

## Wyoming's 2018 64<sup>th</sup> Legislative Budget Session WAM's Post-Session Summary Report

The Wyoming Association of Municipalities' Leadership Team consisting of the WAM Board, Legislative Leadership Committee (LLC), and staff provide this summary detailing the bills of municipal importance from the 2018 Legislative Budget Session. As per WAM bylaws, the WAM Leadership Team approved a legislative agenda consisting of recommendations from the Municipal Finance Report Volume II and Member-approved resolutions. Throughout the 2017 interim and the 2018 legislative session, this approved agenda was used to guide the advocacy efforts. During the Session, the LLC met at least weekly with the WAM Staff to provide a 'one-voice' approach toward legislation specific to your municipalities. This summary highlights lobbied legislative outcomes related to WAM's 2018 legislative agenda or other bills that impact municipal government. Bills that WAM supported = (S); opposed = (O); and monitored = (M). Additional information can be found on the Advocacy Page of WAM's Website.

### Session Statistics

	Total	House	House Joint	Senate	Senate Joint	Passed <sup>2</sup>	Failed <sup>2</sup>
<b>LSO Bills</b>	330 <sup>1</sup>	194	10	121	5	142	187
<b>WAM Bills</b>	188	105	10	68	5	82	106

<sup>1</sup> Budget bills from Senate and House included in total tally but in the end, these are approved as one bill

<sup>2</sup> Signed by both House and Senate at time of report but not necessarily by Governor. Complete metrics week of 3/19/18

### Municipal Finance Report Volume II Recommendations

- Secure at least \$105 Million appropriation for cities, towns, and counties until other adequate funding options are in place.
  - *SF0089 (S) approving the Direct Distribution passed to secure the \$105 Million biennium appropriation to counties, cities and town using the existing formula – PASSED.*
- Revise tax laws to allow increased municipal revenue capacity, considering tools for the municipal toolbox like local option tax revisions, property tax revisions, municipal Sales and Use (S/U) tax options, increase in state S/U tax by 1%, and revisions in the current S/U tax allocation.
  - *HB0136 (S) Optional municipal tax-2 - to authorize municipalities to impose tax within their municipal boundaries – FAILED.*
  - *HB0184 (S) Sales and use tax rate – bill that would have increased the statewide S/U tax rate by 1% and changed the state allocation from 31% to 49% – FAILED.*
  - *HB0043 Tobacco tax – bill that would have raised the sales tax on tobacco products – FAILED.*
  - *HB0098 Real estate transfer tax – bill that would have allowed a small percent of qualified real estate transfer tax to be paid to the local municipalities – FAILED.*
- Increase the cap for Severance Tax and Federal Mineral Royalties
  - *No bills proposed related to this recommendation.*
- Remove tax exemptions that do not support economic development
  - *SF0098 (O) Severance tax exemption – bill that would exempt oil and gas producers from paying severance tax for a period after well online – FAILED.*
  - *HB0172 (O) Produced water treatment – tax exemption for natural gas used in produced water treatment – PASSED.*

### WAM 2017 Annual Business Meeting Resolutions (Priority order)

- Resolution 2017-02 - A resolution supporting the WAM legislative agenda and the Association's efforts in seeking appropriation of state funding for Wyoming cities and towns during the 2018

Budget Session of the Wyoming Legislature – see above **SF0089 PASSED.**

- Resolution 2017-09 - A resolution creating an optional general revenue tax for specified purpose – *no bills specifically related to this resolution were proposed but WAM submitted an interim topic to evaluate increasing flexibility within the existing optional sales tax statutes.*
- Resolution 2017-07 - A resolution supporting and advocating legislation to amend Wyoming statute 15-1-113 (a), contracts for public improvement and Wyoming Statute 15-1-113 (f) forms of guarantee - *no bills specifically related to this resolution were proposed.*
- Resolution 2017-05 - A resolution advocating legislation to remove the non-transient lodging tax exemption – *HB0149 (S) was introduced to repeal the transient lodging tax but failed introduction to the House. It is expected that further evaluation of hospitality taxes may be an interim topic.*
- Resolution 2017-10 - A resolution to create an agreement of 'lodging' taxation between online marketplace and hospitality service providers and the State of Wyoming - *no bills specifically related to this resolution were proposed, but companies like Airbnb began submitting sales tax in August 2017.*
- Resolution 2017-04 - A resolution supporting and advocating that the State of Wyoming Legislature reinstate taxation on food products for financial support to Wyoming cities and towns - *no bills specifically related to this resolution were proposed. Further discussion on sales tax exemptions may be discussed during the interim.*
- Resolution 2017-08 - A resolution to create utility and other municipal services lien authority for municipalities and joint powers boards - *no bills specifically related to this resolution were proposed.*
- Resolution 2017-06 - A resolution advocating legislation to clarify the lien and assessment process for abating nuisances and dangerous buildings may be recovered - *no bills specifically related to this resolution were proposed. WAM requested that this topic be considered during the interim session.*
- Resolution 2017-03 – A resolution supporting any efforts to raise the tax on all malt beverages – *although WAM advocated throughout the interim to raise taxes on malt beverages, no bills specifically related to this resolution were proposed. HB0044 (S) had a similar attempt to increase the markup at the Wyoming Liquor Division but failed in the House.*

#### **Additional Bills Monitored Related to Municipal Government**

- HB0001 (S) – *After many hours of debate the House and Senate concurred somewhat like the Governor's 19-20 biennium budget, with continued evaluation of funding in additional bills for education and capital construction.*
- ENDOW bills proposed to forward Governor Mead's initiative – **ALL PASSED**
  - SF0040 (S) *Commercial air service improvement*
  - SF0100 (S) *Economic diversification – broadband services*
  - SF0108 (S) *Economic diversification and development (related to promoting WY agriculture worldwide)*
  - SF0119 (S) *Workforce development-priority economic sector program*
- HB0013 (O) and HB0014 (O) *Municipal extraterritorial jurisdiction – following both bills passing the House, WAM and WCCA met to amend HB0014 in the Senate. WAM maintained opposition to both bills. The amended HB0014 passed both Houses while HB0013 failed. WAM Leadership met with Governor Mead requesting a veto, the Governor signed the bill with a request for WAM and WCCA members to continue to work together.*
- HB0049 (S) *Unemployment compensation exemption – seasonal employment – after many meetings with municipal leaders, the Department of Workforce Services and the Joint Labor Committee it was determined municipal employers could not claim an exempt status under federal conformity. The bill was rewritten for seasonal employers but failed in the House.*

- Wyoming Water Development bills for local infrastructure
  - SF0062 (S) Omnibus water bill, planning – passed with little debate.
  - HB0078 (S) Omnibus water bill, construction – passed but with much debate regarding the dams and reservoir expenditures from Account III. It is expected to be an interim topic.
  - SF0064 (S) Appropriation to State Engineer (SEO) – a bill to refund the annual ~\$6M that was moved from Account I to fund the SEO during the 2017 session and proposed to fund the SEO annually using funds from the LSRA. The bill failed in the House.
- HB0194 (S) State funded capital construction – appropriated \$400M designated to political subdivision (including cities and towns) for infrastructure and roads, apply through SLIB.
- SF0113 (M) Community development districts – *this bill allowed similar county special district regulations within a municipal boundary, increasing the flexibility of funding needs within a municipality or newly annexed areas. The bill failed on 3<sup>rd</sup> reading in the House.*
- HB0093 (M) – Speeding fines amendment (2) – this bill provides \$5 from each non-municipal speeding violation to be returned to a fund that can be used to educate law enforcement officers state wide.
- HB0128 (O) Food trucks – *a bill with intent to add a statewide food truck license, preempting local control. This bill failed in the House.*
- HB0134 (O) Chicken Freedom Act – *a bill with intent to override local ordinances with a statewide preemption for urban chickens. This bill failed in the House.*
- HB0174 (O) Statewide lodging tax – *following a summer campaign for a hospitality tax, the management council introduced a statewide 4% lodging tax. This bill failed in the House.*
- SF0111 (S) Public utility regulation, joint powers entities – *this bill passed providing a mechanism for WAM member communities of Rancharchester and Dayton to provide affordable natural gas to their valley.*
- SF0004 (S) Bingo and pull tabs – *this bill that gave license authority and fees to local government failed, but may be discussed in the interim.*
- SF0017 (S) Cease and Transfer priority list – *bill passed that details the biennium municipal landfill projects.*
- SF0045 (S) State fair board – 2 and HB0130 (M) State fair endowment – *both these bills passed to clarify the role of the State fair board and increased ability to raise funds through an endowment. WAM successfully lobbied to add a position on the board from the Douglas municipality.*
- SF0120 (S) Government efficiency project – *this bill follows a study that details several ways the State government can improve efficiencies.*
- Election Legislation – all Passed
  - HB0002 (M) Election law violations – penalties and enforcement
  - HB0040 (M) Election code revisions
  - SF0046 (M) Elections notices and resolutions
- Blockchain and cryptocurrency legislation – *WAM monitored the five bills that solidified the framework to allow Wyoming to lead in this technology (HB0019, HB0101, HB0070, HB0126, and SF0111) –all **PASSED**.*
- Wyoming retirement plan
  - HB0109 (M) Public employee retirement plan-contribution – **PASSED** with a line-item veto to clarify language.
  - HB0110 (M) Wyoming retirement plans – member accounts – **PASSED**.
- Gun legislation
  - HB0168 (M) Stand your ground – 2 (self-defense) – **PASSED** without Governor signature.
  - HB0141 (M) Concealed carry in places of worship – **PASSED**.

### **WAM's Proposed Interim Topic Status**

WAM submitted the following topics for the Legislature to consider during the 2018 Interim session. The Management Council will meet in April to assign the selected topics to joint interim committees. The final interim schedule will be released in May 2018.

1. Legislation that clarifies the lien and assessment process for abating nuisances and recovery of dangerous buildings.
2. Requested continued evaluation from Joint Revenue Committee to increase local government own source capacity, removal of exemptions unrelated to economic development, and evaluate state S/U tax and local government allocation.
3. Unemployment compensation law changes to exempt the municipality for paying unemployment insurance to employees that have been terminated due to willful misconduct.
4. Evaluation of existing public notice print requirements to modernize and reduce costs.

If you have questions regarding the recent or interim legislative session, please contact Rick Kaysen ([rkaysen@wyomuni.org](mailto:rkaysen@wyomuni.org)) or your LLC representatives.

### **WAM Board and Legislative Leadership Committee**

WAM President, Mayor Paul Brooks, Sundance, Board and LLC  
 WAM Vice President, Mayor Scott Dellinger, Mountain View, Board and LLC, Region 5  
 Mayor Andi Summerville, Laramie, Board and LLC Chairperson, Region 1  
 Mayor Kelly Krakow, Albin, Board, Region 1  
 Mayor George Siglin, Lingle, Board, Region 1  
 Mayor Louise Carter-King, Gillette, LLC, Region 2  
 Mayor Chris Schock, Clearmont, Board, Region 2  
 Mayor Roger Miller, Sheridan, Board, Region 2  
 Mayor Bruce Jones, Douglas, Board, Region 2  
 Council Member Landon Greer, Cody, Board, Region 3  
 Mayor John Wetzel, Powell, Board and LLC, Region 3  
 Mayor Tim Patrick, Manderson, Board, Region 3  
 Council Member Charlie Powell, Casper, Board and LLC, Region 4  
 Mayor Buck King, Edgerton, Board, Region 4  
 Council Member, Riverton, Board, Region 4  
 Council Member Hailey Morton-Levinson, Jackson, Board, Region 5  
 Council Member John Lynch, Star Valley Ranch, Board, Region 5  
 Council Member Matt Murdock, Pinedale, LLC, Region 5  
 Council Member Tracy Fowler, Hanna, Board and LLC, Region 6  
 Council Member Jim Wells, Rawlins, Board, Region 6  
 Council Member Gary Waldner, Wamsutter, Board, Region 6  
 Carter Napier, Casper, Board GOSMA Representative  
 Carol Intlekofer, Cheyenne, Board WAMCAT Representative  
 Scott Madsen, Buffalo, Board LTS Representative  
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