



## **WEEK TWO AT THE CAPITOL**

Week 2 at the Capitol continued with the introduction of dozens of new bills. As of the writing of this email, 219 House Bills, 126 Senate Files, 8 House Joint resolutions and 8 Senate Joint Resolution had been introduced. We expect the number of bills to continue to grow until January 29, when the deadline for bill introduction will stop the introduction of new bills. Of the 361 filed bills, WAM is monitoring 118 bills.

The WAM Website [www.wyomuni.org](http://www.wyomuni.org) contains information on all the bills we are tracking and identifies bills that directly and indirectly relate to WAM. The following is a summary of several of the most important bills WAM is tracking. Please note these are not all of the bills we are following, but the ones that most directly affect our members. As noted, the full legislative summaries and bill status are on the WAM website.

### CREG Report

The January CREG report revised state revenues down by \$125.1 million from the October 2018 Report. The forecast for General Fund Revenues was down by \$67.3 million, and school revenue was down by \$57.8 million. While the sales tax revenues were up, lower oil prices, severance tax revenues and investment income pulled down the forecast; the principal driver is low oil prices.

### State Budget

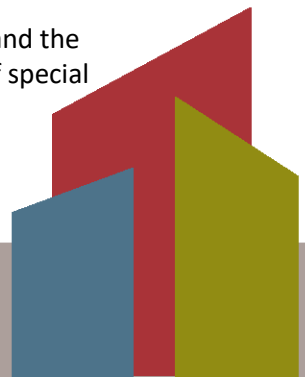
Governor Gordon submitted a revised supplemental budget to the Joint Appropriations Committee (JAC). The revised supplemental budget added money to the wildlife trust fund and created a new position in State Lands to assist local governments with capital construction, grants and dealing with the federal government.

On Thursday, the JAC moved the \$25 million for local governments that Governor Mead had included in his budget and reallocated it to **land fill operations. WAM is opposed to this adjustment.**

### House Bill 66 - Statewide Lodging Tax

This bill would impose a 5% statewide lodging tax on short term lodging. Of this amount 3% would be used to fund the Department of Tourism (effectively taking it out of the state general fund), and 2% would be sent back to the local governments for tourism purposes. The bill includes a Tourism Reserve Account, that when the Reserve Account reaches the reserve target, excess funds will be transferred into the School Foundation Fund. WAM supports this bill.

HB 66 passed the House on Thursday by a wide margin. The House amended the bill to expand the definition of promotion to include expenses associated with the promotion and execution of special events.





#### House Joint Resolution HJ02

HJ02 is a joint resolution that would modify the Wyoming Constitution with respect to the debt limit for cities and towns. When adopted in 1889, the Constitution provided “*no city or town shall in any manner create any indebtedness exceeding four per cent (4%) of the assessed value of the taxable property therein, except that an additional indebtedness of four per cent (4%) of the assessed value of the taxable property therein may be created for sewage disposal systems*”.

HJ02 would remove the 4% limitation on debt for sewage disposal systems and replace it with a limit to be established by the Wyoming. If approved, this issue would be placed on the statewide ballot in November 2020. WAM supports this bill.

#### SF57 Public Records

This bill relates to the production of public records to include setting time limits for production, designating the custodian of records, provides for appeal processes, sets penalties including felonies for noncompliance to include termination of employment. The proposed bill causes numerous concerns for municipalities and many other entities. A group of the entities have drafted amendments to the bill and delivered to the Chairman of the Senate Corporations Committee. WAM opposes the bill in its current form.

#### Other bills of interest

As noted previously, there have been over 350 bills introduced to date, many have no impact on cities and towns; the following have been introduced and are of interest to the WAM membership.

#### House Bill 67 – Sales Tax Modifications

This bill would reduce the state sales tax by .5% and eliminate a number of sales tax exemptions. This bill has been introduced and referred to House Appropriations Committee. WAM is monitoring this bill.

#### House Bill 69 – Marketplace Facilitators

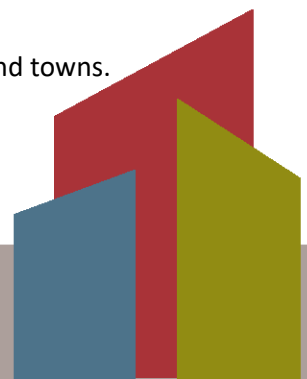
This bill would effectively tax internet sales. As noted last week, it is estimated to generate \$3.5 million for local governments in FY 2020. This bill passed the House on Thursday and is awaiting action in the Senate. WAM supports this bill.

#### House Bill 81 – Omnibus Water Bill - Planning

HB 81 funds a number of water projects around the state. The bill appropriates \$6.4 million from the Water Development Funds for planning of water projects around the state. WAM supports this bill.

#### House Bill 95 – Specific Purpose Tax Excess Funds

This bill addresses how excess SPET funds are to be allocated to include distribution to cities and towns. WAM supports this bill.





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#### House Bill 98 – Rights of Way Communication Services

This bill authorizes the use of rights of way for communication services, (telephone, internet, broadband, etc.). The bill acknowledges a statute change that communication companies are distinct from public utilities. This bill still requires a franchise agreement and allows for the imposition of a franchise fee. WAM is monitoring this bill.

#### House Bill 105 - Municipal Services Recovery Action

This bill will preempt cities and towns who provide service (water, sewer, sanitation, electricity, etc.) from collecting final billings from property owners. When a renter defaults on the fees, most of the cities/towns seek payment from the property owner. WAM has presented a report to a requesting legislator through the Legislative Service Office detailing the problems with this bill and total opposition. WAM is opposing this bill and took this position prior to the legislator's request.

#### House Bill 146 – Local Government Publication Requirements

This bill modifies the publication requirements for local governments. It continues to require the publication of salaries for public officials, but no longer requires that names of the officials be published. This passed House Corporations and is awaiting action in the House. WAM supports this bill.

#### House Bill 151 – Ban on Sanctuary Cities

This bill prohibits the implementation of immigration sanctuary policies by cities, towns and counties, and disallows federal and state funds to be distributed to local government if there is non-compliance. WAM opposes this bill.

#### House Bill 179 – Food Truck Bill

This bill provides for the state licensure of food trucks. It authorizes a licensee to operate a food truck “within any city, town or county in the state, including public rights of way”. It restricts local governments from unduly interfering with the operation of food trucks, but does allow some limited regulation (reasonable time, place and manner) as necessary to provide for public health and safety. This bill has been introduced and referred to the House Corporations Committee. WAM opposed a similar bill in 2018 and opposes this bill version.

#### HB 183 - Repeal of Gun Free Zones

This bill repeals the gun free zones established via previous legislation. The bill also preempts local government authority. WAM is monitoring this bill.

#### HB 188 – City and Town Zoning Protests



This bill modifies the requirements for protesting zoning changes in city or town regulations. It reduces the number of protests (from 20% to 10%) and increases the area considered immediately adjacent (from 140 feet to 200 feet). A protest would require 2/3 majority to be effective. WAM opposes this bill.

#### House Bill 196 – Local Regulation – Subdivisions

This bill amends exemptions for subdivisions in a county. Although this is a county related bill WAM is monitoring this bill.

#### SF 20 – Surface Drainage Systems

This bill authorizes municipalities to fund surface water drainage projects by assessing fees for municipal residents. WAM supports this bill.

#### SF 48 - Unemployment Compensation-seasonal employees

This bill allows an employer to apply to the Department of Work Force Services (DWFS) to be a designated seasonal employee and not to pay unemployment for seasonal workers when not justified. This bill must be in compliance with the Federal Department of Labor rules. The Senate Labor Committee heard the bill this week and it was revealed by the DWFS that it would cost \$700,000 to pay for a software component to manage such exemption. WAM was asked if municipalities would cost share as no appropriation exists. WEAM responded that the quick answer is no as WAM brought forward this topic to reduce expenses; however, WAM is checking with municipalities. WAM initially supported the bill, however, with this new information it must reassess its position. The bill was tabled by the Labor Committee.

#### SF 49 County Zoning - Schools

This bill relates to counties and exempts private school from zoning authority. Although this is a county bill WAM is monitoring it.

#### SF 52 – Special Permits for alcoholic beverage - exceptions

This bill amends the applicability of permits for malt beverages, amends time frames and addresses sales and selling. WAM supports this bill.

#### SF 59 - Water Omnibus – Construction

This bill relates to funding for water construction projects. WAM supports this bill.

#### SF 75 - Repeal of Gun Free Zones

This bill preempts local government and provides authority to the state to regulate firearms, weapons and ammunition. WAM is monitoring this bill.



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#### SF 79 - Employee Group Insurance – Local Governments

This bill allows local government entities to provide coverage through the state employees' group insurance program for employees and officials. WAM membership passed a resolution to support such a measure. WAM supports this bill.

#### Tracking Bills on Line

The WAM website contains all the information about the bills and their status in the legislative process. If you prefer to see this data in the excel format, you can click the excel button and it will format the information into an excel spread sheet. A direct link can be found at

<https://wyomuni.org/follow-legislation>

If you have questions about any legislative issue, please do not hesitate to call Bob McLaurin (307) 413-3483, or Rick Kaysen at (307) 287-4218.

