

The second session of the 65<sup>th</sup> Wyoming Legislature concluded its first week on Friday, February 14<sup>th</sup>. In total, there are 249 House Bills, 6 House Joint Resolutions, 139 Senate bills and 3 Senate Joint Resolutions that were introduced by last Friday's deadline. A number of these have already failed introduction. While many of these bills have no impact on WAM, or the cities and towns in Wyoming, there are several that will impact Wyoming Municipalities.

The WAM website contains information on all the bills we are tracking. The following is a summary of several of the most important bills WAM is tracking. Please note these are not all 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.

WAM is currently tracking 25 House Bills, 11 Senate Bills, 1 House Joint Resolution and 2 Senate Joint Resolutions. As noted, the WAM Website has detailed information on each of the bills.

We want to thank those local officials who made the journey to Cheyenne last week. These folks significantly helped the WAM cause with their presence and testimony. Specially, we want to thank Mayor Matt Hall of Cody, Upton Mayor Travis Breck, Upton Clerk Kelley Millar, and Public Works Superintendent Works Mark Lindstrom, Jackson Mayor Pete Muldoon, Jackson Council members Jonathan Schechter, and Jim Stanford, Cheyenne Mayor Marion Orr, Cheyenne Councilmember Pete Laybourn Laramie Mayor Joe Shumway and City Manager Janine Jordon. We recognize how busy everyone is and WAM greatly appreciates your time and support.

For those who are coming down in the future, we wanted to invite you stop by the WAM office. The WAM staff meets each morning prior to the committee meetings and we invite you to join us as we prepare for the legislative day. In addition to free parking, we have coffee, juice, snacks and supplies to make sandwiches.

### **First Week Highlights**

The first week of the session has been extremely busy with bill filings, committee meetings, the Governor's State of the State Address and House and Senate Floor Sessions. The following paragraphs provide a brief summary of the week's legislative activities.

### **Senate File 57- Direct Distribution**

The Governor's Recommended Budget contained \$105 million for the biennium (\$52,500,000 per year). Of this amount one third goes to the Counties, and two thirds go to cities and towns. These funds are disbursed on a formula established by the legislature.

During the review of the Governor's budget, the Joint Appropriations Committee slightly modified the Madden formula. This change would increase the base amounts each community gets. Communities with a population under 35 people would receive base distribution of \$15,000 instead of \$10,000. Communities with a population over 35 people, would see their base distribution increase to \$35,000 from \$20,000. The remaining funds would then be

disbursed via the Madden Formula to determine additional distribution amounts to each community based on a combination of factors.

The effect of the change to the base amounts is generally increased distributions to smaller towns, while the larger cities will see decreases. Please see the attached document from the Legislative Services Office which offers projected distribution amounts with and without the amendment.

This bill has passed all three readings in the Senate and is being transmitted to the house.

#### **House Bill 47 – Municipal Option Tax**

House Bill 47 authorizes cities and town to hold a city only sales tax election. It was developed in conjunction with the Wyoming County Commissioner's Association (WCCA). In addition to allowing for a city only election, it reduces the number of cities needed to get on a sales tax ballot, from two thirds to 50%.

This bill was introduced and approved by the House Revenue Committee. It passed the House on 1<sup>st</sup> reading and is scheduled for 2<sup>nd</sup> reading on Monday.

#### **House Bill 19 – Municipal Franchise Fees**

This bill modifies the way cities and towns deal with franchise agreements and franchisees. This bill was considered during interim by the Corporations Committee and is a Committee bill. During the interim, WAM worked with Charter, CenturyLink and other telecommunications companies to come to a livable, revenue-neutral compromise. Charter is floating amendment language that goes against the original agreement but has yet to introduce it. We've let them know that any successful attempt at amending the bill from the original agreement would make it untenable, and that we would then throw all effort to opposing and killing the bill. The unamended bill has passed the House and is scheduled for introduction in the Senate next week.

#### **House Bill 134 – Wyoming Tourism Funding**

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 general fund). 2% would be sent back to the local governments. The distribution of the local funds would be the same as with the current lodging tax legislation, but the use of marketing funds has been expanded. The principal difference between this bill and the one considered last year is that a local government can implement the second 2% by a vote of the town council instead of a vote of the public.

This bill has passed 1<sup>st</sup> reading in the House is awaiting 2<sup>nd</sup> reading. WAM is monitoring this bill.

#### **House Bill 93 – Increasing Maximum Claim Amount for Governmental Claims**

This bill would increase limits of liability for claims against local governments. Specifically, these would increase from \$250,000 to \$500,000 for any number of claims arising out of a single transaction. It would also increase from \$500,000 to \$1,500,000 for all claims of all claimant arising out of a single occurrence.

The Local Government Liability Pool (LGLP) actuaries estimate that this will increase insurance premiums initially by 10%. Future costs will be a function of claims. This has not yet been scheduled for a vote. WAM is opposing this bill.

### **House Bill 138 – Select Committee on Governmental Consolidation**

This bill would establish a Select Committee on Governmental Consolidation. The Committee's charge is to "identify and recommend standards and options for reorganizing, consolidating or reducing the number of school districts, community colleges, counties, cities and legislative districts in the state and the number of legislative committees currently in existence or created by the Wyoming legislature. The deadline for the Select Committee to submit its findings and recommendations no later than October 1, 2020, with a final report no later than October 1, 2021. This bill has been introduced and referred to Revenue Committee.

### **Senate File 22 – Surface Water Drainage**

This bill would authorize cities and towns that ability to create an enterprise fund for surface (storm) water improvements. This bill has been one of WAM's highest priorities for several years.

This bill has been introduced and approved by Senate Corporations. It will be heard on 1<sup>st</sup> reading in the Senate next week.

### **Senate File 108 – Wyoming Retirement Contributions**

This bill would increase contributions to the "Big Plan" by 2%, with 1% coming from the employee and 1% from employers. This bill also creates a third tier for newly hired employees and these employees will have a retirement age of 67.

### **MRG Funding**

The budget approved by the Joint Appropriations Committee included a significant reduction of funding for Mineral Royalty Grants. Much of this funding was diverted to other uses, leaving only \$4.5 million for emergency grants. We are working with several legislators to restore this funding through an amendment to the budget bill and hope to restore at least \$10 million to this account. This issue will be discussed as part of the budget process.

### **Early Victories**

We were able to secure early victories by lobbying for failed introduction votes on HB 22 Housing Mitigation and SF 59 Taxing of Government Property. You'll recall that HB 22 was designed as a punitive measure against Jackson's housing mitigation ordinance but would have had profoundly negative effects for all our municipalities' ability to ask for exactions from

developers. The bill failed introduction in the house with 29 for and 30 against. SF 59 would have forced the sale of government property not being used for government purposes, including such property in our municipalities. We strongly opposed this measure and it failed introduction in the Senate with 12 for and 17 against.

### **Tracking Bills on Line**

The WAM website contains all the information about all 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

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

If you have questions about any legislative issue, please do not hesitate to call Legislative Specialist Bob McLaurin (307) 413-3483, or Executive Director Dave Fraser at (307) 414-0265.