nd Reading	003	Dept. of Health: Appropriation for rebasing of nursing home rates.	Corrected, Corrected, Adopted
HB0001H2004	Sommers	H	2nd Reading	004	Dept. of Health: mental health care services funding.	Adopted
HB0001H2007	Greear	H	2nd Reading	007	Municipal Solid Waste Cease & Transfer Loan & Grant Program.	Adopted
HB0001H2008	Loucks	H	2nd Reading	008	Contingency Approps. from Invest. Earnings: Univ. of Wyo. Master's in counselor educ. - removes the community college funding match.	Corrected, Adopted
HB0001H2014	Harvey	H	2nd Reading	014	Dept. of Health: increases the provider reimbursement rate for community-based programs for adult developmental disabilities.	Corrected, Adopted
HB0001H2020	Berger	H	2nd Reading	020	Governor's Office: Expanded foreign trade efforts for developing new markets & expanding foreign trade efforts.	Corrected, Adopted
HB0001H2021	Walters	H	2nd Reading	021	University of Wyo.: removes language to establish a 4-year degree program in Jackson.	Corrected, Adopted
HB0001H2024	Walters	H	2nd Reading	024	Dept. of Transportation: elim. of language to create plan to identify opportunities for safety improvements - passing and turning lanes on non-interstate highways (Hwy 59).	Adopted
HB0001H2025	Sommers	H	2nd Reading	025	Education: removes external cost adjustment from the model and replaces it with indexed inflationary value.	Corrected, Adopted
HB0001H2026	Hunt	H	2nd Reading	026	Court Security Funding: increases funding and specifies funding and match provision for Weston County.	Adopted
HB0001H2027	Larsen	H	2nd Reading	027	State Buildings: provides for a \$156K appropriation to purchase Chief Washakie artwork.	Adopted
HB0001H2028	Northrup	H	2nd Reading	028	Education: school dist. reimbursement for resident students attending out-of-state public schools.	Corrected, Adopted
HB0001H2035	Jaggi	H	2nd Reading	035	Dept. of Health: expenditure for home services program via aging division.	Adopted

Amendment	Sponsor	House	Order	Sequence	Description	Status
<a href="#">HB0001H2038</a>	Larsen	H	2nd Reading	038	Dept. of Health: Institutional Facilities Task Force.	Adopted
<a href="#">HB0001H2039</a>	Harshman	H	2nd Reading	039	Limitation on Salary Increases: limits 2017-18 std. budget for 100 series to less than or equal to 2015-16 budget.	Adopted
<a href="#">HB0001H2041</a>	Connolly	H	2nd Reading	041	Dept. of Corrections: mother/child interim report date change.	Adopted
<a href="#">HB0001H2043</a>	Walters	H	2nd Reading	043	Contingency Approps. from Invest. Earnings: Community college matching funds, Univ. unconventional oil & gas research matching funds.	Adopted
<a href="#">HB0001H2051</a>	Greear	H	2nd Reading	051	Contingency Approps. from Invest. Earnings: replaces Evansville bridge planning language with transportation infrastructure planning & design grants to municipalities.	Adopted
<a href="#">HB0001H2052</a>	Harvey	H	2nd Reading	052	Dept. of Health: Medicaid for mental health funding.	Adopted
<a href="#">HB0001H3006</a>	Harshman	H	3rd Reading	006	AML Funding – Redirection of Prior Authorizations for Univ. of Wyoming Engineering Building II, local gov'ts, Gillette Madison water project, and UW high bay research facility.	Adopted
<a href="#">HB0001H3009</a>	Winters	H	3rd Reading	009	Dept. of Health: Institutional Facilities Task Force. Related to HB0001H2038.	Adopted
<a href="#">HB0001H3010</a>	Miller	H	3rd Reading	010	Geological Survey: Study of processes and procedures in other mineral producing areas of U.S., Canada, Australia, etc. and provide report.	Corrected, Adopted
<a href="#">HB0001H3021</a>	Larsen	H	3rd Reading	021	State Buildings: provides for a \$156K appropriation to purchase Chief Washakie artwork. Related to HB0001H2027.	Adopted
<a href="#">HB0001H3022</a>	Greear	H	3rd Reading	022	Wyo. Value Added Energy & Industrial Plan:	Adopted
<a href="#">HB0001H3024</a>	Larsen	H	3rd Reading	024	Dept. of Health: Institutional Facilities Task Force.	Adopted
<a href="#">HB0001H3026</a>	Sommers	H	3rd Reading	026	Education – School Finance: Related to HB0001H2025.	Adopted
<a href="#">HB0001H3027</a>	Harvey	H	3rd Reading	027	Miner's Hospital Board: board shall inform eligible miners of payment possible due them.	Adopted
<a href="#">HB0001H3032</a>	Hunt	H	3rd Reading	032	State Lands & Invest./Court Security Funding: Related to HB0001H2026.	Corrected, Adopted

Amendment	Sponsor	House	Order	Sequence	Description	Status
HB0001H3033	Throne	H	3rd Reading	033	Dept. of Education: Hathaway Scholarship Eligibility.	Adopted
HB0001H3034	Harshman	H	3rd Reading	034	State Facilities – Casper: reduces approp. dollar for dollar up to \$500K in GF & FF by any approp. in HB0058 if enacted.	Adopted
HB0001H3035	Stubson	H	3rd Reading	035	Contingency Approps. from Invest. Earnings: Related to HB0001H2051.	Adopted
HB0001H3036	Stubson	H	3rd Reading	036	State Facilities – Casper: Dept. of Workforce Services: dept. is directed to obtain an appraisal of properties & facilities in Casper prior to disposal.	Adopted
HB0001H3039	Berger	H	3rd Reading	039	Community Colleges – Funding Model: directs JAC to review funding model before 9/1/15 to determine need for improvement or change.	Adopted
HB0001H3042	Eklund	H	3rd Reading	042	State Buildings – Construction: authorizes Dept. of A&I to accept grants, gifts, transfers, bequests, etc. for purchasing artwork.	Adopted
HB0001H3043	Zwonitzer, Dn.	H	3rd Reading	043	Legislative Per Diem: authorizes expense supplement up to \$20/day to match Federal per diem rate.	Adopted

### ADOPTED 2015 SUPPLEMENTAL BUDGET AMENDMENT LIST - SENATE FILE 0001

Amendment	Sponsor	House	Order	Sequence	Description	Status
SF0001S2001	Ross	S	2nd Reading	001	Governor's Office: appropriation for securing in-market representation to Taiwan.	Adopted
SF0001S2007	Ross	S	2nd Reading	007	Dept. of Health: Medicaid for mental health funding.	Adopted
SF0001S2010	Driskill	S	2nd Reading	010	State Lands & Investment: Pine Beetle Mitigation.	Adopted
SF0001S2011	Ross	S	2nd Reading	011	Univ. of Wyo.: accounting system/ fiscal control and management reporting project.	Adopted
SF0001S2012	Von Flatern	S	2nd Reading	012	Univ. of Wyo.: routine and planned aircraft maintenance compliance.	Adopted
SF0001S2014	Coe	S	2nd Reading	014	Education: school dist. reimbursement for resident students attending out-of-state public schools.	Adopted



Amendment	Sponsor	House	Order	Sequence	Description	Status
SF0001S2015	Rothfuss	S	2nd Reading	015	Dept. of Education: Hathaway Scholarship Eligibility.	Adopted
SF0001S2016	Christensen	S	2nd Reading	016	Dept. of A&I: Capital Construction for Central Wyo. College Outreach Ctr.	Adopted
SF0001S2017	Driskill	S	2nd Reading	017	Court Security Funding: Platte, Goshen, Niobrara, Albany, Big Horn, Crook, and Park counties.	Adopted
SF0001S2018	Dockstader	S	2nd Reading	018	Divided, Dept. of Health: Institutional Facilities Task Force: reapportions membership, increases approp. to the LSO, doubles approp. for state facilities construction acct..	Divided
SF0001S2018.01	Dockstader	S	2nd Reading	018	Dept. of Health: Institutional Facilities Task Force: reapportions membership, increases approp. to the LSO.	Corrected, Adopted
SF0001S2019	Coe	S	2nd Reading	019	Municipal Solid Waste Cease & Transfer Loan & Grant Program.	Adopted
SF0001S2020	Nicholas, P.	S	2nd Reading	020	Wyo. Value Added Energy Plan Integrated Test Center to dev. Co2 from coal plant flue gas.	Corrected, Adopted
SF0001S2022	Hastert	S	2nd Reading	022	Contingency Approps. from Invest. Earnings: Reporting of match fund. expend. for job training & placmt. for needy families.	Adopted
SF0001S2023	Ross	S	2nd Reading	023	Contingency Approps. from Invest. Earnings: Central Wyo. College Ag. & Animal Science.	Adopted
SF0001S2025	Bebout	S	2nd Reading	025	Contingency Approps. from Invest. Earnings: Community college matching funds, Univ. unconventional oil & gas research matching funds.	Adopted
SF0001S2026	Meier	S	2nd Reading	026	Contingency Approps. from Invest. Earnings: Wyo. Water Devel. Acct. II.	Adopted
SF0001S2030	Scott	S	2nd Reading	030	Includes language "and any specific position exempted by the Governor are" from limitation on salary increases.	Adopted
SF0001S2031	Hicks	S	2nd Reading	031	Sage Grouse Implementation Team Report	Adopted

Amendment	Sponsor	House	Order	Sequence	Description	Status
SF0001S2032	Bebout	S	2nd Reading	032	Governor's Office: expanded foreign trade efforts for developing new markets & expanding foreign trade efforts.	Adopted, Corrected
SF0001S2037	Craft	S	2nd Reading	037	Dept. of Corrections: mother/child interim report date change.	Adopted
SF0001S2038	Perkins	S	2nd Reading	038	Contingency Approps. from Invest. Earnings: replaces "Evansville bridge –planning" language with "Transportation infrastructure planning & design grants" to municipalities.	Adopted
SF0001S2043	Case	S	2nd Reading	043	Contingency Approps. from Invest. Earnings: language change to allow Governor to expend funds on "planning for and" responses to natural disasters.	Adopted
SF0001S3002	Von Flatern	S	3rd Reading	002	Dept. of Transportation: report to JAC on safety issues with HWY 59.	Corrected, Corrected, Adopted
SF0001S3004	Craft	S	3rd Reading	004	Dept. of Health: directs approp. to be expended for home services only through community living section of aging division.	Adopted
SF0001S3005	Driskill	S	3rd Reading	005	State Lands & Investment: Pine Beetle Mitigation. Deletes SF0001S2010 and further amends to revert remaining funding for biennium beginning 7/1/16.	Adopted
SF0001S3006	Bebout	S	3rd Reading	006	Univ. of Wyo.: deletes language for assessment of establishing a 4-yr. degree program in Jackson.	Adopted
SF0001S3007	Von Flatern	S	3rd Reading	007	Univ. of Wyo.: deletes SF0001S2012 and further amends to establish a reserve fund for routine and planned aircraft maintenance compliance.	Corrected, Corrected, Adopted
SF0001S3008	Cooper	S	3rd Reading	008	Education: removes external cost adjustment from the model and replaces it with indexed inflationary value.	Corrected, Adopted



Amendment	Sponsor	House	Order	Sequence	Description	Status
SF0001S3011	Hicks	S	3rd Reading	011	Contingency Approps. from Invest. Earnings: deletes capitol bldg. rehab., Gillette Madison project, UW athletic competitiveness, UW literacy match funds, UW high-altitude training ctr. Match funds, UW unconventional oil & gas research match funds, and UW high school student summer assistance.	Divided
SF0001S3011.01	Hicks	S	3rd Reading	011	Deletes SF0001S2026 and SF0001S2038 entirely.	Corrected, Adopted
SF0001S3011.02	Hicks	S	3rd Reading	011	Deletes UW literacy match funds, UW high-altitude training center, and funds directed to Evansville for designing a bridge over the North Platte.	Corrected, Adopted
SF0001S3011.03	Hicks	S	3rd Reading	011	Deletes UW Jacoby Golf Course Phase I enhancements.	Corrected, Adopted
SF0001S3011.04	Hicks	S	3rd Reading	011	Deletes UW Jacoby Golf Course Phase II enhancements.	Corrected, Adopted
SF0001S3011.24	Hicks	S	3rd Reading	011	Deletes Evansville Bridge construction.	Corrected, Adopted
SF0001S3012	Perkins	S	3rd Reading	012	Wyo. Military Dept.: directs the dept. to use best efforts to secure ingress and egress for Evansville over Veteran's state cemetery road & bridge.	Corrected, Adopted
SF0001S3013	Landen	S	3rd Reading	013	Dept. of Workforce Services: dept. is directed to obtain an appraisal of properties & facilities in Casper prior to disposal.	Adopted
SF0001S3014	Bebout	S	3rd Reading	014	Dept. of Education: authorizes state BOE to consider, discuss or modify next generation science standards if HB0023 not enacted.	Adopted
SF0001S3016	Ross	S	3rd Reading	016	State Facilities – Casper: reduces approp. dollar for dollar up to \$500K in GF & FF by any approp. in HB0058 if enacted.	Adopted
SF0001S3019	Landen	S	3rd Reading	019	Community Colleges – Funding Model: directs JAC to review funding model, and relative wage growth (and recommend salary increases) before 9/1/15 to determine need for improvement or change.	Divided

Amendment	Sponsor	House	Order	Sequence	Description	Status
SF0001S3019.01	Landen	S	3rd Reading	019	Community Colleges – Funding Model: directs JAC to review funding model before 9/1/15 to determine need for improvement or change.	Corrected, Adopted
SF0001S3021	Case	S	3rd Reading	021	State Buildings – Construction: approps. \$156K for purchase of Chief Washakie artwork for display in Capitol Complex.	Adopted
SF0001S3023	Ross	S	3rd Reading	023	AML Funding – Redirection of Prior Authorizations for local gov'ts, Wyo. Value Added Energy & Industrial Plan, and UW Science Initiative Account.	Adopted