

WTA 2013 Legislative Session Bill Tracking Sheet



2013 Budget Session	RED= Dead bills, GREEN (shaded)=Enacted
BILL	DESCRIPTION/STATUS
House Bills	
<u>HB 30 - Specific Purpose Tax - Extension - Zwonitzer, Dan</u>	Allows for an automatic extension of the specific purpose penny beyond the collection of the amount specified. Excess revenues collected would be used for roads. Oppose. The bill died with a vote of 2-7 in House Revenue. Those voting no include: Blikre, Eklund, Kirkbride, Loukes, Northrup, Semlek, and Chairman Madden.
<u>HB 34 - Sales and use tax exemption - firearms - Zwonitzer, Dan</u>	Allows for an exemption from sales and use tax on the purchase of firearms. Oppose. The bill has been referred to House Revenue.
<u>HB 64 - Data center co-location tax exemption - Joint Minerals</u>	Provides that co-located data centers may be eligible to receive sales and use tax exemptions. The bill passed the House on 1/16 by a vote of 55-4-1. Passed Senate on 2/8 with a vote of 18-11. Enrolled Act No. 10.
<u>HB 69 - Highway funding - Joint Revenue</u>	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. Support. 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 bill passed Senate Transportation with a vote of 4-1 and now heads to general file. Only two groups opposed the bill in the hearing. The Senate voted to pass the bill on 2/14 by a vote of 18-12. The Governor signed the bill on 2/15. House Enrolled Act. No. 38.
<u>HB 70 - Vehicle registration - Joint Revenue</u>	Increases vehicle registration fees for vehicles. Fiscal Note: yield approximately \$17M annually. The House Chairman took a straw poll to see if there was any interest in hearing HB 70 next week and there was none. The bill will likely be laid back in committee.

HB 77 - Wyoming Lottery - Zwonitzer, Dave	<p>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. An amendment was added on third reading that would take the proceeds to the Common School Land Fund instead of local governments. Passed the Senate. Final vote on Friday, February 22: 18-10-2. Conference committee agreed to the first \$6M goes to local governments and the rest would flow to the Common School Land Fund. The funding mechanism will be revised in 6 years.</p>
HB 78 - Budget Review Process - Wallis	<p>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.</p>
HB 87 - Interest rate for produced minerals - Madden	<p>This bill reduces the interest rates on delinquent severance taxes and delinquent gross products taxes on minerals produced on or after January 1, 2013 from the current interest rates to the average short term rate plus 2% as determined by the State Treasurer. This current interest rate on delinquent severance taxes is 12 percent. The current interest rate on delinquent gross products taxes is 18 percent. To determine the short term rate, the State Treasurer shall use the short term rate as determined by the Secretary of Treasury under 26 U.S.C. Section 6621 for December of the preceding fiscal year. The average distribution of interest on delinquent severance taxes to the General Fund from FY 2009 through FY 2012 was \$6,972,375.37. From what we understand, the interested parties found too much heartburn with the bill as written. It may be proposed to be an interim topic.</p>
HB 100 - Vehicle registration fees - assisted devices	<p>Provides that the value of assistive devices shall not be included in calculating the value of a vehicle for registration purposes. Passed the House with a vote of 59-0-1 on 1/21. Passed the Senate on 2/15 with a vote of 24-6. House Enrolled Act. No. 41</p>
HB 111 - Tips and gratuities - sales tax - Petroff	<p>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</p>
HB 147 - Vehicle registration fees - purple heart exemption - Kasperik	<p>The bill exempts vehicle registration fees for purple heart recipients for one vehicle. The bill passed the House 59-0-1 on 1/31. The bill failed to get heard in Senate Transportation.</p>
HB 160 - Vehicle sales and use tax - Esquibel	<p>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.</p>

<u>HB 170 - Streamlined sales tax - direct mail - Madden</u>	The bill cleans up Wyoming's statutes as they pertain to taxation of direct mail and makes them compliant with the Streamlined Sales Tax Initiative. Support. WTA testified in support of the bill due to our long-time support of Wyoming's involvement in Streamlined. The Committee agreed that it might be beneficial for Dan Noble with the Department of Revenue to give a detailed "101" on the Streamlined Sales Tax initiative during the interim. The bill passed the House with a vote of 51-9 on 1/23 and Senate Revenue with a vote of 4-1 on 2/5. The bill passed 3rd reading in the Senate on 2/22.
<u>HB 171 - Fuel tax - gasoline definition - Madden</u>	The bill includes liquefied gases and other gases in the definition of gasoline for purposes of taxation. The bill passed House Revenue unanimously and the full House on 1/23 with a vote of 58-2. Senate Revenue passed the bill 5-0. Current exemptions for off-road use of gasoline would also apply under the proposed changes. The bill passed the Senate by a vote of 30-0 on 2/19.
<u>HB 180 - Supplemental budget requests - limitations - Jaggie, et al</u>	The bill limits supplemental budget requests to: necessary reductions occasioned by state revenue forecast shortfalls; allocations necessitated by human or natural disasters; allocations necessitated by emergencies as certified by the Governor; for the Governor's recommendations, increased allocations for unexpected forecast balances; recommendations regarding increases or decreases to savings; and necessary personnel adjustments. The bill failed a vote in House Appropriations Committee.
<u>HB 184 - Tax exemption for natural gas vehicle conversion - Petroff</u>	The bill exempts from sales and use tax the sale of any equipment installed on a motor vehicle to make the vehicle able to operate in whole or in part on natural gas. WTA will oppose this bill. The bill failed by a vote of 4-5 in House Revenue with Representatives Blikre, Loukes, Northrup, Semlek and Madden voting no.
<u>HB 185 - Tax exemption for natural gas powered vehicles - Petroff</u>	The bill exempts the first \$6,000 of the sales price of a natural gas powered vehicle. WTA will oppose this bill. The bill failed by a vote of 4-5 in House Revenue with Representatives Blikre, Loukes, Northrup, Semlek and Madden voting no.
<u>HB 186 - Tax exemption for natural gas filling stations equipment - Petroff</u>	Exempts the equipment used to dispense natural gas into motor vehicles. WTA will oppose this bill with a general statement of concern for exemptions. The bill passed the House by a vote of 34-25-1 on Friday. The House amended the bill so that the exemption goes away after \$6.250M of equipment exempted from taxation has occurred. The Senate Revenue Committee failed to hear a motion on the bill and it therefore died in committee.
<u>HB 195 - Rail tax exemption - extension - Kirkbride</u>	Extends the exemption on the imposition of state sales tax on the repair of rolling stock from 2015 to 2019. The total decrease in revenue will be \$1M. The bill passed the House with a vote of 35-25-0 on 1/28 and got out of Senate Revenue with a slim vote of 3-2 on 2/5. The bill failed to be heard on general file in the Senate and therefore died.
<u>HB 196 - Tax exemption - small scale/off grid electricity generation - Petroff</u>	Provides for the renewal of the sales and use tax exemption for equipment for small or off-grid electricity generation. The vote was 4-5 with Representatives Blikre, Kirkbride, Loukes, Northrup, and Madden voting no.

<u>HB 199 - Cigarette tax increase - Gay</u>	Increases the tax on cigarettes by \$0.05/cigarette, or \$1.00/pack. Estimated revenue yielded, \$35M annually earmarked to Medicaid. Oppose. The committee voted 5-4 this morning to take the issue to the full floor of the House of Representatives. Those voting no include: Loukes, Petroff, Semlek, and Madden. The bill failed a vote in the House 22-29-9.
<u>HB 210 - Large truck - mileage tax - Gay</u>	Imposes a ton-mile tax on large trucks of \$.10 for trucks with a weight of 80,000 pounds for each mile traveled. The bill failed with a vote of 0-9.
<u>HB 215 - State investments for a public purpose - Patton</u>	This bill decreases the amount allowed to be invested in industrial development bonds, repeals individual investment limitations; decreases overall amounts allowed to be invested for specific public purposes; and provides rulemaking authority for the State Treasurer. Passed the House on 2/4 with a vote of 33-26 and passed Senate Revenue Committee on 2/12. The Standing Committee amendment to increase the maximum from \$200M to \$400M failed on the floor of the Senate. Then on 3rd reading the limit was increased to \$300M and \$600M respectively. The bill passed the Senate with a vote of 29-0 with 1 conflict. Enrolled Act. No. 79.
<u>HB 233 - Use tax - temporary storage of goods - Patton</u>	The bill specifies that for tangible personal property which is brought into this state and is destined for use under contract in a specific taxing jurisdiction, storage in this state in another taxing jurisdiction for ninety (90) days or less shall not invoke the use tax until the property arrives in the jurisdiction where it will be used. It seems to be a Sheridan County issue the sponsor is trying to fix with this legislation. It was never heard in committee.
<u>HB 247 - Sales and use tax - sourcing - Patton</u>	The bill specifies that the sale of any product for commercial or industrial use which has a value of two hundred fifty thousand dollars (\$250,000.00) or more shall be sourced where the product is installed or used. Similar to HB 233 - this also seems to be a Sheridan County issue. The bill was never heard in committee.
Senate Bills	
<u>SF 19 - Hospital district - elections - Geis</u>	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.
<u>SF 21- Sales tax exemption - related business entities - Bebout</u>	Provides that the lease of tangible assets between related business entities is not subject to taxation. Discussion in Senate Revenue brought up several concerns from interested parties. The Department of Revenue folks explained how the bill could have unintended consequences. The issue may be brought forward for an interim topic.

<u>SF 30 - Special districts - Joint Revenue</u>	Requires special districts to submit proposed budgets, and requires the Department of Audit to provide reports to boards of county commissioners. Support. 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. Enrolled Act. No. 22
<u>SF 68 - Sales tax - zapping - Joint Revenue</u>	The bill prohibits sales tax zapping and makes it a felony. Support. The bill passed Senate Revenue with a vote of 4-1, and a vote of the full Senate of 29-1 on 1/21 and passed the House on 2/11 with a vote of 27-2-1. Enrolled Act No. 23
<u>SF 100 - Sales tax overpayments - refund period- Cooper</u>	Refunds from sales and use taxes overpaid by vendors in the two years added to the statute of limitations for refunds. The bill died for lack of a motion.
<u>SF 102- I-80 tolling- Case</u>	The bills directs the Transportation Commission to plan and prepare I-80 for tolling. The bill failed to get out of Senate Transportation this week.
<u>SF 106 - Projects funded by abandoned land mine funds</u>	This bill contains appropriations of \$43,000,000 from ABANDONED MINE LAND FUNDS which have been previously appropriated and does three major things: 1. Modifies matching contributions requirements for the UW Arena Auditorium (\$10M project), removes the bonding requirement, and ratifies the 2012 swap with WYDOT for state general funds; 2. Modifies requirement related to the minerals to value added products (\$9M project); 3. Redirects \$30M for Gillette Madison Pipeline, \$13M for the UW College of Engineering (from the original GE Energy High Plains Gasification/Advanced Technology Center project of \$51.05M) with up to \$3M allowed to be used for establishing coal/natural gas endowments (after swaps). It still leaves \$8.05M for obligations to the High Plains project. The bill passed the Senate 27-3 on 1/29 and the House on 2/25 44-16.
<u>SF 109 - Highway and road funding - severance taxes - Cooper</u>	This bill proposes to divert 50% of the current statutory severance tax distribution from the PMTF and distributed according to the current distribution for highway funding. Yield is approximately \$71M. Senate Revenue passed the bill with a vote of 3-2 this week and amended the bill heavily to rely on HB 69 being amended as a phased-in fuel tax and SF 109 offsetting the revenues with severance flow to meet the \$71M (amount the full \$.10 would yield annually). The bill failed a vote on General File last week with a vote of 8-22.