

SUMMARY of PROCEEDINGS



JOINT APPROPRIATIONS COMMITTEE

COMMITTEE MEETING INFORMATION

June 23-24, 2025
Campbell County Commissioners' Chambers
500 S Gillette Ave
Gillette, Wyoming

COMMITTEE MEMBERS PRESENT

Senator Tim Salazar, Co-chairman
Representative John Bear, Co-chairman
Senator Ogden Driskill
Senator Mike Gierau
Senator Dan Laursen
Senator Darin Smith
Representative Bill Allemand
Representative Abby Angelos
Representative Jeremy Haroldson
Representative Ken Pendergraft
Representative Trey Sherwood
Representative Scott Smith

LEGISLATIVE SERVICE OFFICE STAFF

Tamara Rivale, Legislative Counsel (remote)
Elizabeth Martineau, Senior Fiscal Analyst
Don Richards, Budget and Fiscal Administrator
Karen Vaughn, Legislative Editor/Assoc. Fiscal Analyst

OTHERS PRESENT AT MEETING

Please refer to [Appendix 1-02](#) to review the Committee Sign-in Sheet for a list of other individuals who attended the meeting.

The Committee Meeting Summary of Proceedings (meeting minutes) is prepared by the Legislative Service Office (LSO) and is the official record of the proceedings of a legislative committee meeting. This document does not represent a transcript of the meeting; it is a digest of the meeting and provides a record of official actions taken by the Committee. All meeting materials and handouts provided to the Committee by the Legislative Service Office, public officials, lobbyists, and the public are on file at the Legislative Service Office and are part of the official record of the meeting. An index of these materials is provided at the end of this document and these materials are on file at the Legislative Service Office. For more information or to review meeting materials, please contact the Legislative Service Office at (307) 777-7881 or by e-mail at lso@wyoleg.gov. The Summary of Proceedings for each legislative committee meeting can be found on the Wyoming Legislature's website at www.wyoleg.gov.

EXECUTIVE SUMMARY

The Joint Appropriations Committee (JAC or Committee) met for two days, June 23-24, 2025, in Gillette to receive testimony regarding the 2024 fire season, background information on Wyoming's fire prevention and management, and other states' approaches to fire-related funding, current sales and use tax distribution and the direct distribution model to provide revenue to local governments, and the developmentally disabled waiver program.

The Co-chairmen are requesting additional interim meeting days from Management Council. If approved, the JAC will meet in Dubois on August 19 and 20.

CALL TO ORDER, JUNE 23, 2025

Co-chairman John Bear called the meeting to order at 8:00 a.m. The following sections summarize the Committee proceedings by topic. Please refer to [Appendix 1-01](#) to review the Committee Meeting Agenda. Recordings of the meeting are available on YouTube at: Joint Appropriations Committee, June 23-[AM](#) and [-PM](#) and June 24-[AM](#) and [-PM](#).

INTERIM TOPIC 1: WILDFIRE RESPONSE, PREVENTION, AND MANAGEMENT FUNDING

Co-chairman Bear identified three primary goals related to this topic: evaluating the state's wildfire management processes, assessing current and future funding needs, and determining whether the existing funding methodology is sufficient.

Background

Elizabeth Martineau, LSO Senior Fiscal Analyst, provided an overview of the background memorandum for the Committee. She explained that wildfire response in Wyoming is decentralized, with local governments managing suppression and the State Forestry Division providing support. The state allocated \$176.9 million for wildfire-related activities in the 2025–2026 biennium, with the majority of the funds directed to the Office of State Lands and Investments. Ms. Martineau detailed the structure and funding sources of the Emergency Fire Suppression Account (EFSA) and the Fire Protection Revolving Account (FPRA), noting that all 23 counties currently participate in EFSA. She described existing borrowing authority, contingency funds, and budgeted resources from other agencies. Ms. Martineau provided a brief overview of the inmate firefighting program, local response, and mutual aid. She also shared an overview of types of wildland fires, which included the estimated costs of 2024 wildfires by type. See [Appendix 2-01](#) and [Appendix 2-03](#).

The Committee requested the balance and expenditures of the EFSA for the past five years, as well as a five-year average. The Committee also requested a ten-year non-wildfire spending average for the State's three contingency accounts (special contingency, disaster contingency, and public welfare contingency).

2024 Season Recap

Kelly Norris, State Forester, described the 2024 fire season as historic. Wyoming experienced over 2,000 fires and 850,000 acres burned (5th in the nation). She advised that the fire season began in March and continued through October. Despite the severity of the season, no lives were lost due to coordinated efforts among local, state, and federal agencies. However, she indicated that the season exposed several operational challenges. She noted that contributing factors to the active season included drought, wind, lightning, human activities, lack of snowpack, and the presence of invasive grasses. Forester Norris highlighted the

inmate hand crew (Smoke Buster) program, wildland fire training, volunteer fire assistance, aviation, and the fuels mitigation program. See [Appendix 2-02](#).

Forester Norris updated the Committee on efforts to update the EFSA Rules (emergency and regular) to reflect current wildfire suppression management standards, clarify request and notification procedures, update financial terms and reimbursement standards, improve multi-jurisdictional coordination, align with interagency agreements and allow the account to be used to pre-position resources in areas that may need robust additional support. The proposed rules are found on the Secretary of State's website under [Wyoming Administrative Rules](#). Forester Norris referred to the 2024 Fire Survey and discussed the resources provided by local and federal partners, the responsibilities of fire wardens, and their expectations on state resources. See [Appendix 2-04](#).

Forester Norris responded to Committee questions regarding the Smoke Buster program, EFSA reimbursement limitations, controlled burns, federal land fires, the FPRA, the stability and timeliness of federal payments, and challenges due to a lack of available resources.

Chief Shad Cooper, Sublette County Fire Warden (also serves as the Wyoming Rural Fire Association President and President of the Wyoming Fire Advisory Board), walked the Committee through a fire response escalation process. He indicated mutual aid agreements are critical. Ninety-nine percent of all fires are handled at the local level during the first operational period, generally the first 24 hours. An agency administrator's group is formed to consider additional resources available through mutual aid agreements for complex or large fires or fires near jurisdictional boundaries, and to determine the ongoing response and allocate responsibility. The Fire Advisory Board meets annually to review and improve fire responses.

Chief J.R. Fox, Campbell County Fire Warden (also serves as the President of the Wyoming Fire Chiefs' Association), provided an overview of wildland fires in northeast Wyoming. He reported that in 2024, his department responded to 150 wildland fires, which burned 119,000 acres, in addition to numerous non-wildland fire emergencies. While the number of fires was not unusual, the scale and intensity were unexpected. Mutual aid was unavailable at times due to simultaneous fires across the region, and weather conditions grounded aircraft. He emphasized the importance of training, regular public information briefings, and being proactive in addressing issues.

The Committee requested representatives from the Department of Corrections and the Wyoming Wildlife and Natural Resource Trust attend the Committee's August meeting to testify on the inmate firefighting program and fire mitigation efforts to curb invasive grasses.

Prevention and Management

Forester Norris provided an overview of Wyoming's wildfire management structure, challenges, and resource needs. She indicated wildfire management is a shared responsibility, with local districts primarily responsible for suppression and logistics. Forester Norris advised that the State Forestry Division plays a supporting role. Wyoming State Forestry coordinates with local, state, and federal partners, manages grant funding, maintains training records, and oversees fire billing. However, Ms. Norris stated that Wyoming ranks last among western states in forestry and fire staffing, despite coordinating efforts for over 33 million acres of state and private lands. Forester Norris provided [Appendix 6-02](#), which compares Wyoming's wildland fire capacity to other western states. She highlighted the growing administrative costs of fire billing and emergency contracting for food, equipment, and services.

Chiefs Cooper and Fox described the capacity of local fire districts. Chief Cooper noted that volunteers staff one-third of Wyoming's fire districts, and many rely on part-time or volunteer fire wardens. He

indicated that local departments are generally equipped to manage fires for 24 to 72 hours, after which they require external support. Chief Cooper indicated that increasing frequency and scale of wildfires have exposed gaps in the current model, particularly in sustaining long-term fire suppression efforts. See [Appendix 8-01](#).

Forester Norris and Chiefs Rox and Cooper responded to the Committee's questions regarding physical assets, heavy equipment, crew development, recruitment and retention, vocational education, cadet programs, national trends, retirement, and supplemental health insurance. Forester Norris advised that state forestry staff are filling on-site fire management positions, which is unsustainable. The Committee asked that the Wyoming Retirement System attend the August meeting to testify regarding the volunteer firefighter retirement pension program.

Other States' Approaches

Forester Norris directed the Committee to [Appendix 6-01](#), which provides an overview of wildfire response and strategies across the western states, and introduced virtual presentations from Montana and Arizona to provide comparative insights.

Montana

Wyatt Frampton, Deputy State Forester of Montana, presented an overview of Montana's wildfire protection model. See [Appendix 6-03](#). The Montana Department of Natural Resources and Conservation (DNRC) is responsible for protecting over 60 million acres of state and private lands. The state follows an aggressive initial attack policy and fulfills its legislative mandate through two primary models: the County Co-op Program and direct state staffing.

The County Co-op Program is a formal agreement between the state and all 56 counties. Under this model, Mr. Frampton advised that counties provide an initial wildfire response, and the state supports them with training, equipment, and financial backing when fires exceed local capacity. The DNRC also directly staffs 55 fire engines, five helicopters, and three fixed-wing aircraft, employing over 150 frontline personnel.

Deputy Forester Frampton noted that Montana funds wildfire preparedness through a combination of legislative appropriations and landowner assessments. Suppression costs, which average \$29 million annually, are paid from a dedicated fire suppression fund, currently funded at twice the highest fire year. Montana uses this funding to contract fuel reduction projects and modernize aviation resources. According to Mr. Frampton, the state emphasizes data-driven risk assessments to reduce wildfire risk.

Arizona

Tom Torres, Arizona State Forester, described Arizona's wildfire management structure. See [Appendix 6-04](#). The Arizona Department of Forestry and Fire Management (DFFM) is a cabinet-level agency responsible for vegetation management and wildfire suppression on 22 million acres of state trust and unincorporated private lands. Mr. Torres indicated that Arizona's fire landscape is complex, with overlapping jurisdictions including federal, tribal, and local entities.

Mr. Torres stated that Arizona has experienced significant growth in its fire management workforce, which has nearly tripled in size since 2020. He indicated that the state averages 2,000 wildfires annually, burning approximately 450,000 acres, with suppression costs around \$13 million.

Forester Torres noted that Arizona relies heavily on local fire districts for initial attack and supports them through cooperative agreements. The state maintains eight fire engines and contracts for air resources. He added that a notable feature of Arizona's program is its extensive use of inmate crews, operating 12 20-

person inmate fire crews and eight additional crews for mitigation work. Arizona's post-release civilian crew provides former inmates with employment opportunities, thereby contributing to workforce development.

Forester Torres stated that Arizona's mitigation strategy focuses on high-risk areas, including federal and tribal lands. In fiscal year 2025, the state treated over 30,000 acres, with the annual target increasing to 40,000 acres for the next five years, according to Mr. Torres. He noted that the state also supports private industry through contracting and is considering a statewide Wildland-Urban Interface (WUI) code to improve community resilience.

Forester Norris responded to the Committee's questions regarding fire risk mapping and critical infrastructures.

Public Comment

Bill Novotny, Johnson County Commissioner, on behalf of the Wyoming County Commissioners Association, and Rolf Arands, a Campbell County resident, provided public comments.

Prevention, Response and Management Funding

Forester Norris shared an update on federal fire mitigation grants aimed at increasing timber outputs while consolidating and reducing the number of personnel in the Bureau of Land Management and the United States Forest Service for firefighting purposes. Under proposed legislation, she anticipated cooperative and volunteer fire grants would be reduced, jeopardizing state funding.

Forester Norris presented recommendations and proposals to improve the state's wildfire response system. Currently, the EFSA statute defines "state lands" narrowly, excluding lands managed by agencies such as Wyoming State Parks and the Wyoming Game and Fish Department. Norris recommended updating the statutory definition to include all state-administered lands, thereby aligning the statute with the expanded responsibilities of the State Forester. See [Appendix 8-09](#).

Chiefs Fox and Cooper presented a detailed proposal to increase the state's wildfire response capacity, creating four regional modules. Chief Cooper suggested each region would operate independently but remain flexible enough to shift resources based on fire severity. He added that the modular structure enables scalable deployment and supports both initial attacks and extended operations. Chief Cooper noted that the proposal also includes two additional fire management support staff to assist with administrative and financial tasks, particularly during high-activity fire seasons, and emphasized that this model would help fill the critical gap between the initial 24–72 hour response window and longer-term fire management. Chief Fox suggested that the program could serve as a career pathway for individuals exiting the inmate fire crew program. See [Appendix 8-06](#).

Forester Norris and the Chiefs discussed efforts to modernize EFSA rules, enabling the pre-positioning of resources and the early deployment of high-cost assets to reduce overall suppression costs. Chief Fox proposed increasing the EFSA fund to \$60 million, with a minimum of \$40 million, and providing the Governor with the authority to replenish the fund as needed. Per Chief Fox, this would provide financial stability and reduce uncertainty for local fire agencies. Chief Fox also recommended creating a \$10 million mitigation account to support proactive fuel reduction projects on state and private lands. The proposed account would support year-round work by seasonal crews, inmate crews, and contractors. They also highlighted the importance of community-level planning and education, suggesting that mitigation efforts should include firewise programs and infrastructure hardening. See [Appendix 8-08](#). [Appendix 8-07](#) was received without further comment.

Public Comment

Sen Ronojoy, Officer, Managing Fiscal Risks, PEW Charitable Trusts, reviewed the advanced materials provided to the Committee. See Appendices **8-02**, **8-03**, **8-04**, and **8-05**. Representative Marilyn Connolly also offered public comments.

Committee Directives

The Committee requested the State Forester to estimate the cost of adding new FTE positions and requested LSO staff to consider, discuss, and suggest alternatives to the statutory definition changes proposed by the Office of State Lands and Investments. The Committee also asked LSO to identify the ten-year average expenditure on fire suppression funding, and the average after removing the low and high outliers.

ADJOURNMENT

There being no further business, Representative John Bear adjourned the meeting at 3:56 p.m.

TUESDAY, JUNE 24, 2025**CALL TO ORDER**

Co-chairman Salazar called the meeting to order at 8:00 a.m.

INTERIM TOPIC #2: SALES AND USE TAX DISTRIBUTION

Co-chairman Bear indicated that the Committee's goal for this topic is to evaluate whether the current distribution model remains effective and whether adjustments to the state-local revenue split could create a more stable and equitable funding structure.

Background

Don Richards, LSO Budget/Fiscal Administrator, provided a detailed overview of the State's sales and use tax system. See **Appendix 12-01**. The State imposes a four percent statewide sales and use tax, with 69 percent of the revenue allocated to the General Fund and 31 percent distributed to local governments. Of the local share, one percent is used for administrative costs, one percent is distributed to each county in a base amount and then by population, with the remainder distributed based on point of sale by county and then by population of each political subdivision, with the county receiving the amount based upon unincorporated population.

Mr. Richards explained that the sales and use tax rate has remained unchanged since 1993, though the distribution formula has evolved. He noted that sales and use tax collections are heavily influenced by Wyoming's extractive industries, particularly mining, which can cause significant annual fluctuations in revenue. Mr. Richards also highlighted the complexity of the direct distribution formula, which includes base payments, proportional distributions based on sales and property taxes, and adjustments for revenue-challenged communities.

The Committee reviewed the history of direct distribution, which began in 2004 and has undergone several changes. According to Mr. Richards, the current formula aims to support smaller and revenue-challenged communities by adjusting distributions based on per capita revenue and assessed property values. He emphasized that while the formula provides some equity, it does not fully close the gap between high- and low-revenue jurisdictions.

Department of Revenue Overview

Matt Sachse, Interim Director of the Department of Revenue (DOR), provided a brief update on the residential property taxes.

Bret Fanning, DOR's Excise Tax Administrator, discussed the state's sales and use tax system. He clarified that the base four percent sales and use tax applies statewide, with additional voter-approved "local option" pennies (or percent) varying by county. For example, Campbell County has one extra penny, while Teton County has three.

Mr. Fanning addressed questions about the revenue generated by sales tax. He also discussed the use tax, which complements the sales tax and includes guaranteed minimum distributions to counties. He emphasized the importance of aligning sales and use tax statutes if the Legislature considers changes to the distribution formula. In response to questions about the recent increase in sales tax revenue, Mr. Fanning attributed the growth primarily to inflation and increased demand, particularly in the lodging and tourism sectors.

Mr. Fanning also responded to Committee questions on sales tax exemptions and audit practices. Wyoming has 14 imposition statutes and 52 exemptions, which encompass a range of goods and some services. Mr. Fanning estimated that approximately two-thirds of sales are not subject to or exempt from sales or use taxes. DOR has the authority to require more detailed reporting. He acknowledged that audits generally yield positive returns over costs for the State and that compliance rates are high.

Stakeholders

Ashley Harpstreith, Executive Director of the Wyoming Association of Municipalities (WAM) and Jeremiah Rieman, Executive Director of the Wyoming County Commissioners Association (WCCA) presented a joint proposal to memorialize direct distribution by reallocating eight percent of the state's share of statewide sales and use tax collections to local governments based on the current formula (often referred to as the Madden formula). See [Appendix 12-02](#). According to Mr. Rieman, the proposal aims to provide consistent funding for local governments without requiring biennial legislative action. He emphasized the importance of supporting smaller communities that lack the tax base to fund essential services, noting that the proposed change would align with historical distribution levels and provide local governments with greater financial certainty.

The committee discussed the distribution formula. Co-chairman Bear requested that staff model the effect on revenues and local government funding.

Public Comment

Laura Kreps, an Edgerton resident, and Scott Clem, a Campbell County Commissioner, provided public comment.

Committee Directives

Co-chairman Bear requested LSO staff to summarize the process for repealing a special district and to work with the Department of Revenue to estimate the annual revenue forgone from the sales and use tax on food exemption when adopted and currently.

INTERIM TOPIC #3: DEVELOPMENTALLY DISABLED WAIVERS

Background

Ms. Martineau provided an overview of the developmentally disabled (DD) waiver programs. See [Appendix 16-01](#). She discussed the Comprehensive Waiver and the Supports Waiver. Services include case management, personal care, respite care, transportation, and specialized equipment as needed, based on age, living situation, and level of service. For the 2025–2026 biennium, Ms. Martineau noted that the Wyoming Legislature appropriated \$296 million for the Comprehensive Waiver and \$23 million for the Supports Waiver. These programs are funded through a combination of state General Funds and federal Medicaid funds, typically an even split.

Ms. Martineau indicated that a statutory requirement mandates that the Wyoming Department of Health (WDH) conduct a cost rebasing study every four years to assess whether provider reimbursement rates align with actual service delivery costs. She noted that the most recent study recommended rate increases. However, the steering committee overseeing the study chose not to endorse the proposed rate changes, citing concerns about the sufficiency of cost survey data, according to Ms. Martineau.

Wyoming Department of Health

Stefan Johansson, WDH Director, provided an overview of the waiver program as an alternative to the Medicaid institutionalization program. See [Appendix 16-02](#) and [Appendix 16-03](#). He discussed the three priorities: reducing the waitlist, increasing provider reimbursement rates, and supporting high acuity cases. He noted that Wyoming lacks the institutional capacity to serve all eligible individuals without the use of waivers.

Director Johansson and Lee Grossman, WDH Medicaid Agent, responded to the Committee’s questions regarding the cost to fully fund the waitlist, average wait time, the process for expediting emergent cases, state and federal provider standards, fraud, claw back mechanisms, eligibility, and provider rate rebasing. Elizabeth Forslund, WDH Home and Community-Based Waivers Administrator, discussed waitlist placement and processes.

Co-chairman Salazar concluded that the Committee plans to revisit the issue in August to gather more data and visit a service center. The WDH committed to providing additional information, including cost estimates for reducing the waitlist by age and case type, decline in Wyoming’s institutionalized populations, cost of the rebasing consultant, audit findings of waste, fraud, or abuse in the home and community based waiver units, other state examples of asset limits and emergency care committee processes, comparisons with other states, and a breakdown of provider financial health.

Providers

Bob Sell, ARK Regional Services; Jeff Gardner, Wyoming Community Service Providers; and Sean Griffin, Community Entry Services, testified regarding the reimbursement rates. See [Appendix 16-04](#) and [Appendix 16-05](#). They emphasized that the current funding model limits their ability to hire and retain qualified direct support professionals, and high staff turnover, averaging every six months, negatively impacts the quality and continuity of care.

Public Comment

Representative Pendergraft, Representative Clarence Styvar, Thelma (Timmy) Park, Daryl Skilling of Lincoln Self Reliance, and Scott Clem provided public comments.

COMMITTEE DIRECTIVES

The Co-chairmen requested that staff prepare a letter to Management Council requesting an additional day for its August meeting in Dubois.

MEETING ADJOURNMENT

There being no further business, Co-chairman Salazar adjourned the meeting at 2:54 p.m.

Respectfully submitted,

Co-chairman John Bear

Committee Meeting Materials Index

Index Number	Agenda Item	Document Description	Document Provider
1-01		Agenda	Legislative Service Office (LSO)
1-02		Sign-In Sheet	LSO
2-01	Interim Topic 1: Wildfire Response, Prevention, and Management Funding	LSO Memo: Interim Topic 1 Wildfire Funding	LSO
2-02	Interim Topic 1: Wildfire Response, Prevention, and Management Funding	2024 Wildfire Update - Revised Revised	OSLI WSFD
2-03	Interim Topic 1: Wildfire Response, Prevention, and Management Funding	Wildland Fire Typing Overview - Revised	OSLI WSFD
2-04	Interim Topic 1: Wildfire Response, Prevention, and Management Funding	WSFD Wildfire Survey Handout	OSLI WSFD
6-01	Interim Topic 1: Wildfire Response, Prevention, and Management Funding, continued	Wildfire Committee Briefing - Revised	OSLI WSFD
6-02	Interim Topic 1: Wildfire Response, Prevention, and Management Funding, continued	Western State Comparison Charts - Revised	OSLI WSFD
6-03	Interim Topic 1: Wildfire Response, Prevention, and Management Funding, continued	Montana DNRC Presentation	Montana Forestry

6-04	Interim Topic 1: Wildfire Response, Prevention, and Management Funding, continued	Arizona DFFM Presentation	AZ Dept of Forestry and Fire Management
8-01	Interim Topic 1: Wildfire Response, Prevention, and Management Funding, continued	Wyoming Fire Service Legislative Whitepaper	Wyoming Fire Advisory Board
8-02	Interim Topic 1: Wildfire Response, Prevention, and Management Funding, continued	Public Comment: How States Can Build Disaster Ready Budgets	PEW Charitable Trust
8-03	Interim Topic 1: Wildfire Response, Prevention, and Management Funding, continued	Public Comment: Wildfires Burning Through State Budgets	PEW Charitable Trust
8-04	Interim Topic 1: Wildfire Response, Prevention, and Management Funding, continued	Public Comment: 3 Key Principles for Building Disaster Ready State Budgets	PEW Charitable Trust
8-05	Interim Topic 1: Wildfire Response, Prevention, and Management Funding, continued	Public Comment: How States Can Manage Growing Price of Wildfires	PEW Charitable Trust
8-06	Interim Topic 1: Wildfire Response, Prevention, and Management Funding, continued	Leadership and Operational Support	WFCA and WSFA
8-07	Interim Topic 1: Wildfire Response, Prevention, and Management Funding, continued	Effective Wildfire Management	OSLI WSFD
8-08	Interim Topic 1: Wildfire Response, Prevention, and Management Funding, continued	Fire Suppression and Mitigation Funding	WFCA and WSFA
8-09	Interim Topic 1: Wildfire Response, Prevention, and Management Funding, continued	W.S. 36-1-1 Proposed Language	OSLI WSFD
12-01	Interim Topic #2: Sales and Use Tax Distribution	LSO Memo: Interim Topic 2 Sales and Use Tax & Direct Distribution	LSO

12-02	Interim Topic #2: Sales and Use Tax Distribution	WAM-WCCA Presentation	WAM and WCCA
16-01	Interim Topic #3: Developmentally Disabled Waivers	LSO Memo: Interim Topic 3 DD Waivers	LSO
16-02	Interim Topic #3: Developmentally Disabled Waivers	WDH I-DD Funding	Wyoming Department of Health (WDH)
16-03	Interim Topic #3: Developmentally Disabled Waivers	WDH I-DD Waivers Presentation	WDH
16-04	Interim Topic #3: Developmentally Disabled Waivers	Public Comment: DD Waiver Funding	Wyoming Community Service Providers
16-05	Interim Topic #3: Developmentally Disabled Waivers	Public Comment: Dr. Moody Letter	Dr. Moody