

Sponsored By: Joint Appropriations Interim Committee

AN ACT relating to local government funding; providing funding to cities and towns; providing funding to counties; providing local government funding formulas; providing legislative intent; providing an appropriation; and providing for an effective date.

2/8/2016 Bill Number Assigned

2/9/2016 H Received for Introduction

2/11/2016 H Introduced and Referred to H02 - Appropriations 52-6-2-0-0

ROLL CALL

Ayes: Representative(s) Allen, Baker, Baldwin, Berger, Blackburn, Blake, Brown, Burkhardt, Byrd, Campbell, Cannady, Clem, Connolly, Dayton, Edmonds, Eklund, Esquibel, K., Freeman, Greear, Halverson, Harshman, Harvey, Hunt, Jaggi, Jennings, Kasperik, Kinner, Kirkbride, Krone, Larsen, Laursen, Lindholm, Lockhart, Loucks, Madden, Miller, Moniz, Nicholas, B., Northrup, Paxton, Pelkey, Petroff, Piiparinen, Schwartz, Sommers, Steinmetz, Stubson, Throne, Wilson, Winters, Zwonitzer, Dn., Zwonitzer, Dv.

Nays: Representative(s) Barlow, Edwards, Kroeker, McKim, Pownall, Reeder

Excused: Representative(s) Gay, Walters

Ayes 52 **Nays** 6 **Excused** 2 **Absent** 0 **Conflicts** 0

2/15/2016 H02 - Appropriations:Recommend Do Pass 7-0-0-0-0

ROLL CALL

Ayes: Representative(s) Burkhardt, Connolly, Greear, Harshman, Moniz, Nicholas, B., Stubson

Ayes 7 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

2/15/2016 H Placed on General File

HB0051HW001/ADOPTED

Page 2-line 17 After "for" insert "direct"; delete "revenue".

Page 2-line 18 Delete "challenged".

Page 8-line 17 Delete "paragraph (a)(ii)" insert "paragraphs (a)(ii) and (iv)".

Page 9-lines 1 through 7 Delete and insert:

"(i) From these distributions each county with an assessed value for the prior tax year corresponding to the most recently completed calendar year of less than three hundred thousand dollars (\$300,000.00) per mill shall first receive an amount equal to three (3) times the difference between three hundred thousand dollars (\$300,000.00) and the actual value of one (1) mill within the county. From the remainder, each county shall receive amounts in accordance with a county supplemental funding formula as provided in this paragraph. The county supplemental funding formula shall be calculated by the office of state lands and investments as follows:

(A) Calculate the per capita sales and use tax revenues available to each county using the sales and use tax distributions to each county during the odd-numbered fiscal year from the most recently completed biennium, excluding distributions to each

municipality within that county, under W.S. 39-15-111 and 39-16-111;

(B) Calculate the inverse by dividing one (1) by the per capita sales and use tax determined under subparagraph (A) of this paragraph for each county;

(C) Calculate the normalized per capita sales and use tax number for each county by dividing the number determined under subparagraph (B) of this paragraph for the county by the total of all inverse per capita sales and use tax numbers calculated under subparagraph (B) of this paragraph;

(D) Multiply the normalized per capita sales and use tax number determined under subparagraph (C) of this paragraph for each county by twenty-four percent (24%);

(E) Calculate the per capita assessed value for each county by dividing the total assessed valuation within the county for the prior tax year corresponding to the most recently completed calendar year by the population of the county;

(F) Calculate the inverse by dividing one (1) by the per capita assessed value determined under subparagraph (E) of this paragraph for each county;

(G) Calculate the normalized per capita assessed value number for each county by dividing the number determined under subparagraph (F) of this paragraph for the county by the total of all inverse per capita assessed value numbers calculated under subparagraph (F) of this paragraph;

(H) Multiply the normalized per capita assessed value number determined under subparagraph (G) of this paragraph for each county by seventy-six percent (76%);

(J) Calculate a cost of government index for each county, which shall be determined by multiplying six hundred twenty-eight (628) by the population of the county, and then adding nine million nine hundred thousand (9,900,000) to the result;

(K) Calculate the normalized cost of government index number for each county by dividing the number determined under subparagraph (J) of this paragraph for the county by the total of all cost of government index numbers calculated under subparagraph (J) of this paragraph;

(M) Multiply the sum of subparagraphs (D) and (H) of this paragraph by the normalized cost of government index number determined in subparagraph (K) of this paragraph for each county;

(N) Calculate the normalized index for each county by dividing the number determined under subparagraph (M) of this paragraph for the county by the total of all numbers calculated under subparagraph (M) of this paragraph;

(O) Determine the amount to distribute to each county by multiplying the normalized index number determined under subparagraph (N) of this paragraph by the amount remaining available for distribution under this paragraph."

Page 15 line 1 through Page 16 line 23 Delete entirely.

Page 17-line 2 Delete "(f)" insert "(e)".

Page 17-line 8 Delete "(g)" insert "(f)".

To the extent required by this amendment: adjust totals; and renumber as necessary. MADDEN, HARVEY, HUNT, STEINMETZ

HB0051HW002/FAILED

Page 1-line 3 After "formulas;" delete "providing".

Page 1-line 4 Delete "definitions;"

Page 2-line 13 After "for" insert "direct"; delete "revenue".
Page 2-line 14 Delete "challenged".
Page 2-line 22 Delete "paragraph (a)(i)" insert "paragraphs
 (a)(i) and (iii)".

Page 3-lines 4 through 23 Delete and insert:

(i) From these distributions each municipality with a population of thirty-five (35) or less shall first receive ten thousand dollars (\$10,000.00) and each municipality with a population over thirty-five (35) shall first receive twenty-thousand dollars (\$20,000.00). From the remainder, each municipality shall receive amounts in accordance with a municipal supplemental funding formula as provided in this paragraph. The municipal supplemental funding formula shall be calculated by the office of state lands and investments as follows:

(A) Calculate the per capita sales and use tax revenues available to each municipality using the sales and use tax distributions to each county during the odd-numbered fiscal year from the most recently completed biennium, including distributions to each municipality within that county, under W.S. 39-15-111 and 39-16-111, but excluding the distribution exclusively to counties under W.S. 39-15-111(b)(iii) made from an amount equivalent to one percent (1%) of the tax collected under W.S. 39-15-104, and excluding the distribution exclusively to counties under W.S. 39-16-111(b)(iii) made from an amount equivalent to one percent (1%) of the tax collected under W.S. 39-16-104;

(B) Calculate the inverse by dividing one (1) by the per capita sales and use tax determined under subparagraph (A) of this paragraph for each municipality;

(C) Calculate the normalized per capita sales and use tax number for each municipality by dividing the number determined under subparagraph (B) of this paragraph for the municipality by the total of all inverse per capita sales and use tax numbers calculated under subparagraph (B) of this paragraph;

(D) Multiply the normalized per capita sales and use tax number for each municipality by seventy-five percent (75%);

(E) Calculate the per capita assessed value for the prior tax year corresponding to the most recently completed calendar year for each municipality by dividing the total assessed valuation within the municipality by the population of the municipality;

(F) Calculate the inverse by dividing one (1) by the per capita assessed value determined under subparagraph (E) of this paragraph for each municipality;

(G) Calculate the normalized per capita assessed value number for each municipality by dividing the number determined under subparagraph (F) of this paragraph for the municipality by the total of all inverse per capita assessed value numbers calculated under subparagraph (F) of this paragraph;

(H) Multiply the normalized per capita assessed value number for each municipality by twenty-five percent (25%);

(J) Multiply the sum of subparagraphs (D) and (H) of this paragraph by the population of the municipality;

(K) Calculate the normalized index for each municipality by dividing the number determined under subparagraph (J) of this paragraph for the municipality by the sum of all numbers calculated under subparagraph (J) of this paragraph;

(M) Determine the amount to distribute to each

municipality by multiplying the normalized index number determined under subparagraph (K) of this paragraph by the amount remaining available for distribution under this paragraph."

Page 4-line 1 through Page 8-line 13 Delete entirely.

Page 9-line 9 through Page 14-line 23 Delete entirely.

To the extent required by this amendment: adjust totals; and renumber as necessary. MADDEN, HARVEY, HUNT, STEINMETZ

2/16/2016 H COW:Passed

2/17/2016 H 2nd Reading:Laid Back

HB0051H2001/ADOPTED

Page 1-line 15 Delete "ninety million dollars (\$90,000,000.00)" insert "one hundred five million dollars (\$105,000,000.00)". KRONE, JAGGI, SOMMERS

HB0051H2002/ADOPTED

Page 1-line 3 After "formulas;" delete "providing".

Page 1-line 4 Delete "definitions;"

Page 2-line 13 After "for" insert "direct"; delete "revenue".

Page 2-line 14 Delete "challenged".

Page 2-line 22 Delete "paragraph (a)(i)" insert "paragraphs (a)(i) and (iii)".

Page 3-lines 4 through 23 Delete and insert:

(i) From these distributions each municipality with a population of thirty-five (35) or less shall first receive ten thousand dollars (\$10,000.00) and each municipality with a population over thirty-five (35) shall first receive twenty-thousand dollars (\$20,000.00). From the remainder, each municipality shall receive amounts in accordance with a municipal supplemental funding formula as provided in this paragraph. The municipal supplemental funding formula shall be calculated by the office of state lands and investments as follows:

(A) Calculate the per capita sales and use tax revenues available to each municipality using the sales and use tax distributions to each county during the odd-numbered fiscal year from the most recently completed biennium, including distributions to each municipality within that county, under W.S. 39-15-111 and 39-16-111, but excluding the distribution exclusively to counties under W.S. 39-15-111(b)(iii) made from an amount equivalent to one percent (1%) of the tax collected under W.S. 39-15-104, and excluding the distribution exclusively to counties under W.S. 39-16-111(b)(iii) made from an amount equivalent to one percent (1%) of the tax collected under W.S. 39-16-104;

(B) Calculate the inverse by dividing one (1) by the per capita sales and use tax determined under subparagraph (A) of this paragraph for each municipality;

(C) Calculate the normalized per capita sales and use tax number for each municipality by dividing the number determined under subparagraph (B) of this paragraph for the municipality by the total of all inverse per capita sales and use tax numbers calculated under subparagraph (B) of this paragraph;

(D) Multiply the normalized per capita sales and use tax number for each municipality by seventy-five percent (75%);

(E) Calculate the per capita assessed value for the prior tax year corresponding to the most recently completed calendar

year for each municipality by dividing the total assessed valuation within the municipality by the population of the municipality;

(F) Calculate the inverse by dividing one (1) by the per capita assessed value determined under subparagraph (E) of this paragraph for each municipality;

(G) Calculate the normalized per capita assessed value number for each municipality by dividing the number determined under subparagraph (F) of this paragraph for the municipality by the total of all inverse per capita assessed value numbers calculated under subparagraph (F) of this paragraph;

(H) Multiply the normalized per capita assessed value number for each municipality by twenty-five percent (25%);

(J) Multiply the sum of subparagraphs (D) and (H) of this paragraph by the population of the municipality;

(K) Calculate the normalized index for each municipality by dividing the number determined under subparagraph (J) of this paragraph for the municipality by the sum of all numbers calculated under subparagraph (J) of this paragraph;

(M) Determine the amount to distribute to each municipality by multiplying the normalized index number determined under subparagraph (K) of this paragraph by the amount remaining available for distribution under this paragraph."

Page 4-line 1 through Page 8-line 13 Delete entirely.

Page 9-line 9 through Page 14-line 23 Delete entirely.

To the extent required by this amendment: adjust totals; and renumber as necessary. MADDEN, HARVEY, HUNT, STEINMETZ

2/18/2016 H 2nd Reading:Passed

HB0051H3001/FAILED

Delete the Krone, et al. second reading amendment (HB0051H2001/A) entirely and further amend as follows:

Page 1-line 15 Delete "ninety million dollars (\$90,000,000.00)" insert "one hundred twenty million dollars (\$120,000,000.00)". LINDHOLM

2/19/2016 H 3rd Reading:Passed 57-2-1-0-0

ROLL CALL

Ayes: Representative(s) Allen, Baker, Baldwin, Barlow, Berger, Blackburn, Blake, Brown, Burkhardt, Byrd, Campbell, Cannady, Clem, Connolly, Dayton, Edmonds, Edwards, Eklund, Esquibel, K., Freeman, Gay, Greear, Halverson, Harshman, Harvey, Hunt, Jaggi, Jennings, Kasperik, Kinner, Kirkbride, Kroeker, Krone, Larsen, Laursen, Lindholm, Lockhart, Loucks, Madden, McKim, Miller, Moniz, Northrup, Paxton, Pelkey, Petroff, Piiparinen, Pownall, Reeder, Schwartz, Sommers, Steinmetz, Stubson, Walters, Wilson, Winters, Zwonitzer, Dv.

Nays: Representative(s) Nicholas, B., Zwonitzer, Dn.

Excused: Representative Throne

Ayes 57 **Nays** 2 **Excused** 1 **Absent** 0 **Conflicts** 0

2/22/2016 S Received for Introduction

2/23/2016 S Introduced and Referred to S02 - Appropriations

2/24/2016 S02 - Appropriations:Recommend Amend and Do Pass 4-1-0-0-0

ROLL CALL

Ayes: Senator(s) Burns, Perkins, Ross, Wasserburger

Nays: Senator Hastert
Ayes 4 **Nays** 1 **Excused** 0 **Absent** 0 **Conflicts** 0

2/24/2016 S Placed on General File

**HB0051SS001.01/ADOPTED (TO ENGROSSED COPY)
(CORRECTED COPY)**

[DIVIDED AMENDMENT]

Page 2-line 22 Delete "paragraphs" insert "paragraph"; delete "and (iii)".

Page 3-line 4 Delete "municipality" insert "city or town".

Page 3-line 7 Delete "municipality" insert "city or town".

Page 3-line 9 Delete "municipality" insert "city or town".

Page 3-line 11 After "paragraph" insert ", with each city or town receiving amounts in the proportion which the adjusted population of the city or town bears to the adjusted population of all cities and towns in Wyoming".

Page 3-lines 15 through 23 Delete and insert:

 "(A) Calculate the per capita distribution of sales and use tax revenues for the fiscal year beginning July 1, 2014 and ending June 30, 2015 to each county, including distributions to each city and town within that county, under W.S. 39-15-111 and 39-16-111, but excluding the distribution exclusively to counties under W.S. 39-15-111(b)(iii) made from an amount equivalent to one percent (1%) of the tax collected under W.S. 39-15-104, and excluding the distribution exclusively to counties under W.S. 39-16-111(b)(iii) made from an amount equivalent to one percent (1%) of the tax collected under W.S. 39-16-104;

 (B) Arrange the counties in ascending order by the per capita distribution calculated;

 (C) Following the arrangement of counties in subparagraph (B) of this paragraph, list the population of each city and town within the county;

 (D) Apply the appropriate adjustment factor determined in subdivisions (I) through (V) of this subparagraph for a county to each city and town within that county:

 (I) Beginning with the county with the lowest per capita distribution, an adjustment factor of one and one-half (1.5) shall be applied to each county listed under subparagraph (B) of this paragraph, so long as its incorporated population plus the incorporated population of each county with a lower per capita distribution is within the lowest tenth percentile. The adjustment factor shall be applied for each of these counties by multiplying the incorporated population of the county by one hundred fifty percent (150%);

 (II) An adjustment factor determined under this subdivision shall be applied to the county with the next higher per capita distribution not qualifying for the adjustment factor under subdivision (I) of this subparagraph. The adjustment factor for this county shall be determined by:

 (1) Multiplying by one hundred fifty percent (150%) that portion of the incorporated population of that county which is within the lowest tenth percentile;

 (2) Multiplying by one hundred twenty-five percent (125%) the incorporated population of that county which is within the lowest twentieth percentile and at or above the tenth percentile;

(3) If applicable, multiplying by one hundred percent (100%) the incorporated population of that county, which is at or above the twentieth percentile;

(4) Dividing the sum of the products of subdivisions (II)(1) through (3) of this subparagraph by the incorporated population of that county.

(III) If an adjustment factor has not been applied under subdivision (I) or (II) of this subparagraph, an adjustment factor of one and one-quarter (1.25) shall be applied to each county listed under subparagraph (B) of this paragraph, so long as its incorporated population plus the incorporated population of each county with a lower per capita distribution does not exceed the twentieth percentile. The adjustment factor shall be applied for each of these counties by multiplying the incorporated population of the county by one hundred twenty-five percent (125%);

(IV) An adjustment factor determined under this subdivision shall be applied to the next higher listed county not qualifying for the adjustment factor under subdivision (III) of this subparagraph. The adjustment factor for this county shall be determined by:

(1) Multiplying by one hundred twenty-five percent (125%) that portion of the incorporated population of that county which is within the lowest twentieth percentile;

(2) Multiplying by one hundred percent (100%) the incorporated population of that county which is at or above the lowest twentieth percentile;

(3) Dividing the sum of the products of subdivisions (IV)(1) and (2) of this subparagraph by the incorporated population of that county.

(V) An adjustment factor of one (1) shall be applied to the remaining counties.

(E) Distribute the remainder of the revenues under this paragraph on a per capita basis using the total adjusted population for all cities and towns and the adjusted population for each city or town as calculated under subparagraph (D) of this paragraph;

(F) As used in this paragraph:

(I) A county's "incorporated population" means the population of all cities and towns within the county;

(II) "Percentile" means that portion of the incorporated population as listed in the arrangement of cities and towns under subparagraphs (B) and (C) of this paragraph."

Page 4-lines 1 through 23 Delete.

Page 5-lines 1 through 21 Delete.

Page 6-lines 1 through 11 Delete.

Page 10-after line 16 Insert:

"[CITY AND TOWN REVENUE CHALLENGED ALLOCATIONS]

(d) Funds appropriated in paragraph (a)(iii) of this section are to be distributed to eligible cities and towns in two (2) equal distributions on August 15, 2016 and on August 15, 2017, subject to the following:

(i) Each eligible city and town shall receive amounts in accordance with a municipal supplemental funding formula as provided in this paragraph. The municipal supplemental funding formula shall be calculated by the office of state lands and investments as follows:

(A) Calculate the per capita distribution of sales and use tax revenues for the period beginning July 1, 2014 and ending

June 30, 2015 to each county, including distributions to each city and town within that county, under W.S. 39-15-111 and 39-16-111, but excluding the distribution exclusively to counties under W.S. 39-15-111(b)(iii) made from an amount equivalent to one percent (1%) of the tax collected under W.S. 39-15-104, and excluding the distribution exclusively to counties under W.S. 39-16-111(b)(iii) made from an amount equivalent to one percent (1%) of the tax collected under W.S. 39-16-104;

(B) Arrange the counties in ascending order by the per capita distribution calculated;

(C) Following the arrangement of counties in subparagraph (B) of this paragraph, list the population of each city and town within the county;

(D) Apply the appropriate adjustment factor determined in subdivisions (I) through (V) of this subparagraph for a county to each city and town within that county:

(I) Beginning with the county with the lowest per capita distribution, an adjustment factor of one and one-half (1.5) shall be applied to each county listed under subparagraph (B) of this paragraph, so long as its incorporated population plus the incorporated population of each county with a lower per capita distribution is within the lowest tenth percentile. The adjustment factor shall be applied for each of these counties by multiplying the incorporated population of the county by one hundred fifty percent (150%);

(II) An adjustment factor determined under this subdivision shall be applied to the county with the next higher per capita distribution not qualifying for the adjustment factor under subdivision (I) of this subparagraph. The adjustment factor for this county shall be determined by:

(1) Multiplying by one hundred fifty percent (150%) that portion of the incorporated population of that county which is within the lowest tenth percentile;

(2) Multiplying by one hundred twenty-five percent (125%) the incorporated population of that county which is within the lowest twentieth percentile and at or above the tenth percentile;

(3) If applicable, multiplying by one hundred percent (100%) the incorporated population of that county which is at or above the twentieth percentile;

(4) Dividing the sum of the products of subdivisions (II)(1) through (3) of this subparagraph by the incorporated population of that county.

(III) If an adjustment factor has not been applied under subdivision (I) or (II) of this subparagraph, an adjustment factor of one and one-quarter (1.25) shall be applied to each county listed under subparagraph (B) of this paragraph, so long as its incorporated population plus the incorporated population of each county with a lower per capita distribution does not exceed the twentieth percentile. The adjustment factor shall be applied for each of these counties by multiplying the incorporated population of the county by one hundred twenty-five percent (125%);

(IV) An adjustment factor determined under this subdivision shall be applied to the next higher listed county not qualifying for the adjustment factor under subdivision (III) of this subparagraph. The adjustment factor for this county shall be determined by:

(1) Multiplying by one hundred

twenty-five percent (125%) that portion of the incorporated population of that county which is within the lowest twentieth percentile;

(2) Multiplying by one hundred percent (100%) the incorporated population of that county which is at or above the lowest twentieth percentile;

(3) Dividing the sum of the products of subdivisions (IV)(1) and (2) of this subparagraph by the incorporated population of that county.

(V) An adjustment factor of one (1) shall be applied to the remaining counties.

(E) From the adjusted population of a city or town as calculated in subparagraphs (A) through (D) of this paragraph, subtract the actual population of the city or town to determine the resulting population adjustment. Distribute the funding under this paragraph in the proportion which the population adjustment of the city or town bears to the population adjustments of all cities and towns in Wyoming as calculated under subparagraph (D) of this paragraph;

(F) As used in this paragraph:

(I) A county's "incorporated population" means the population of all cities and towns within the county;

(II) "Percentile" means that portion of the incorporated population as listed in the arrangement of cities and towns under subparagraphs (B) and (C) of this paragraph."

Page 10-line 18 Delete "(d)" insert "(e)".

Page 11-line 1 Delete "(e)" insert "(f)". ROSS, CHAIRMAN

**HB0051SS001.02/FAILED (TO ENGROSSED COPY)
(CORRECTED COPY)
[DIVIDED AMENDMENT]**

Page 1-line 14 Delete "one".

Page 1-line 15 Delete "hundred five million dollars (\$105,000,000.00)" insert "ninety million dollars (\$90,000,000.00)". ROSS, CHAIRMAN

2/24/2016 S COW:Passed
2/25/2016 S 2nd Reading:Passed
2/26/2016 S 3rd Reading:Laid Back
2/29/2016 S 3rd Reading:Laid Back

HB0051S3001/WITHDRAWN

HB0051S3002/WITHDRAWN

HB0051S3003/WITHDRAWN

HB0051S3004/FAILED (TO ENGROSSED COPY)

Page 1-line 14 Delete "one".

Page 1-line 15 Delete "hundred five million dollars (\$105,000,000.00)" insert "ninety million dollars (\$90,000,000.00)". WASSERBURGER

ROLL CALL

Ayes: Senator(s) Bebout, Burns, Case, Nicholas, P., Perkins, Peterson, Ross, Wasserburger

Nays: Senator(s) Anderson, Barnard, Boner, Christensen, Coe, Cooper, Craft, Dockstader, Driskill, Emerich, Esquibel, F., Geis, Hastert, Hicks, Johnson, Kinskey, Landen, Meier, Pappas, Rothfuss, Scott, Von

Flatern

Ayes 8 Nays 22 Excused 0 Absent 0 Conflicts 0

HB0051S3005/FAILED

Page 1-line 14 Delete "one".
Page 1-line 15 Delete "hundred five million dollars
(\$105,000,000.00)" insert "ninety-seven million
five hundred thousand dollars
(\$97,500,000.00)". WASSERBURGER

ROLL CALL

Ayes: Senator(s) Bebout, Burns, Case, Coe, Driskill, Landen, Nicholas, P., Perkins, Peterson, Ross, Von Flatern, Wasserburger

Nays: Senator(s) Anderson, Barnard, Boner, Christensen, Cooper, Craft, Dockstader, Emerich, Esquibel, F., Geis, Hastert, Hicks, Johnson, Kinskey, Meier, Pappas, Rothfuss, Scott

Ayes 12 Nays 18 Excused 0 Absent 0 Conflicts 0

**HB0051S3006/ADOPTED (TO ENGROSSED COPY)
(CORRECTED CORRECTED COPY)**

Delete the First Senate Standing Committee Amendment (HB0051SS001.01/ACE) entirely and further amend as follows:

Delete the Meier Third Reading Amendment (HB0051S3001/AE) entirely and further amend as follows:

Page 2-line 6 After "towns" insert "provided that ten percent (10%) of the amount available under this paragraph shall only be distributed for direct distributions to cities and towns as provided in paragraph (b) (ii) of this section".

Page 6-after line 11 Insert:

"(ii) From the amounts available as provided in paragraph (a)(i) of this section, each city or town shall receive amounts in accordance with a city and town revenue challenged formula as provided in this paragraph. The revenue challenged formula shall be calculated by the office of state lands and investments as follows:

(A) Calculate the median amount received by cities and towns on a per capita basis using amounts received under this section and amounts distributed to each city and town using the sales and use tax distributions to each county during the odd-numbered fiscal year from the most recently completed biennium, including distributions to each municipality within that county, under W.S. 39-15-111 and 39-16-111, but excluding the distribution exclusively to counties under W.S. 39-15-111(b)(iii) made from an amount equivalent to one percent (1%) of the tax collected under W.S. 39-15-104 and excluding the distribution exclusively to counties under W.S. 39-16-111(b)(iii) made from an amount equivalent to one percent (1%) of the tax collected under W.S. 39-16-104;

(B) Determine each city or town that received a per capita amount that is less than the median amount determined under subparagraph (A) of this paragraph;

(C) For each city or town that received a per capita amount that is less than the median amount as provided in subparagraph (B) of this paragraph, determine the amount that would be necessary to increase the per capita amount distributed to that city or town to the median amount determined under subparagraph (A) of this paragraph;

(D) Determine the amount to distribute to each city

or town that received an amount that is less than the median amount determined under subparagraph (A) of this paragraph by distributing the amount available under this paragraph on a pro rata basis, up to the median amount, based on the amounts determined under subparagraph (C) of this paragraph.". ROTHFUSS, MEIER, KINSKEY, BEBOUT

ROLL CALL

Ayes: Senator(s) Barnard, Bebout, Burns, Case, Coe, Cooper, Dockstader, Emerich, Esquibel, F., Geis, Kinskey, Meier, Nicholas, P., Pappas, Peterson, Ross, Rothfuss

Nays: Senator(s) Anderson, Boner, Christensen, Craft, Driskill, Hastert, Hicks, Johnson, Landen, Perkins, Scott, Von Flatern, Wasserburger

Ayes 17 **Nays** 13 **Excused** 0 **Absent** 0 **Conflicts** 0

3/1/2016 S 3rd Reading:Passed 22-8-0-0-0

ROLL CALL

Ayes: Senator(s) Anderson, Barnard, Boner, Burns, Christensen, Coe, Cooper, Dockstader, Driskill, Emerich, Esquibel, F., Geis, Hicks, Johnson, Kinskey, Landen, Meier, Nicholas, P., Pappas, Peterson, Ross, Rothfuss

Nays: Senator(s) Bebout, Case, Craft, Hastert, Perkins, Scott, Von Flatern, Wasserburger

Ayes 22 **Nays** 8 **Excused** 0 **Absent** 0 **Conflicts** 0

3/1/2016 H Received for Concurrence

3/1/2016 H Concur:Failed 0-57-3-0-0

ROLL CALL

Nays: Representative(s) Allen, Baker, Baldwin, Barlow, Berger, Blackburn, Blake, Brown, Burkhardt, Byrd, Campbell, Cannady, Clem, Connolly, Dayton, Edmonds, Edwards, Eklund, Esquibel, K., Freeman, Greear, Halverson, Harshman, Harvey, Hunt, Jaggi, Jennings, Kasperik, Kinner, Kirkbride, Kroeker, Krone, Larsen, Laursen, Lindholm, Lockhart, Loucks, Madden, McKim, Miller, Moniz, Nicholas, B., Paxton, Pelkey, Petroff, Piiparinen, Pownall, Reeder, Schwartz, Sommers, Steinmetz, Stubson, Walters, Wilson, Winters, Zwonitzer, Dn., Zwonitzer, Dv.

Excused: Representative(s) Gay, Northrup, Throne

Ayes 0 **Nays** 57 **Excused** 3 **Absent** 0 **Conflicts** 0

3/1/2016 H Appointed JCC01 Members
Representative(s) Harshman, Greear, Madden

3/1/2016 S Appointed JCC01 Members
Senator(s) Ross, Bebout, Perkins

3/2/2016 JCC Requested 2nd Committee to be Appointed

3/2/2016 Pursuant to JR 2-1(c): H Appointed JCC02 Members
Representative(s) Harshman, Greear, Madden

3/4/2016 Pursuant to JR 2-1(c):S Appointed JCC02 Members
Senator(s) Ross, Bebout, Perkins

3/4/2016 H Adopted HB0051JC002: 43-12-5-0-0

HB0051JC002/HADOPTED (TO ENGROSSED COPY)

Delete the following Senate amendments:

HB0051S3006/ACE

HB0051SS001.01/ACE

Further amend the ENGROSSED COPY as follows:

- Page 2-line 6 After "towns" insert "provided that five percent (5%) of the amount available under this paragraph shall only be distributed for direct distributions to cities and towns as provided in paragraph (b) (ii) of this section".
- Page 2-line 14 After "towns" insert "provided that five percent (5%) of the amount available under this paragraph shall only be distributed for direct distributions to cities and towns as provided in paragraph (b) (ii) of this section".
- Page 3-lines 1 and 2 Delete and insert "with one-half (1/2) of the amount available distributed in the first fiscal year of the biennium and one-half (1/2) of the amount available distributed in the second fiscal year of the biennium. Distributions in each fiscal year shall be made in equal amounts on August 15 and January 15 of each fiscal year as calculated prior to the August 15 distribution, subject to the following:".
- Page 3-line 15 After "(A)" insert "For each fiscal year".
- Page 3-line 17 Delete "during the odd-".
- Page 3-line 18 Delete.
- Page 3-line 19 Delete "biennium" insert "attributable to fiscal year 2015 for distributions under this paragraph during fiscal year 2017 and the sales and use tax distributions to each county attributable to fiscal year 2016 for distributions under this paragraph during fiscal year 2018".
- Page 4-line 21 After "(E)" insert "For each fiscal year".
- Page 6-after line 11 Insert:
- "(ii) From the amounts available as provided in paragraphs (a) (i) and (iii) of this section, each city or town shall receive amounts in accordance with a city and town revenue challenged formula as provided in this paragraph. The revenue challenged formula shall be calculated by the office of state lands and investments as follows:
- (A) For each fiscal year, calculate the lowest quartile amount received by cities and towns on a per capita basis using amounts received under this section plus amounts distributed to each city and town using the sales and use tax distributions to each county attributable to fiscal year 2015 for distributions under this paragraph during fiscal year 2017 and the sales and use tax distributions to each county attributable to fiscal year 2016 for distributions under this paragraph during fiscal year 2018, including distributions to each municipality within that county, under W.S. 39-15-111 and 39-16-111, but excluding the distribution exclusively to counties under W.S. 39-15-111 (b) (iii) made from an amount equivalent to one percent (1%) of the tax collected under W.S. 39-15-104 and excluding the distribution exclusively to counties under W.S. 39-16-111 (b) (iii) made from an amount equivalent to one percent (1%) of the tax collected under W.S. 39-16-104;
- (B) Determine each city or town that received a per capita amount that is less than the lowest quartile amount determined under subparagraph (A) of this paragraph;
- (C) For each city or town that received a per capita

amount that is less than the lowest quartile amount as provided in subparagraph (B) of this paragraph, determine the amount that would be necessary to increase the per capita amount distributed to that city or town to the lowest quartile amount determined under subparagraph (A) of this paragraph;

(D) Determine the amount to distribute to each city or town that received an amount that is less than the lowest quartile amount determined under subparagraph (A) of this paragraph by distributing the amount available under this paragraph on a pro rata basis, up to the lowest quartile amount, based on the amounts determined under subparagraph (C) of this paragraph."

Page 6-line 16 Delete "in two".
Page 6-line 17 Delete.
Page 6-line 18 Delete "15, 2017" insert "with one-half (1/2) of the amount available distributed in the first fiscal year of the biennium and one-half (1/2) of the amount available distributed in the second fiscal year of the biennium. Distributions in each fiscal year shall be made in equal amounts on August 15 and January 15 of each fiscal year as calculated prior to the August 15 distribution".
Page 7-line 11 After "(A)" insert "For each fiscal year".
Page 7-line 13 Delete "during the odd-".
Page 7-line 14 Delete.
Page 7-line 15 Delete "biennium" insert "attributable to fiscal year 2015 for distributions under this subsection during fiscal year 2017 and the sales and use tax distributions to each county attributable to fiscal year 2016 for distributions under this subsection during fiscal year 2018".
Page 8-line 11 After "(E)" insert "For each fiscal year".
HARSHMAN, GREEAR, MADDEN, ROSS, BEBOUT, PERKINS

ROLL CALL

Ayes: Representative(s) Allen, Berger, Blackburn, Brown, Burkhardt, Byrd, Campbell, Cannady, Connolly, Eklund, Esquibel, K., Greear, Halverson, Harshman, Harvey, Hunt, Jaggi, Jennings, Kinner, Kirkbride, Kroeker, Krone, Larsen, Laursen, Lindholm, Lockhart, Loucks, Madden, McKim, Miller, Moniz, Northrup, Paxton, Pelkey, Petroff, Piiparinen, Reeder, Schwartz, Steinmetz, Stubson, Throne, Walters, Winters

Nays: Representative(s) Baker, Barlow, Clem, Dayton, Edmonds, Kasperik, Nicholas, B., Pownall, Sommers, Wilson, Zwonitzer, Dn., Zwonitzer, Dv.

Excused: Representative(s) Baldwin, Blake, Edwards, Freeman, Gay

Ayes 43 **Nays** 12 **Excused** 5 **Absent** 0 **Conflicts** 0

3/4/2016 S Adopted HB0051JC002: 18-11-1-0-0

HB0051JC002/HADOPTEDSADOPTED TO ENGROSSED COPY

Delete the following Senate amendments:

HB0051S3006/ACE

HB0051SS001.01/ACE

Further amend the ENGROSSED COPY as follows:

Page 2-line 6 After "towns" insert "provided that five

percent (5%) of the amount available under this paragraph shall only be distributed for direct distributions to cities and towns as provided in paragraph (b)(ii) of this section".

Page 2-line 14 After "towns" insert "provided that five percent (5%) of the amount available under this paragraph shall only be distributed for direct distributions to cities and towns as provided in paragraph (b)(ii) of this section".

Page 3-lines 1 and 2 Delete and insert "with one-half (1/2) of the amount available distributed in the first fiscal year of the biennium and one-half (1/2) of the amount available distributed in the second fiscal year of the biennium. Distributions in each fiscal year shall be made in equal amounts on August 15 and January 15 of each fiscal year as calculated prior to the August 15 distribution, subject to the following:".

Page 3-line 15 After "(A)" insert "For each fiscal year".

Page 3-line 17 Delete "during the odd-".

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Page 6-after line 11 Insert:

"(ii) From the amounts available as provided in paragraphs (a)(i) and (iii) of this section, each city or town shall receive amounts in accordance with a city and town revenue challenged formula as provided in this paragraph. The revenue challenged formula shall be calculated by the office of state lands and investments as follows:

(A) For each fiscal year, calculate the lowest quartile amount received by cities and towns on a per capita basis using amounts received under this section plus amounts distributed to each city and town using the sales and use tax distributions to each county attributable to fiscal year 2015 for distributions under this paragraph during fiscal year 2017 and the sales and use tax distributions to each county attributable to fiscal year 2016 for distributions under this paragraph during fiscal year 2018, including distributions to each municipality within that county, under W.S. 39-15-111 and 39-16-111, but excluding the distribution exclusively to counties under W.S. 39-15-111(b)(iii) made from an amount equivalent to one percent (1%) of the tax collected under W.S. 39-15-104 and excluding the distribution exclusively to counties under W.S. 39-16-111(b)(iii) made from an amount equivalent to one percent (1%) of the tax collected under W.S. 39-16-104;

(B) Determine each city or town that received a per capita amount that is less than the lowest quartile amount determined under subparagraph (A) of this paragraph;

(C) For each city or town that received a per capita amount that is less than the lowest quartile amount as provided in subparagraph (B) of this paragraph, determine the amount that would be

necessary to increase the per capita amount distributed to that city or town to the lowest quartile amount determined under subparagraph (A) of this paragraph;

(D) Determine the amount to distribute to each city or town that received an amount that is less than the lowest quartile amount determined under subparagraph (A) of this paragraph by distributing the amount available under this paragraph on a pro rata basis, up to the lowest quartile amount, based on the amounts determined under subparagraph (C) of this paragraph."

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Page 7-line 15 Delete "biennium" insert "attributable to fiscal year 2015 for distributions under this subsection during fiscal year 2017 and the sales and use tax distributions to each county attributable to fiscal year 2016 for distributions under this subsection during fiscal year 2018".
Page 8-line 11 After "(E)" insert "For each fiscal year". HARSHMAN, GREEAR, MADDEN, ROSS, BEBOUT, PERKINS

ROLL CALL

Ayes: Senator(s) Barnard, Bebout, Boner, Burns, Christensen, Coe, Emerich, Geis, Hicks, Johnson, Kinskey, Meier, Nicholas, P., Pappas, Perkins, Peterson, Ross, Rothfuss

Nays: Senator(s) Anderson, Case, Cooper, Craft, Dockstader, Driskill, Esquibel, F., Hastert, Scott, Von Flatern, Wasserburger

Excused: Senator Landen

Ayes 18 **Nays** 11 **Excused** 1 **Absent** 0 **Conflicts** 0

3/4/2016 Assigned Number HEA No. 0054
3/4/2016 H Speaker Signed HEA No. 0054
3/4/2016 S President Signed HEA No. 0054
3/11/2016 Governor Signed HEA No. 0054
3/16/2016 Assigned Chapter Number

Chapter No. 111 Session Laws of Wyoming 2016