

**CITY OF LARAMIE, WYOMING
RESOLUTION NO. 2021-19**

**A RESOLUTION OPPOSING THE UNCONSTITUTIONAL DELEGATION OF MUNICIPAL
AUTHORITY TO THE UNIVERSITY OF WYOMING BY THE 66TH SESSION OF THE
WYOMING LEGISLATURE UNDER PROPOSED HOUSE BILL NUMBER 0198**

WHEREAS, for some five years the City of Laramie, Wyoming has offered various solutions to the Board of Trustees of the University of Wyoming designed to meet the University's water needs, particularly for irrigation of Jacoby Golf Course; and,

WHEREAS, the City regrets that the many decisions of the Board of Trustees over this time have consistently rejected cooperative solutions to water resource management; and,

WHEREAS, House Bill No. 198 has been sponsored and placed before the 66th Legislature by seven members including Representatives Nicholas, Brown, Burkhart, Kinner, Walters and Senators Perkins and Wasserburger; and,

WHEREAS, not one of the seven bill sponsors represent the people who reside in the City of Laramie or Albany County and who will be most severely affected by this legislation if it becomes law; and,

WHEREAS, House Bill No. 198 strives to unfairly grant to the University of Wyoming special treatment under the law and the sole discretion to determine the water and sewer operations of any city, town or county at the expense of those residents and system users who must fund the operation of these system; and,

WHEREAS, House Bill No. 198 proposes a patent and gross violation of the Wyoming Constitution, which precludes the Legislature from delegating "any power to make, supervise or interfere with any municipal improvements, moneys, property or effects, whether held in trust or otherwise, to levy taxes, or to perform any municipal functions whatever" within Article 3, Section 37; and,

WHEREAS, the right and just purpose of this constitutional provision is "to guarantee to the municipalities local self-government, and to deny to the Legislature any power to delegate to any body other than the local government the right of supervision over or interference with the property of the various municipalities within the state." *Stewart v. City of Cheyenne*, 154 P.2d 355, 367 (Wyo. 1944)

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF LARAMIE, WYOMING:

SECTION 1. That we, the Governing Body of the City of Laramie, Wyoming, on behalf of the residents of Laramie and pursuant to our responsibilities to those persons as their local and duly elected officials, do fervently and vehemently memorialize our opposition to House Bill No. 198 for its supercilious inequality, for the injury it will cause to the functionality and fiscal integrity of the municipal utility systems, for the unnecessary

purpose it serves, and for its direct attack on Article 3, Section 37 of the Constitution of the Great State of Wyoming.

PASSED, APPROVED, AND RESPECTFULLY SUBMITTED this ____ day of _____ 2021.

Paul Weaver, Mayor and President of Laramie
City Council

ATTEST:

Nancy Bartholomew, City Clerk