

WEEK 4 AT THE CAPITOL

Week 4 at the Capitol continued with a great deal of activity in both the House and Senate. The deadline for introduction of bills was January 29. As of the date of January 29, a total of 499 bills were introduced (316 House Bills, 10 House Joint Resolutions, 162 Senate Files and 11 Senate Joint Resolutions). Of the 499< WAM has tracked/is tracking 164 or 33%.

House and Senate Committees had until end of day on Friday, February 1 to complete consideration of the 183 bills assigned and potentially the 43 bills introduced, but not yet assigned to a committee.

On Wednesday, February 6, any bill not passed out of the originating chamber on Third Reading will be "postponed indefinitely" which means the bill is dead for this session.

With the passing of Week 4, we are halfway through the Session.

The WAM Website 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.

State Budget

The Supplemental Budget is processed through the separate chambers on mirrored bills. These were passed out of the Joint Appropriations Committee and introduced on the floors of the House and Senate. Both the House and Senate spent significant time working on the Supplemental Budget. House Bill 01 is the House Budget version, and Senate File 01 is the Senate's version.

As was discussed previously, Governor Mead's recommended budget included \$25 million for local governments and the Joint Appropriations Committee removed these funds from its budget. Discussions with both Appropriations Chairman inquiring on restoration of a supplemental amount for local government resulted in none will take place. In addition, we have asked several legislators to restore this funding (or at least a portion of it), but to date have had no positive responses to our request.

There is a \$70 million discrepancy between HB 01 and Senate File 01. These differences will need to be resolved in the Conference Committee.

HOUSE BILLS OF INTEREST

The following are brief summaries of bills of interest to WAM members. Please note they are not all of the bills we are following, but the ones we believe are of the greatest interest. The full list of tracked bills is found on the WAM website.

House Bill 66 – Statewide Lodging Tax

This bill would impose a 5% statewide lodging tax, with 3% being used to fund the Tourism Department and 2% going to local government. This bill has passed the House and awaiting action in the Senate. WAM supports this bill.

House Bill 67 – Sales Tax Modifications

This bill would reduce the state sales tax by .5% and eliminate a number of sales tax exemptions. The House Appropriations Committee tabled this bill indefinitely. WAM monitored this bill.

House Bill 69 – Marketplace Facilitators

This bill would effectively tax internet sales. This bill is estimated to generate \$3.5 million for local governments in FY 2020. This bill passed the House on Thursday and has been referred to the Senate Revenue Committee. WAM supports this bill,

House Bill 81 – Omnibus Water Bill

This bill funds several water projects around the state. The bill appropriates \$6.4 million from the Water Development Funds for planning of water projects around the state. The bill has passed the House, been approved in the Senate Agriculture Committee and has been referred to the Senate Appropriations Committee. Project details can be found in the bill. WAM supports this bill.

House Bill 93 – Tourism Districts

This bill authorizes counties, cities and towns to establish tourism improvement districts to fund specified tourism and marketing activities. The passed the House on Friday and awaiting action in the Senate. WAM supports this bill.

House Bill 105 - Municipal Services Recovery Action

The bill will preempt cities and towns who provide service (water, sewer, sanitation services, etc.) to seek payment from the property owner when a renter defaults on the payment. When a renter defaults on the fees, most of the cities will seek payment from the property owner. WAM opposed this bill. The bill was defeated on 3rd reading in House. **Many thanks to all WAM members who responded to our call to action and helped defeat this bill! TEAM Work at its finest.**

House Bill 146 – Local Government Publication Requirements

This bill eliminates the need to publish names of public officials when publishing the salaries of these public officials. This bill was defeated by the House Committee of the Whole. 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. WAM opposed this bill. This bill failed in the House Committee of the Whole.

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. In discussions with the primary sponsor of the bill, it appears this bill maybe withdrawn and submitted as an interim topic (nothing official at this time). WAM supports the withdrawal and has committed to work with the sponsor during the interim. WAM opposes the bill as it did in 2018.

House Bill 183 - Repeal of Gun Free Zones - 2

This bill repeals the gun free zones established in previous legislation. This bill was introduced in the House and referred to the House Appropriations Committee. WAM is monitoring this bill.

House Bill 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. This bill was heard by House Agriculture Committee. WAM was opposed to the bill, testified against the bill and it was defeated.

House Bill 196 – Local Regulation - Subdivisions

This bill would preempt Counties from establishing minimum lot sizes in family subdivisions. This bill does not affect cities and town’s but is another local government preemption bill. The bill passed the House Corporations Committee and awaiting action in the House. WAM is monitoring this bill.

House Bill 201- Publication of Notices Cities and Counties

This bill allowed cities and counties to publish legal notices on municipal websites instead of publishing them in the official newspaper. This bill died in the Travel, Tourism and Wildlife Committee. This bill is comparable to HB 242 (which also failed). WAM supported both bills.

House Bill 220 – Retail Fairness Act

This bill would impose an income tax on out of state corporations who do business in Wyoming. These corporations are domiciled in states (i.e. Walmart, Target, etc.) that have a state corporate tax. Income from the Wyoming business are taxed in the home state, with no revenue going to Wyoming. This bill would require that have businesses outside Wyoming. This bill has passed 2nd reading in the House. This bill is expected to raise \$45 million in revenue and would go the School Foundation Fund. WAM supports this bill.

House Bill 237 - Transportation infrastructure-local option.

This bill will authorize the Specific Purpose Tax sales and use tax to be used for roadway construction or other transportation infrastructure as an option. This bill has passed House Revenue and awaiting action in the House. WAM supports this bill.

House Bill 242 – Statewide Official Notices Website

This bill provides for the creation of a statewide website where required legal and public notices could be posted in lieu of publishing them in a newspaper. This bill allows a municipality, county or special district to choose which medium to post the required public notices. This bill died in the House Corporations Committee on a 3-6 vote. WAM supported the bill.

House Bill 266 – Sales Tax – Local Distributions

This bill increased the state sales tax by ½ percent to 4.5%. The first \$52,500,000 of this increase will be distributed to local governments using the formulas provided in the bill. Local governments would also receive their normal share of the additional one-half percent increase in the sales and use tax. This bill was never heard a committee and is dead for this session. WAM monitored supported this bill.

House Bill 271 – Firefighter Nonbinding Arbitration

This bill eliminates the requirement for binding arbitration and replaces it with nonbinding arbitration for fire departments represented by fire bargaining unions. This bill passed the House Appropriations Committee and is on General File in the House. WAM supports this bill

House Bill 277- Town and County Developments (2)

This bill would preempt towns and counties from imposing affordable housing requirement on new developments. This bill passed the House Corporations and is on general file in the House. WAM opposes this bill

House Bill -284 - Video Skill Games.

This is a bill that replaces HB 206. The bill essentially makes video “games of skill” legal. As currently amended, this would allow establishments with liquor licenses to install and operate 2 video skill games. Counties can opt out of this bill and effectively ban these machines from their respective counties. Cities do not currently have this opt out provision. WAM is monitoring this bill.

House Bill 298 - Surface Drainage Systems

This bill would authorize the creation of a storm water utility enterprise fund to cover the capital and operating costs of storm water infrastructure. This bill was heard on February 1 by the House Corporations Committee. The bill was defeated died on a 4-5 vote. WAM supported this bill and may submit it for interim review in 2019.

House Bill 306 – Employee Group Insurance – Local Governments - 2

This bill is the House version of Senate File 79 that would allow local governments to opt into state insurance plans. The Senate bill was defeated on first reading on the Senate Floor. This bill was heard by House Corporations Committee on February 1 as no motions were made by a committee member. WAM supported this bill and may submit it for interim review in 2019.

SENATE FILES OF INTEREST

The following are brief summaries of bills of interest to WAM members. Please note they are not all of the bills we are following, but the ones we believe are of the greatest interest. The full list of tracked bills is found on the WAM website. WAM is monitoring this bill.

Senate File 49 County Zoning - Schools

As noted in the last report, this bill preempts the ability of counties to regulate private schools through county zoning regulations. This bill treats private schools similar to public schools. This bill has passed the Senate and awaiting action in the House.

Senate File 57 – 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. The bill has been amended to a point where we believe is workable. A group of the entities drafted amendments to the bill and delivered to the Chairman of the Senate Corporations Committee. WAM opposed the original bill; however, is now in a monitor position.

Senate File 75 - Repeal of Gun Free Zones

This bill repeals the gun free zones established in previous legislation. This bill was defeated by the Senate Judiciary Committee by a vote of the 3-2. This is the same bill as HB 183 which is still active. WAM is monitoring this bill.

Senate File 79 - Employee Group Insurance – Local Governments

This bill allows municipal and county employees to opt into the State Health Care plan. This bill was defeated in the Senate. WAM supported the bill.

Senate File 88 – Fireman’s fund B

This bill reduces the actuarial schedule for this fund from 40 years to 30 years. There is a 4% increase over 4 years. The Wyoming Retirement System states this is necessary to keep the fund adequately funded. This bill passed the Senate and is headed to the house. We have requested an amendment that would allow the increase costs to be divided between the employer and the employee. This is the method that was used when fiscal deficiencies in the Big Plan were addressed in 2018. WAM monitoring this bill.

Senate File 121 – Municipal Solid Waste Cease and Transfer -Appropriation

This bill provides funds for landfill operations and transfer station creation. 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.