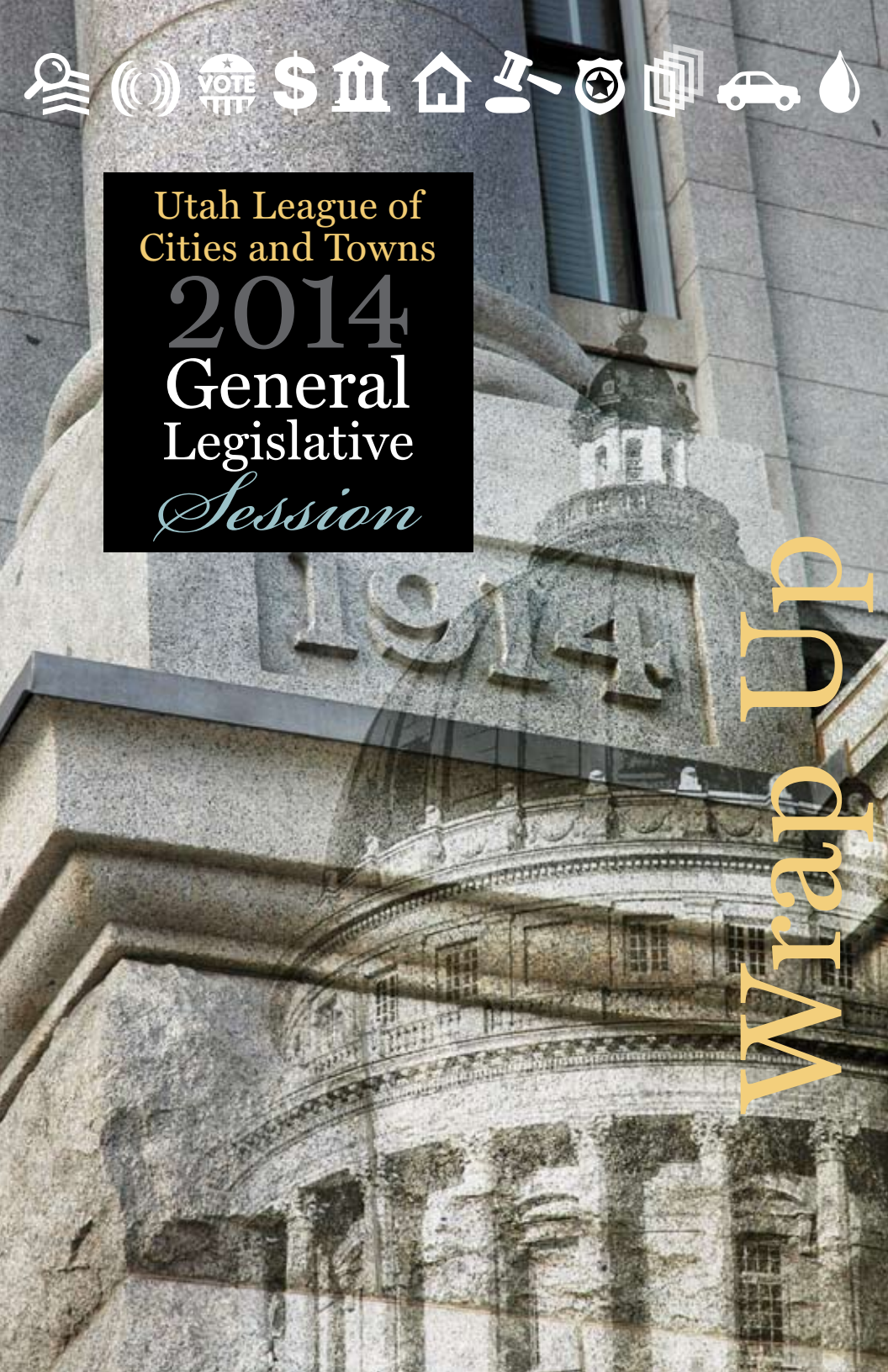

Utah League of Cities and Towns 2014 General Legislative *Session*

Wrap Up

ULCT Legislative Team

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Ken has worked for ULCT for 29 years and is responsible for the overall management of League operations and activities. He works closely with the ULCT Board of Directors, represents ULCT on various committees and boards, and communicates regularly with government officials, business leaders, and the public.

Lincoln Shurtz, ***Director of Legislative Affairs*** **lshurtz@ulct.org**
Lincoln has worked for ULCT for 15 years and coordinates ULCT policy outreach, administers the Legislative Policy Committee, & presents findings to state administrative and legislative branches. He specializes in the Utah state budget, transportation, economic development, and retirement issues.

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Jodi has worked for ULCT for 11 years and for municipal government for over 25 years. She specializes in municipal land use and water issues.

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Cameron has worked for ULCT for 6 years and coordinates LPC correspondence and organization. He specializes in federal relations, environmental policy, election law, and every other conceivable political issue.

Nick Jarvis, ***Research Analyst*** **njarvis@ulct.org**
Nick has been with ULCT for 4 years and oversees the budget database and other research.

Satin Tashnizi ***Legislative Intern*** **stashnizi@ulct.org**
Satin was ULCT's intern during the session and managed our logistics and sanity. #bestintern

Table of Contents

6 Icon and Date Reference

7 HB 17S1 | Interlocal Act Amendments

8 HB 20S2 | Emergency Vehicle Operator Duty of Care Revisions

9 HB49S2 | Water Rights—Change Application Amendments

10 HB 60 | Interlocal Entity Service Prohibition

11 HB 66 | Candidate Amendments

12 HB 70S2 | Forcible Entry Amendments

13 HB 84S1 | School District Amendments

14 HB 85 | Electronic Filing of Traffic Citations and Accident Reports Amendments

15 HB 97 | Limitation on Local Government Regulation of Animals

16 HB 101 | Roadway and Sidewalk Safety Amendments

17 HB 102S1 | Assessment Area Amendments

18 HB 104 | School Planning and Zoning Compliance

19 HB 0112S10 | Regulation of Electronic Cigarettes

20 HB 128S1 | Electronic Device Location Amendments

21 HB 135 | Transportation Funding Amendments

22 HB 148 | Off-highway Vehicle Amendments

23 HB 155 | Utah Communication Agency Network and Utah 911 Committee Amendments

24 HB 156 | Election Day Voter Registration Pilot Project

25 HB 163 | Appellate Bond Amendments

26 HB 165 | Vote by Mail Amendments

27 HB 167 | Local Economic Development Amendments

28 HB 192 | Initiative and Referendum Petition Amendments

29 HB 210 | Sales and Use Taxes for Transportation Amendments

30 HB 212 | DNA Collection Amendments

31 HB 220S02 | Land Use Amendments

33 HB 225S1 | Primary Law Enforcement Duties for Sheriffs
34 HB 232 | Tax on Sand and Gravel Extraction
35 HB 238 | Local Referendum Requirements Amendments
36 HB 242 | Fees for Government Records Requests
37 HB 245S2 | State Fire Code Amendments
38 HB 252S1 | Absentee Ballot Amendments
39 HB 258S2 | Municipal Building Licensing Amendments
40 HB 262S2 | Local Governing Body Voting Amendments
41 HB 266 | Motor Fuel and Special Fuel Tax Rate Indexing Amendments
42 HB 272 | Municipal Election Amendments—Office Hours
43 HB 273 | Land Development Revisions
44 HB 276 | Disorderly Conduct Amendments
45 HB 278 | Highway Construction Bid Limit Reduction
46 HB 282S3 | Amendments to Election Laws
47 HB 300 | Municipal Election Questions
48 HB 302S2 | Voting Records Amendments
49 HB 328 | Construction and Fire Codes Amendments
50 HB 336S1 | Court System Task Force
51 HB 338 | Alcohol Beverage License Amendments
52 HB 340 | Local District Boundary Adjustments
53 HB 344 | Incorporation Election Amendments
54 HB 356S1 | New Convention Facility Development Incentive Provisions
55 HB 369 | Missed Elections Amendments
56 HB 370 | Canal Safety Amendments
57 HB 372 | Law Enforcement Notification Amendments
58 HB 378 | Road Improvement Projects Amendments
59 HB 381S1 | Local Government Interfund Loans

60 HB 382S2 | Limited Purpose Local Government Entities Amendments
61 HB 387 | Highway Amendments
62 HB 388S1 | Amendments to Transportation Funding
63 HB 389 | Voter Eligibility Amendments
64 HB 408 | Election Requirements Amendments
65 HB 413 | Voter Accountability in Political Subdivisions
66 HB 422S1 | Initiative and Referendum Impact Disclosure
68 HB 434 | Local Sales and Use Tax Amendments
69 SB 17 | Water and Irrigation Amendments
70 SB 18 | Local Government Development Amendments
71 SB 21S1 | State Construction Code Amendments
72 SB 28 | Utah Retirement Amendments
73 SB 45S2 | Military Installation Development Authority Amendments
74 SB 51S1 | Local Government Entities Amendments
75 SB 56S1 | Risk Management Amendments
76 SB 60 | Fuel Excise Tax Amendments
77 SB 61 | Revisions to Property Tax
78 SB 70 | State Data Portal Amendments
79 SB 82 | Property Rights Related to Outdoor Advertising
80 SB 90S1 | Residency Requirements
81 SB 94 | Security Personnel Licensing Act Amendments
82 SB 111S3 | Education Funding Equalization
83 SB 113 | Public Meetings Amendments
84 SB 134 | Taxation Related Referendum Amendments
85 SB 136S1 | Local Elections Amendments
86 SB 139S4 | Transportation Funding Revisions
87 SB 158 | Cemetery Amendments
88 SB 169S2 | Public Meetings Materials Requirements

89 SB 179S3 | Procurement Revisions
90 SB 184S1 | Local Government Inspection Amendments
92 SB 185 | Law Enforcement Transparency
93 SB 187 | Highway Rights-of-way Amendments
94 SB 188S1 | Local Option Sales Tax Amendments
95 SB 190 | Utility Fee Limitations
96 SB 211 | Water Rights Amendments
97 SB 216S3 | Municipal Formation Amendments
98 SB 223 | Billboard Related Amendments
99 SB 228 | Geographic Diversity Amendments
100 SB 232S1 | School Safety Tip Line
101 SB 235 | Transportation Revisions
102 SB 237 | Urban Farming Amendments
103 SB 243 | Air Quality Programs
104 SB 244S1 | Modifications to Property Tax
105 SB 245 | Internet Voting Pilot Project Amendments
106 SB 250 | Public Duty Doctrine Amendments
107 SB 253S1 | Distracted Driver Amendments
108 SB 267S1 | Governmental Immunity Act Amendments
109 Friday Facts
115 Daily Emails During the Session
159 LPC Agenda Feb 3
160 LPC Agenda Feb 10
161 LPC Agenda Feb 24
162 LPC Agenda Mar 3

Icon and Date Reference

The dates at the top of each page are when Team ULCT referenced the bill in the daily legislative email. All of the emails are available in the book and the listed date will link you from the bill page to the email.

Building Code	Law
Connectivity	Public Safety
Elections	Transparency
Finances	Transportation
General Government	Water
Land Use	

2014 Legislative Update

HB 17S1 | Interlocal Act Amendments

FEB 5, FEB 26, FEB 27, FEB 28

Sponsor: **Anderson, Johnny**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/HB0017.html
ULCT Position: **Support after ULCT amendment**

Legislative Purpose for the Bill:
This bill requires members of an interlocal entity to comply with law that is applicable to each public agency that is a member of the entity.

Municipal Impact/Requirements:
In the original HB 17, the bill would have required that each interlocal entity would be subject to the most restrictive local ordinance or law of any public agency that is a member of the entity.

ULCT Action/Future Trend:
Team ULCT successfully amended language so that each interlocal entity is subject to each state law that governs each public agency that is a member of the entity BUT the interlocal entity is not subject to each individual local ordinance or other local law. The legislature is reviewing laws governing interlocal agencies, special service districts, and other entities in order to ensure that they all meet levels of accountability and transparency.

HB 20S2 | Emergency Vehicle Operator Duty of Care Revisions

FEB 6, FEB 10

Sponsor: **Dee, Brad**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/HB0020.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
This bill provides that the operator of an authorized emergency vehicle owes no duty of care to a suspect (or his/her passenger) in the commission of a crime who is evading or fleeing the emergency vehicle.

Municipal Impact/Requirements:
This bill arose out of a court case where an emergency responder was found liable for the harm that a fleeing suspect incurred.

ULCT Action/Future Trend:
None.

HB 49S2 | Water Rights—Change Application Amendments

JAN 24, FEB 12

Sponsor: **McIff, Kay**
Bill Status: **Failed**
http://le.utah.gov/search.jsp?Sess=2014GS&String=49&Submit=Find
ULCT Position: **Neutral**

Legislative Purpose for the Bill:
This bill would have modified the procedure for filing a change application, required parties to mediate issues arising from a change application before administrative review or litigation, and provided an option for court resolution of legal issues beyond the purview of the state engineer.

Municipal Impact/Requirements:
This bill did not pass. Little municipal impact.

ULCT Action/Future Trend:
Water legislation continues to be a controversial issue on Capitol Hill. ULCT will convene meetings during the interim to address key water issues for cities, towns, and the other stakeholders.

HB 60 | Interlocal Entity Service Prohibition

FEB 13

Sponsor: **Webb, Curt**
Bill Status: **Failed**
http://le.utah.gov/~2014/bills/static/HB0060.html
ULCT Position: **Oppose**

Legislative Purpose for the Bill:
This bill would have prohibited an interlocal entity that provides telecommunication service through a fiber optic network from constructing infrastructure or providing service in locations outside the boundaries of its members.

Municipal Impact/Requirements:
This bill did not pass. No municipal impact.

ULCT Action/Future Trend:
This bill targeted UTOPIA but could have handcuffed any municipality that provides telecommunication service from future expansion. Even though the bill failed, many legislators are still weary about municipal involvement in telecommunication utilities.

HB 66 | Candidate Amendments

FEB 5, FEB 7, FEB 11, FEB 12, FEB 20, FEB 24, FEB 26, LPC FEB 10, LPC FEB 24

Sponsor: **Wilson**

Bill Status: **Failed**

http://le.utah.gov/~2014/bills/static/HB0066.html

ULCT Position: **Neutral upon ULCT amendment**

Legislative Purpose for the Bill:
The bill would have prohibited a governing body from spending money deposited in an enterprise fund for a purpose that is not directly related to the goods or services provided by the enterprise for which the enterprise fund was created. The bill would also have required a city to pay for a utility service provided to the city at the same rate charged to a customer of that utility.

Municipal Impact/Requirements:
This bill did not pass. No municipal impact.

ULCT Action/Future Trend:
While the specific bill didn't pass, SB51S1 addressed some of the issues. The bill's genesis came from the Auditor's office after an audit into a city uncovered some concerns about the use of the enterprise fund and how utilities were charged. Team ULCT worked closely with the Auditor's office and the bill sponsor well prior to the legislative session to resolve the concerns and we brought the bill concepts to the LPC several times. Going forward, we recommend that cities follow the noticing requirements that are currently in state law to inform the public of any transfers between the enterprise fund and general fund.

HB 70S2 | Forcible Entry Amendments

Sponsor: **Roberts, Marc**
Bill Status: **Passed**
http://le.utah.gov/~2014/bills/static/HB0070.html
ULCT Position: **Neutral**

Legislative Purpose for the Bill:
This bill requires law enforcement officers to identify themselves before using forcible entry into a building unless there is probable cause to believe that evidence will be easily or quickly destroyed or there is reason to believe that such notice will endanger the officer or someone else.

Municipal Impact/Requirements:
Police departments must train their officers to understand the new law about forcible entry and the exceptions.

ULCT Action/Future Trend:
Team ULCT worked with the bill sponsor to amend the bill favorably.

HB 84S1 | School District Amendments

Sponsor: **Hall, Craig**
Bill Status: **Failed**
http://le.utah.gov/~2014/bills/static/HB0084.html
ULCT Position: **Neutral**

Legislative Purpose for the Bill:
This bill would have prohibited a city or an interlocal entity from forming a new school district if a feasibility study determined that the five-year projected average annual revenue of the proposed new school district exceeds the five-year projected average annual cost of the proposed new school district by more than 5%.

Municipal Impact/Requirements:
This bill did not pass. No municipal impact.

ULCT Action/Future Trend:
This is yet another attempt by legislators to place boundaries around the potential of creating new school districts from within existing school districts. The legislature empowered cities in 2007 to create their own districts. When several Salt Lake County cities contracted together to break away from their existing school district, it caused both celebration and consternation from different legislators. Going forward, we anticipate more bills aimed at either additional flexibility or restrictions on the potential for new school districts. ULCT has a long-standing policy of not getting involved in school district battles. ULCT represents cities on all sides of the school district debate and believes that school district policy is not within our purview.

HB 85 | Electronic Filing of Traffic Citations and Accident Reports Amendments

Sponsors: **Cox, John**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/HB0085.html
ULCT Position: **Neutral**

Legislative Purpose for the Bill:
The bill exempts an officer who is not reasonably able to file a citation electronically from the e-filing requirements in a justice court.

Municipal Impact/Requirements:
If a citing law enforcement is not reasonably able to access the e-filing system, the citation need not be filed electronically.

ULCT Action/Future Trend:
None.

HB 97 | Limitation on Local Government Regulation of Animals

FEB 10, FEB 20, MAR 5, LPC FEB 10, LPC FEB 24, LPC MAR 3

Sponsor: **King, Brian**

Bill Status: **Passed**

http://le.utah.gov/~2014/bills/static/HB0097.html

ULCT Position: **Oppose**

Legislative Purpose for the Bill:
This bill prohibits a municipality from enacting or enforcing a breed-specific rule, regulation, policy, or ordinance about dogs.

Municipal Impact/Requirements:
Any city that has a breed-specific ordinance has until January 1, 2015 to revoke the standing ordinance.

ULCT Action/Future Trend:
Despite ULCT opposition in committee and negotiations with the bill sponsor, the bill still passed overwhelmingly. Senators reported to ULCT staff that they each received hundreds of emails from supporters of the bill. Recognizing that the bill's passage was inevitable, we worked with the bill sponsor to change the effective date to provide sufficient time for cities to update their ordinance. While cities will no longer be able to prohibit or regulate specific breeds, there are still several options available to cities to regulate dangerous dogs and dangerous dog behavior. Please contact ULCT staff if you are interested in model ordinances for this issue.

HB 101 | Roadway and Sidewalk Safety Amendments

Sponsor: **Nielson, Jim**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/HB0101.html
ULCT Position: **Neutral**

Legislative Purpose for the Bill:
This bill prohibits individuals from soliciting money or goods in an aggressive manner on sidewalks within 10 feet of the entrance or exit of a bank or ATM and prohibits individuals from engaging in conduct that impedes or blocks traffic on a freeway, state highway, shoulder area, on-ramp, off-ramp, or area between a divided highway.

Municipal Impact/Requirements:
Cities must enforce the new proximity requirements.

ULCT Action/Future Trend:
None.

HB 102S1 | Assessment Area Amendments

FEB 7, FEB 11, FEB 12, FEB 18, FEB 20, FEB 25, FEB 27, MAR 4, MAR 5, MAR 11, MAR 13, LPC FEB 24, LPC MAR 3

Sponsor: **Webb, Curt**

Bill Status: **Vetoed by Governor**
http://le.utah.gov/~2014/bills/static/HB0101.html

ULCT Position: **Support as amended**

Legislative Purpose for the Bill:
This bill would have set a moratorium on the enactment of new assessment areas & would have changed the protest thresholds. The new protest threshold would have been 35% of the affected owners (per the methodology defined in the area). If the protest was between 35% and 45%, then it would have been considered a contestable protest where the city could have secured support signatures that exceeded the protest signature percentage by at least 5%. The bill would have forbidden cities from designating new assessment areas between May 13, 2014 & May 12, 2015.

Municipal Impact/Requirements:
Because of the Governor's veto, this bill has no impact.

ULCT Action/Future Trend:
Despite the veto, Team ULCT has pledged to work with the sponsor. Representative Webb has brought forward legislation during the past two sessions to address assessment area concerns. This year, Team ULCT worked tirelessly on the bill and successfully negotiated the moratorium so that we can focus in-depth on his concerns during the interim. We brought the bill to the LPC and relied on ULCT staff and city officials from Ogden, South Jordan, South Salt Lake, Tooele, and other communities to finalize the compromise. The discussions will include the legal definitions of direct and indirect benefits to property owners within the assessment area, the methodology for assessing a levy, and the impact on bond holders. Team ULCT will convene meetings in the interim with all the stakeholders in order to resolve the issues in time for the 2015 session.

HB 104 | School Planning and Zoning Compliance

FEB 12, FEB 18

Sponsor: **Cunningham, Rich**
Bill Status: **Failed**
http://le.utah.gov/~2014/bills/static/HB0104.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
The bill would have required a school district or charter school to coordinate the siting of a new school with the city and the city's general plan. Schools are exempt from certain municipal land use and planning requirements under current law and the bill would have eliminated some of those exemptions.

Municipal Impact/Requirements:
This bill did not pass. However, the bill significantly changed the course of prior legislative dialogue regarding Charter and traditional school consideration of local planning and zoning. His efforts may result in game-changing legislation for future school siting decisions.

ULCT Action/Future Trend:
Representative Cunningham has engaged in a thoughtful dialogue with stakeholders about the overall costs the entire community bears if a school is located without consideration of its impacts on community development, traffic, walkability and air quality. He has promised to include all stakeholders in a discussion of these issues throughout the interim.

HB 0112S10 | Regulation of Electronic Cigarettes

Sponsor: **Ray, Paul**
Bill Status: **Failed**
http://le.utah.gov/~2014/bills/static/HB0112.html
ULCT Position: **Neutral**

Legislative Purpose for the Bill:
This bill would have modified the licensure requirements and penalties for selling electronic cigarettes.

Municipal Impact/Requirements:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
We expect a similar bill in 2015.

HB 128S1 | Electronic Device Location Amendments

MAR 5

Sponsor: **Wilcox, Ryan**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/HB0128.html
ULCT Position: **Neutral**

Legislative Purpose for the Bill:
The bill requires that a governmental entity obtain a search warrant before obtaining the location information of an electronic device such as a mobile phone.

Municipal Impact/Requirements:
Law enforcement must obtain a search warrant based upon probable cause before obtaining the location information of an electronic device. Law enforcement may use, copy, or disclose the transmitted data of the electronic device only if they reasonably believe that the transmitted data is necessary to achieve the warrant's objective.

ULCT Action/Future Trend:
This bill reflects a general legislative concern this year regarding government surveillance that has been amplified by their concern over federal surveillance capacity to gather "big data" through the NSA.

HB 135 | Transportation Funding Amendments

FEB 21

Sponsor: **Anderson, Johnny**
Bill Status: **Failed**
http://le.utah.gov/~2014/bills/static/HB0135.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
The bill would have modified the state sales and use tax rate to enhance the Transportation Fund, changed the cents per gallon tax rate imposed upon all motor fuel, and indexed highway maintenance costs.

Municipal Impact/Requirements:
This bill did not pass. Municipalities must continue to fund transportation infrastructure needs with general fund revenues.

ULCT Action/Future Trend:
Transportation funding will continue to dominate political discussion on Capitol Hill. The Statewide Unified Plan, created by stakeholders across Utah, computed that the State of Utah faces an $11.3 billion shortfall for transportation infrastructure. The $11.3 billion shortfall includes local road, state road, and mass transit needs. While several bills attempted to address those transportation funding needs, ultimately no major bill passed in 2014. Team ULCT testified in support of the 2014 transportation bills and worked hard to promote them to elected officials. As an election year for all House members, bills that authorized additional taxing authority did not do well. ULCT will continue to work with policymakers to educate them about local needs. Please watch for updates during the interim from ULCT staff via our website at www.ulct.org.

HB 148 | Off-highway Vehicle Amendments

Sponsor: **Noel, Mike**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/HB0148.html
ULCT Position: **Neutral**

Legislative Purpose for the Bill:
The bill modifies the Traffic Code by allowing certain full-sized ATVs to operate as street-legal ATVs on certain streets or highways.

Municipal Impact/Requirements:
Local law enforcement should review what full-sized all-terrain vehicles must be equipped with in order to qualify to be street-legal on streets or highways. The applicable streets and highways do not include interstate freeways or limited access highways.

ULCT Action/Future Trend:
None.

HB 155 | Utah Communication Agency Network and Utah 911 Committee Amendments

LPC FEB 10, LPC MAR 3

Sponsor: **Dee, Brad**
Bill Status: **Enrolled**
ttp://le.utah.gov/~2014/bills/static/HB0155.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
The bill merges the Utah Communications Agency Network and the Utah 911 Committee into an independent state agency entitled the Utah Communications Authority with a board and committee (see below).

Municipal Impact/Requirements:
The Utah Communications Authority Board will examine the development of a unified statewide 911 emergency service and computer aided dispatch system. The Utah 911 Committee now will consist of representatives from each county of the first and second class and each Association of Governments from around the state. Beginning July 1, 2014, the committee may not authorize funding unless the local entity has the capability to receive Internet protocol based 911 emergency service.

ULCT Action/Future Trend:
Due to the proliferation of cellular and internet phones and multiple entities providing 911 service, the legislature and local governments are examining options to modernize and coordinate the 911 system. This committee will be responsible for the coordination of internet protocol based 911 services, and will provide incentives/funding for those entities that voluntarily coordinate dispatch. Please note, there is no requirement to coordinate, this simply sets up the incentive structure for those that wish to coordinate.

HB 156 | Election Day Voter Registration Pilot Project

Sponsor: **Chavez-Houck, Rebecca**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/HB0156.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
The bill establishes a pilot program to test the advisability of implementing Election Day voter registration in Utah.

Municipal Impact/Requirements:
A county or city may apply to participate in the pilot project in 2014 or 2015 and then must report to the Government Operations Interim Committee during the 2016 interim. Under the project, a person may register to vote on Election Day by casting a provisional ballot. The elections officer must then determine, per a process set out in the bill, whether the person who cast the provisional ballot is indeed legally eligible to vote. If so, the ballot would count in the election and would count as the person's voter registration.

ULCT Action/Future Trend:
This proposal has floated around the legislature for several years. If the pilot program is successful in 2014 and 2015, then it is likely that the legislature would allow all cities or counties to adopt same day voter registration.

HB 163 | Appellate Bond Amendments

Sponsor: **Sagers, Doug**
Bill Status: **Failed**
http://le.utah.gov/~2014/bills/static/HB0163.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
The bill would have repealed the judicial code that requires cities to post a bond in order to pursue a civil action. If the city was appealing a judgment in excess of $5,000,000, the city must post security with the appellate court in the amount by which the judgment exceeds the sum of $5,000,000 and for any accrued interest.

Municipal Impact/Requirements:
This bill did not pass. The City of Tooele would have had an immediate benefit from the bill. Others would benefit from it in the future.

ULCT Action/Future Trend:
This issue has been discussed at the legislature previously and will likely surface again in the future.

HB 165 | Vote by Mail Amendments

Sponsor: **Eliason, Steve**
Bill Status: **Failed**
http://le.utah.gov/~2014/bills/static/HB0165.html
ULCT Position: **Neutral**

Legislative Purpose for the Bill:
This bill would have required that all elections be conducted by absentee ballot with the option of voting at an Election Day voting center on Election Day.

Municipal Impact/Requirements:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
After several municipalities conducted elections by absentee ballot in 2013, several legislators introduced legislation to clarify the procedures for such elections to occur. Cities have experienced higher voter participation and cost savings by using the mail-in ballot process. We anticipate more future legislation as more cities and counties consider implementing absentee ballot only elections.

HB 167 | Local Economic Development Amendments

Sponsor: **Snow, V. Lowry**
Bill Status: **Failed**
http://le.utah.gov/~2014/bills/static/HB0167.html
ULCT Position: **Neutral**

Legislative Purpose for the Bill:
This bill would have modified provisions related to community development and renewal agencies by streamlining the statutory notice process. The bill would have made it somewhat easier to form a community development and a community renewal agency.

Municipal Impact/Requirements:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
The bill sponsor graciously held the bill after ULCT raised concerns about the proposal. The bill would have modified tax increment financing language, notice requirements, and interlocal agreement requirements. ULCT will work with the bill sponsor in the interim to address the concerns.

HB 192 | Initiative and Referendum Petition Amendments

Sponsor: **Stanard, Jon**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/HB0192.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
This bill requires initiative and referendum petition signature sheets to include a statement that declares that the signer has read and understands the law proposed by the petition or the law the petition seeks to overturn.

Municipal Impact/Requirements:
When preparing an initiative or referendum petition, the signature sheet must include a statement in at least eight-point, single-leaded type that says "by signing this petition, you are stating that you have read and understand the law proposed by this petition" or "read and understand the law this petition seeks to overturn."

ULCT Action/Future Trend:
The legislature considered several bills related to referendum or initiative procedures and may continue to modify the laws.

HB 210 | Sales and Use Taxes for Transportation Amendments

Sponsor: **Briscoe, Joel**
Bill Status: **Failed**
http://le.utah.gov/~2014/bills/static/HB0210.html
ULCT Position: **Neutral**

Legislative Purpose for the Bill:
The bill would have authorized towns, cities, or counties to increase certain local option sales and use tax rates for public transit.

Municipal Impact/Requirements:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
Transportation funding will continue to dominate political discussion on Capitol Hill. The Statewide Unified Plan, created by stakeholders across Utah, computed that the State of Utah faces an $11.3 billion shortfall for transportation infrastructure. The $11.3 billion shortfall includes local road, state road, and mass transit needs. While several bills attempted to address those transportation funding needs, ultimately no major bill passed in 2014. Team ULCT testified in support of the 2014 transportation bills and worked hard to promote them to elected officials. As an election year for all House members, bills that authorized additional taxing authority did not do well. ULCT will continue to work with policymakers to educate them about local needs. Please watch for updates during the interim from ULCT staff via our website at www.ulct.org.

HB 212 | DNA Collection Amendments

Sponsor: **Eliason, Steve**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/HB0212.html
ULCT Position: **Neutral**

Legislative Purpose for the Bill:
The bill empowers law enforcement agencies to collect DNA samples at the time of booking for any person arrested for any felony offense between May 13, 2014 and December 31, 2014. From January 1, 2015 on, the bill requires law enforcement agencies to collect DNA samples.

Municipal Impact/Requirements:
Law enforcement agencies may start collecting DNA samples for anyone arrested for a felony offense starting May 13, 2014 and shall start collecting DNA samples for anyone arrested for a felony offense starting January 1, 2015.

ULCT Action/Future Trend:
None.

HB 220S02 | Land Use Amendments

FEB 26, MAR 5, LPC MAR 3

Sponsor: **Froerer, Gage**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/HB0220.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
The bill allows a land use applicant a substantive review of the land use application, requires the authority to provide notice of a petition to vacate or amend a plat to each entity that provides a service to the plat, and provides that a recorded, amended plat or ordinance replaces a previous record plat or ordinance.

Municipal Impact/Requirements:
The sponsor carried the bill at the request of the Land Use Task Force. His initial purpose in proposing the bill to the LUTF was to clarify that an applicant could record an amended plat without being required by a recorder's office to engage in an unnecessary two step process. He then graciously agreed to include additional LUTF priority items in his plat amendment bill. As such, at the request of the LUTF, the bill clarifies that a planning department can work with an applicant with vested rights to achieve beneficial changes in a land use application without jeopardizing the underlying "vesting" that the applicant achieved when it filed its original land use application.
A contrary opinion issued by the Office of the Property Rights Ombudsman would have discouraged the applicant and staff from working together to achieve a better product out of fear of losing the authority to approve the modified plan under vested laws. To his credit, the bill sponsor resisted persuasive efforts to amend his bill in a manner that had not thoroughly been reviewed by the LUTF. bills in the future.
(continued)

ULCT Action/Future Trend:
The LUTF has created a valuable process to bring thoughtful land use legislation to each General Session and to resist bad land use legislation. As development and especially home building continues to recover from the long recession, ULCT members will be faced with increasing potential for conflict with private development interests that enjoy significant influence with the legislature. The LUTF forum should expect to grapple with more and more challenging land use issues as a new housing boom begins.

HB 225S1 | Primary Law Enforcement Duties for Sheriffs

JAN 24, FEB 6

Sponsor: **Ray, Paul**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/HB0225.html
ULCT Position: **Neutral after ULCT amendment**

Legislative Purpose for the Bill:
The bill enacts language designating the sheriff as the primary law enforcement authority of state law on federal land.

Municipal Impact/Requirements:
Initially the bill would have designated the sheriff as the primary law enforcement authority in incorporated areas. After Team ULCT worked with the sponsor, he substituted the bill so as to withdraw incorporated areas from the bill's purview.

ULCT Action/Future Trend:
Legislators continue to promote legislation to declare state sovereignty over federal land.

HB 232 | Tax on Sand and Gravel Extraction

Sponsor: **Sagers, Doug**
Bill Status: **Failed**
http://le.utah.gov/~2014/bills/static/HB0232.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
The bill would have authorized counties and cities to impose a tax on sand and gravel extraction.

Municipal Impact/Requirements:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
None. As an election year for all House members, bills that authorized additional taxing authority did not do well.

HB 238 | Local Referendum Requirements Amendments

Sponsor: **Powell, Kraig**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/HB0238.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
The bill amends local referenda provisions of the Election Code.

Municipal Impact/Requirements:
The bill provides that when a city imposes a tax or other payment obligation on part of the city that does not include all of the precincts in the city, then the signatures required for the referendum and subsequent referendum vote shall be only by the residents of the precincts to whom the obligation applies. The bill also creates thresholds for the number of signatures necessary.

ULCT Action/Future Trend:
The legislature considered several bills related to referendum or initiative procedures and may continue to modify the laws.

HB 242 | Fees for Government Records Requests

FEB 4

Sponsor: **King, Brian**

Bill Status: **Failed**

http://le.utah.gov/~2014/bills/static/HB0242.html

ULCT Position: **Opposed**

Legislative Purpose for the Bill:
This bill would have modified a provision that would require a governmental entity to fulfill a record request without charge for costs up to $1,000.

Municipal Impact/Requirements:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
ULCT opposed this bill and testified against it in committee. Legislators were sympathetic to the financial impact of excessive GRAMA requests on cities and rejected the bill. Nevertheless, we expect more similar legislation.

HB 245S2 | State Fire Code Amendments

FEB 19

Sponsor: **Dunnigan, Jim**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/HB0245.html
ULCT Position: **Neutral**

Legislative Purpose for the Bill:
The bill adds an exception to the requirement that an automatic sprinkler system be installed in certain fire areas and modifies the definition of "hazardous environmental conditions" in Salt Lake County townships to allow Salt Lake County to regulate ignition sources (outdoor fires, fireworks, etc.) in townships.

Municipal Impact/Requirements:
Building inspectors should review the new exception to the automatic sprinkler system requirement.

ULCT Action/Future Trend:
None.

HB 252S1 | Absentee Ballot Amendments

JAN 17, JAN 24, FEB 4, FEB 13, FEB 19, LPC FEB 10

Sponsor: **Bird, Jim**

Bill Status: **Failed**

http://le.utah.gov/~2014/bills/static/HB0252.html

ULCT Position: **Oppose**

Legislative Purpose for the Bill:
The bill would have required cities that hold absentee ballot only elections to also operate an Election Day voting center.

Municipal Impact/Requirements:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
Team ULCT met with the bill sponsor in order to limit the number of voting centers that a city would have to operate on Election Day. The Utah Municipal Clerks Association reached out to ULCT to express concerns about the bill as well. Ultimately, after hearing our testimony, the House Committee held the bill. We expect more bills in the future about absentee ballot only election procedures.

HB 258S2 | Municipal Building Licensing Amendments

JAN 17, JAN 24, FEB 4, FEB 20, LPC FEB 10

Sponsor: **Anderegg, Jacob**
Bill Status: **Failed**
http://le.utah.gov/~2014/bills/static/HB0258.html
ULCT Position: **Opposed**

Legislative Purpose for the Bill:
The bill would have removed some municipal authority to require a license for certain home-based businesses.

Municipal Impact/Requirements:
No municipal impact. The bill did not pass.

ULCT Action/Future Trend:
Thanks to the efforts of Team ULCT, the House committee rejected all versions of the bill. ULCT staff requested data from cities as to the amount of revenue that cities collect from business licenses and the quantity of complaints from residents nearby home-based businesses and then utilized the data in our dialogue with committee members. Similar bills appear from time to time as often an individual grievance with an individual city results in ill-fated state legislation.

HB 262S2 | Local Governing Body Voting Amendments

FEB 5

Sponsor: **Powell, Kraig**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/HB0262.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
The bill requires a majority vote of the total number of voting members of a municipal council to pass an ordinance or resolution or take other official action.

Municipal Impact/Requirements:
Regardless of any absence or vacancy on the council, the minimum number of yes votes required to pass any ordinance or resolution must still be the majority of the voting members of the council.

ULCT Action/Future Trend:
Team ULCT promoted clarifying amendments.

HB 266 | Motor Fuel and Special Fuel Tax Rate Indexing Amendments

Sponsor: **Nielson, Jim**
Bill Status: **Failed**
http://le.utah.gov/~2014/bills/static/HB0266.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
The bill would have increased and indexed the motor fuel tax rate.

Municipal Impact/Requirements:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
Transportation funding will continue to dominate political discussion on Capitol Hill. The Statewide Unified Plan, created by stakeholders across Utah, computed that the State of Utah faces an $11.3 billion shortfall for transportation infrastructure. The $11.3 billion shortfall includes local road, state road, and mass transit needs. While several bills attempted to address those transportation funding needs, ultimately no major bill passed in 2014. As an election year for all House members and half of the Senate, bills that authorized additional taxing authority did not do well. Team ULCT testified in support of the 2014 transportation bills and worked hard to promote them to elected officials. ULCT will continue to work with policymakers to educate them about local needs. Please watch for updates during the interim from ULCT staff via our website at www.ulct.org.

HB 272 | Municipal Election Amendments—Office Hours

FEB 13, FEB 19

Sponsor: **Knotwell, John**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/HB0272.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
The bill requires a city recorder or town clerk to maintain certain office hours during the municipal candidacy declaration and nomination period.

Municipal Impact/Requirements:
Most city recorders or town clerks must maintain office hours from 8 am to 5 pm from June 1 through June 7 (except for Saturdays, Sundays, or holidays) so that people have the opportunity to file for municipal office. If the recorder or clerk maintains an office schedule that is less than 40 hours per week, then the recorder or clerk may comply by simply posting the recorder's or clerk's contact information (phone number and email address) on the office door, at the municipal office, or on the municipal website. The recorder or clerk must still be available from 8 am to 5 pm during those dates via telephone or email.

ULCT Action/Future Trend:
Team ULCT worked with the bill sponsor to create the flexibility for small cities and towns who maintain an office schedule less than 40 hours per week. Legislators continue to seek ways to facilitate public access to government.

HB 273 | Land Development Revisions

Sponsor: **Snow, V. Lowry**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/HB0273.html
ULCT Position: **Neutral**

Legislative Purpose for the Bill:
The bill modifies the property tax residential exemption.

Municipal Impact/Requirements:
This bill allows part-year residential property in Utah to use the residential exemption if the property owner uses it as a residential property for 183 or more consecutive calendar days during the year.

ULCT Action/Future Trend:
None.

HB 276 | Disorderly Conduct Amendments

JAN 24, FEB 25, MAR 12, LPC FEB 24, LPC MAR 3

Sponsor: **Ray, Paul**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/HB0276.html
ULCT Position: **Neutral**

Legislative Purpose for the Bill:
The bill includes displaying a dangerous weapon within the definition of disorderly conduct under certain circumstances.

Municipal Impact/Requirements:
The bill defines that the carrying or possession of a holstered or encased firearm, without additional behavior or circumstances that would cause a reasonable person to believe that it was carried or possessed with criminal intent, is not disorderly conduct. The bill also clarifies that a law enforcement officer may approach or engage a person in a voluntary conversation.

ULCT Action/Future Trend:
This was year three that Team ULCT worked with legislators on this concept. After negotiations with the Utah Police Chiefs Association, Utah Sheriffs Association, the Utah Attorney General's Office, and ULCT, we came to a consensus on this legislation. As such, we don't expect future legislation.

HB 278 | Highway Construction Bid Limit Reduction

FEB 12, FEB 24

Sponsor: **Handy, Steve**
Bill Status: **Failed**
http://le.utah.gov/~2014/bills/static/HB0278.html
ULCT Position: **Opposed**

Legislative Purpose for the Bill:
The bill would have reduced the bid limit for a construction or improvement project on a class B or class C road.

Municipal Impact/Requirements:
No municipal impact. The bill did not pass.

ULCT Action/Future Trend:
Team ULCT met with Representative Handy who agreed to hold the bill. It is possible that the issue could surface anew.

HB 282S3 | Amendments to Election Laws

Sponsor: **Powell, Kraig**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/HB0282.html
ULCT Position: **Neutral**

Legislative Purpose for the Bill:
The bill allows a 16 or 17 year old individual to serve as a poll worker.

Municipal Impact/Requirements:
In city elections, cities can seek 16 or 17 year olds to serve as poll workers.

ULCT Action/Future Trend:
The initial bill also changed the write-in candidate deadline but the sponsor agreed to remove that language after meeting with Team ULCT. The write-in candidate timeline will continue to be an issue.

HB 300 | Municipal Election Questions

Sponsor: **Powell, Kraig**
Bill Status: **Failed**
http://le.utah.gov/~2014/bills/static/HB0300.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
The bill would have allowed cities to submit a nonbinding opinion question to the registered voters of the city.

Municipal Impact/Requirements:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
Several cities are interested in having this option so Team ULCT will pursue it again. Legislators expressed concerns about the scope and objectivity of the potential question so we will work to resolve those concerns.

HB 302S2 | Voting Records Amendments

Sponsor: **Edwards, Rebecca**
Bill Status: **Failed**
http://le.utah.gov/~2014/bills/static/HB0302.html
ULCT Position: **Neutral**

Legislative Purpose for the Bill:
The bill would have allowed a voter to request that his/her voter registration record be classified as a private record.

Municipal Impact/Requirements:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
After the local news media reported on the extent of personal data that is classified as a public record, several legislators sought to protect that data. While the bill did not pass, we expect future dialogue about personal data and election records.

HB 328 | Construction and Fire Codes Amendments

Sponsor: **Noel, Michael**
Bill Status: **Failed**
http://le.utah.gov/~2014/bills/static/HB0328.html
ULCT Position: **Opposed**

Legislative Purpose for the Bill:
The bill would have amended the State Construction and Fire Codes Act to allow the county legislative body in counties of the fourth, fifth, or sixth class to modify the fire code in unincorporated areas.

Municipal Impact/Requirements:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
We anticipate that there will continue to be scrutiny over what is required of builders through the building code. While this bill did not directly affect cities, and only applied to unincorporated areas, building officials expressed concern with the removal of uniformity in the building code. We anticipate this bill will be coming back.

HB 336S1 | Court System Task Force

Sponsor: **Peterson, Jeremy**
Bill Status: **Failed**
http://le.utah.gov/~2014/bills/static/HB0336.html
ULCT Position: **Neutral**

Legislative Purpose for the Bill:
The bill would have created an 18 member Court System Task Force to study issues regarding the structure, jurisdiction and organization of the court system in Utah.

Municipal Impact/Requirements:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
The bill initially passed the House and Senate but was recalled on the last night of the session. Legislators continue to review the justice court system and Team ULCT will work closely with policy makers, court administrators, and other stakeholders to examine the system.

HB 338 | Alcohol Beverage License Amendments

Sponsor: **Froerer, Gage**
Bill Status: **Failed**
http://le.utah.gov/~2014/bills/static/HB0338.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
The bill would have adjusted the alcohol quota system to separate dining clubs from other clubs and use excess reception center licenses for dining clubs.

Municipal Impact/Requirements:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
Several alcohol related bills arose and failed during the 2014 Legislature. Per long-standing ULCT policy, ULCT supports bills that would increase the quantity of restaurant licenses for the benefit of local economic development.

HB 340 | Local District Boundary Adjustments

FEB 19

Sponsor: **Peterson, Jeremy**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/HB0340.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
The bill allows the adjustment of a local district boundary.

Municipal Impact/Requirements:
The bill authorizes a municipality and a local district to adjust the boundary of the local district within the expansion area identified in the municipality's annexation policy plan.

ULCT Action/Future Trend:
None.

HB 344 | Incorporation Election Amendments

Sponsor: **Cox, Jon**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/HB0344.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
The bill amends provisions about incorporation elections.

Municipal Impact/Requirements:
The bill authorizes a county to hold a local special election on the proposed incorporation of a city or town.

ULCT Action/Future Trend:
The bill allows a willing county to prevent over a year's delay in the incorporation election process. We expect to see additional incorporation bills in the upcoming sessions.

HB 356S1 | New Convention Facility Development Incentive Provisions

LPC FEB 3

Sponsor: **Wilson, Brad**

Bill Status: **Enrolled**

http://le.utah.gov/~2014/bills/static/HB0356.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
The bill enabled the development of a new convention facility.

Municipal Impact/Requirements:
The bill enacts the New Convention Facility Development Incentive Act, which establishes certain tax credits, authorizes a community development and renewal agency to receive the revenue generated from the hotel property, and creates a "Stay Another Day and Bounce Back Account" and a "Hotel Impact Mitigation Fund."

ULCT Action/Future Trend:
After two years of effort, the Legislature passed this bill. The leaders of the bill presented to the LPC and the ULCT supported the bill once it included provisions that the hotel would be used as a centerpiece to promote other regions, cities, and towns throughout the state.

HB 369 | Missed Elections Amendments

Sponsor: **Cox, Jon**
Bill Status: **Failed**
http://le.utah.gov/~2014/bills/static/HB0369.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
The bill would have provided a procedure for a municipal general election or local district election that was not held but should have been held.

Municipal Impact/Requirements:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
After a Utah municipality failed to hold a general election, the Lieutenant Governor's office joined with the bill sponsor to create a process to hold a subsequent election. While the bill did not pass, Team ULCT expects to see a similar bill in the future.

HB 370 | Canal Safety Amendments

Sponsor: **Anderson, Johnny**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/HB0370.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
The bill modifies the definition of "water conveyance facility," requires the state engineer to inventory and maintain a list of all open, human-made water conveyance systems in the state by July 1, 2017, and requires the state engineer to contract with a local conservation district to provide technical support for a canal owner who is adopting a management plan.

Municipal Impact/Requirements:
This bill was drafted by the Land Use Task Force and approved by the Executive Water Task Force. It signals a shift in thinking about Canal Safety away from describing the canal safety problem as one caused by development/land use permits and toward describing canal safety similar to dam safety. The bill sponsor secured an appropriation to fund canal mapping and placed responsibility in the hands of the state engineer to develop and implement a statewide canal mapping strategy. Prior legislation to require mapping by the private canal companies had proven to be ineffective and left the state without valuable information to advance the cause of canal safety.

ULCT Action/Future Trend:
Once canals are mapped accurately, the bill sponsor intends to forward legislation that would fund and mandate an objective evaluation and subsequent ranking of the hazards posed by existing canals. Although this law does not mandate additional action, cities and towns that use irrigation canals to divert public storm water would be well-served by regularly evaluating whether the canals they use should be fortified to prevent damage to human life or private property.

HB 372 | Law Enforcement Notification Amendments

Sponsor: **Greenwood, Richard**
Bill Status: **Failed**
http://le.utah.gov/~2014/bills/static/HB0372.html
ULCT Position: **Opposed**

Legislative Purpose for the Bill:
This bill would have required a police chief to notify the director of the Peace Officer Standards and Training (POST) Division within 90 days of being made aware of an allegation against a peace officer within the agency, investigate the allegation, and to report whether the allegation is confirmed and amounts to a violation that could result in a suspension or revocation of the officer's certification.

Municipal Impact/Requirements:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
None.

HB 378 | Road Improvement Projects Amendments

Sponsor: **Knotwell, John**
Bill Status: **Failed**
http://le.utah.gov/~2014/bills/static/HB0378.html
ULCT Position: **Neutral**

Legislative Purpose for the Bill:
This bill would have repealed the requirement to advertise a bid for a class B or class C road in a newspaper of general circulation at least once a week for three consecutive weeks. Instead, the bill would have required the advertisement to be published for three consecutive weeks on a state website.

Municipal Impact/Requirements:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
The bill did not pass in part due to opposition from the Utah Media Coalition and concerns that not publishing the advertisements in the newspaper would appear like the bid process was not open and secretive. Team ULCT met with the sponsor and the Coalition and will continue to seek ways to facilitate the bid process while also ensuring that the process stays transparent.

HB 381S1 | Local Government Interfund Loans

Sponsor: **Knotwell, John**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/HB0381.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
The bill amended how cities can utilize interfund loans.

Municipal Impact/Requirements:
Going forward, municipalities must put an interfund loan in writing, approve the loan by ordinance or resolution and provide notice and a public hearing (with an exception). The bill also places restrictions on the length of the loan and the interest rate.

ULCT Action/Future Trend:
Team ULCT met with the bill sponsor to confirm language. This is another bill that had its impetus in the State Auditor's office as the Auditor seeks avenues to ensure transparency and accountability of municipal financial conduct. After consulting with the Government Finance Officers Association (GFOA), it was concluded that this change was appropriate and would not adversely impact municipal financing operations. This again was a part of the larger trend of more transparency in government finance.

HB 382S2 | Limited Purpose Local Government Entities Amendments

Sponsor: **Dee, Brad**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/HB0382.html
ULCT Position: **Neutral**

Legislative Purpose for the Bill:
This bill addresses the appointment process of an improvement district board of trustees and clarifies that a special service district is a political subdivision of the state similar to a local district.

Municipal Impact/Requirements:
None.

ULCT Action/Future Trend:
None.

HB 387 | Highway Amendments

Sponsor: **McKell, Mike**
Bill Status: **Failed**
http://le.utah.gov/~2014/bills/static/HB0387.html
ULCT Position: **Opposed**

Legislative Purpose for the Bill:
This bill would have altered the process for abandonment of dedicated highways.

Municipal Impact/Requirements:
No municipal impact. This bill did not pass.

Municipal Impact/Requirements:
None.

HB 388S1 | Amendments to Transportation Funding

FEB 27, MAR 3, MAR 6, MAR 10, LPC MAR 3

Sponsor: **Anderson, Johnny**
Bill Status: **Failed**
http://le.utah.gov/~2014/bills/static/HB0388.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
This bill would have authorized certain counties or cities to increase sales and use tax rates for public transit.

Municipal Impact/Requirements:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
HB388S1 passed the House but failed on the final night in the Senate when only one-third of all Senators voted in favor of debating the bill.

Transportation funding will continue to dominate political discussion on Capitol Hill. The Statewide Unified Plan, created by stakeholders across Utah, computed that the State of Utah faces an $11.3 billion shortfall for transportation infrastructure. The $11.3 billion shortfall includes local road, state road, and mass transit needs. While several bills attempted to address those transportation funding needs, ultimately no major bill passed in 2014. As an election year for all House members and half of the Senate, bills that authorized additional taxing authority did not do well. Team ULCT testified in support of the 2014 transportation bills and worked hard to promote them to elected officials. ULCT will continue to work with policymakers to educate them about local needs. Please watch for updates during the interim from ULCT staff via our website at www.ulct.org.

HB 389 | Voter Eligibility Amendments

MAR 5, MAR 10

Sponsor: **Webb, R. Curt**

Bill Status: **Failed**

http://le.utah.gov/~2014/bills/static/HB0389.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
The bill would have limited the scope of a district court's review of an election officer's decision on a challenge to a voter's right to vote.

Municipal Impact/Requirements:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
Team ULCT worked on the drafting of the bill and successfully lobbied the bill unanimously through the House. Unfortunately, the bill was stuck in the logjam on the final day of the session. We will bring the bill forward again in the 2015 session so that we resolve the issue prior to the next municipal election.

HB 408 | Election Requirements Amendments

Sponsor: **Christofferson, Kay**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/HB0408.html
ULCT Position: **Neutral**

Legislative Purpose for the Bill:
The bill requires a ballot to contain a space for a write-in candidate and changes the deadline for filing as a write-in candidate.

Municipal Impact/Requirements:
A write-in candidate must file a declaration of candidacy not later than 60 days before the municipal general election.

ULCT Action/Future Trend:
None.

HB 413 | Voter Accountability in Political Subdivisions

FEB 28, MAR 5, MAR 6, LPC MAR 3

Sponsor: **Stratton, Kevin**

Bill Status: **Failed**

http://le.utah.gov/~2014/bills/static/HB0413.html

ULCT Position: **Opposed**

Legislative Purpose for the Bill:
The bill would have required all city managers and city attorneys to stand for retention elections and required cities to hold retention elections for their forms of government.

Municipal Impact/Requirements:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
ULCT staff jumped on this bill as soon as it was released. ULCT met with the sponsor, spoke with committee members, and recruited ULCT members to testify. Initially the sponsor wanted the issue to go to interim because he felt that city managers and attorneys had more influence than the elected officials. However, Team ULCT stymied any efforts for major legislative study on the bill.

HB 422S1 | Initiative and Referendum Impact Disclosure

MAR 3, MAR 13

Sponsor: **Last, Brad**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/HB0422.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
The bill requires that a local initiative and a local referendum contain a fiscal impact estimate and information about the legal impact.

Municipal Impact/Requirements:
HB422S1 was a Land Use Task Force bill offered to remedy an information gap with respect to local initiatives and referenda. The bill will aid the public's understanding of the impact of local referenda and initiatives. Previously, state law prohibited a city or town from "expending funds" in opposition to an initiative or referenda. That prohibition has obvious merits--public funds should not be spent to thwart an initiative or referenda—but is overbroad because it prevented cities from informing the public of the objective costs and liabilities of a successful initiative or referendum.

For example, the bill now allows a city to inform its voters that they (as taxpayers) may be required to pay for the value of the land use permit that would be "taken" as a consequence of a successful referendum. The value of a land use permit can be worth hundreds of millions of dollars. "Takings" awards are often not covered by public insurance or sovereign immunity. A positive vote may both stop the development and cost taxpayers a significant amount of money.

The bill thus requires a city to prepare an objective analysis and to share its analysis with the public in an open public meeting. It does not allow the city to spend funds in opposition to the initiative or referenda, or to intercede in the public process in any other manner.

ULCT Action/Future Trend:
Team ULCT drafted bill language, prepared talking points, met with legislators, and organized support for the bill in committee and on the floor of both chambers.

HB 434 | Local Sales and Use Tax Amendments

LPC MAR 3

Sponsor: **Nielson, Jim**
Bill Status: **Failed**
http://le.utah.gov/~2014/bills/static/HB0434.html
ULCT Position: **Neutral**

Legislative Purpose for the Bill:
This bill would have addressed the distribution of sales and use taxes if the Marketplace Fairness Act (online sales tax) passes Congress.

Municipal Impact/Requirements:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
Team ULCT has been monitoring the Marketplace Fairness Act in Congress for years because the Congressional authorization of online sales tax could generate millions of dollars of sales tax revenues for Utah's local governments. The Act passed the Senate in the summer of 2013 and is currently awaiting a hearing in the House. The State of Utah is a member of the Streamlined Sales Tax Agreement and has created a Remote Sales Restricted Account, both of which are necessary steps to implement online sales tax if the Act passes. During the interim, Team ULCT will discuss the necessary next steps so as to be prepared if Congress enacts the Act this year.

SB 17 | Water and Irrigation Amendments

Sponsor: **Dayton, Margaret**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/SB0017.html
ULCT Position: **Neutral**

Legislative Purpose for the Bill:
This bill enhances penalties for a person to engage in well drilling without a permit, enables an agency, government, or person to relocate a natural stream channel to alleviate or mitigate a threat before the State Engineer issues a permit, and empowers the State Engineer to regulate and control the use of water by closing or partially closing a controlling work of a ditch, canal, pipe, flume, well or tunnel to prevent the waste of water of excessive use.

Municipal Impact/Requirements:
The bill gives additional authority to the State Engineer to control the state's water resources.

ULCT Action/Future Trend:
The bill was a consensus-based Executive Water Task Force bill. The Executive Water Task Force did not receive funding for 2014-2015. The ULCT will facilitate consensus-based water discussions with stakeholders during the interim.

SB 18 | Local Government Development Amendments

Sponsor: **Thatcher, Daniel**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/SB0018.html
ULCT Position: **Neutral**

Legislative Purpose for the Bill:
This bill cleaned up language about the "general fund" in the municipal and county sections of the code.

Municipal Impact/Requirements:
None.

ULCT Action/Future Trend:
None.

SB 21S1 | State Construction Code Amendments

Sponsor: **Dayton, Margaret**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/SB0021.html
ULCT Position: **Neutral**

Legislative Purpose for the Bill:
This bill exempts a structure used to sell seasonal crops from the State Construction Code requirements.

Municipal Impact/Requirements:
If your community allows additional structures that solely sell seasonal crops that are no more than 1,000 square feet, then your community cannot require a permit.

ULCT Action/Future Trend:
None.

SB 28 | Utah Retirement Amendments

Sponsor: **Weiler, Todd**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/SB0028.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
The bill modifies retirement provisions in the Utah State Retirement and Insurance Benefit Act and the Utah State Personnel Management Act.

Municipal Impact/Requirements:
The bill clarifies reporting provisions for participating employers, expands certain CPI increases and makes changes to both the Tier I and Tier II programs.

ULCT Action/Future Trend:
Legislators continue to monitor retirement and other benefits closely. Utah's retirement system is in a much more stable financial situation than most governments around the country.

SB 45S2 | Military Installation Development Authority Amendments

Sponsor: **Stevenson, Jerry**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/SB0045.html
ULCT Position: **Neutral**

Legislative Purpose for the Bill:
The bill expands the definition of "development" under the Military Installation Development Authority Act to include the demolition, construction, reconstruction, expansion, or improvement of a building, facility, utility, landscape, parking lot, park, trail, or other amenity. The bill also expands the definition of "Publicly owned infrastructure and improvements" and "Solid waste management facility."

Municipal Impact/Requirements:
Only a handful of cities interact with property governed by the Military Installation Development Authority Act. The bill was requested by Hill AFB to facilitate energy production that will serve the base facilities.

ULCT Action/Future Trend:
None.

SB 51S1 | Local Government Entities Amendments

MAR 3

Sponsor: **Stevenson, Jerry**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/SB0051.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
This bill is the Utah Association of Special Districts' annual "cleanup" bill.

Municipal Impact/Requirements:
The bill contained over 2000 lines of text and became something of a workhorse for a variety of local government issues that were not exclusive to local districts: from prohibiting cities from spending enterprise fund money for a purpose not directly related to the goods or services that the enterprise fund was created, to allowing the auditor to suspend accounts if the local district fails to prepare and submit a budget. The bill required staggered terms for board members, allows a local district to provide assistance to non-profits for the first instance in state history and allows added flexibility to enhance reserve funds. The bill included many provisions that were unique to the Utah Transit Authority, including authorization for UTA to invest in and develop up to eight additional transit-oriented developments on the Wasatch Front.

ULCT Action/Future Trend:
The UASD proposes a "cleanup bill" annually. The ULCT worked with several groups on the "cleanup" bill. Because the bill was used to address accounting practices for cities, audit reporting requirements and authorization of transit oriented development, please read the bill for a complete analysis. This bill does contain the negotiated accounting language that was originally in HB66 which governs enterprise fund expenditures and transfers.

SB 56S1 | Risk Management Amendments

MAR 13

Sponsor: **Bramble, Curt**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/SB0056.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
This bill provides that the use of public school property (building or grounds) for civic center purposes (meetings or activities) is considered a permit for governmental immunity purposes for a governmental entity.

Municipal Impact/Requirements:
If your city engages in any activities on school property (i.e. recreational soccer, Town Hall meetings, etc.), then the use of that school property qualifies the city for standard governmental immunity protection.

ULCT Action/Future Trend:
None.

SB 60 | Fuel Excise Tax Amendments

FEB 21, FEB 27, MAR 3, MAR 4, MAR 6, LPC MAR 3

Sponsor: **Valentine, John**

Bill Status: **Failed**

http://le.utah.gov/~2014/bills/static/SB0060.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
This bill would have modified the Motor and Special Fuel Tax Act by changing the motor and special fuel tax rates. The bill would have reduced the state gas tax from 25.5 cents to 14 cents per gallon and then implement a percentage based tax on gas. The effort attempted to provide a growth and inflationary component to the existing motor fuel tax.

Municipal Impact/Requirements:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
Transportation funding will continue to dominate political discussion on Capitol Hill. The Statewide Unified Plan, created by stakeholders across Utah, computed that the State of Utah faces an $11.3 billion shortfall for transportation infrastructure. The $11.3 billion shortfall includes local road, state road, and mass transit needs. While several bills attempted to address those transportation funding needs, ultimately no major bill passed in 2014. As an election year for all House members and half of the Senate, bills that authorized additional taxing authority did not do well. Team ULCT testified in support of the 2014 transportation bills and worked hard to promote them to elected officials. ULCT will continue to work with policymakers to educate them about local needs. Please watch for updates during the interim from ULCT staff via our website at www.ulct.org.

SB 61 | Revisions to Property Tax

Sponsor: **Henderson, Deidre**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/SB0061.html
ULCT Position: **Neutral**

Legislative Purpose for the Bill:
This bill modifies the procedures and requirements for imposing a property tax levy that exceeds the certified tax rate.

Municipal Impact/Requirements:
This bill only applies to calendar year taxing entities.

ULCT Action/Future Trend:
None.

SB 70 | State Data Portal Amendments

MAR 13

Sponsor: **Henderson, Deidre**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/SB0070.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
This bill requires the public information website for the State of Utah to include an access point for all GRAMA requests for all public entities and include links to already existing public information.

Municipal Impact/Requirements:
By January 1, 2016, the state information website must be a point of access for GRAMA requests for cities.

ULCT Action/Future Trend:
Team ULCT engaged with the bill sponsor to modify the bill. Initially, the bill declared that the state website would be the sole point of access for GRAMA requests. Team ULCT successfully lobbied to broaden the language about access and clarify that links to existing webpages (such as an individual city's GRAMA portal) would also be sufficient. The legislature continues to examine ways to make government more transparent to the public and we expect more legislation in the sessions to come.

SB 82 | Property Rights Related to Outdoor Advertising

LPC MAR 13

Sponsor: **Dayton, Margaret**
Bill Status: **Failed**
http://le.utah.gov/~2014/bills/static/SB0082.html
ULCT Position: **Opposed**

Legislative Purpose for the Bill:
This bill would have prohibited cities from enacting or enforcing electronic billboard ordinances or from preventing the upgrading of existing paper billboards to electronic billboards.

Municipal Impact/Requirements:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
SB 82 and SB 223 were conflicting billboard bills that both failed. SB 82 would have granted excessive legal discretion to the outdoor advertising industry for the upgrade or erection of electronic billboards. SB 223, on the other hand, would have narrowly defined the process for erecting or renewing signs. The legislature is weary of billboard battles and refused to consider either bill. The outdoor advertising industry brings a new bill annually and we continue to defend local land use authority and local control.

SB 90S1 | Residency Requirements

Sponsor: **Weiler, Todd**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/SB0090.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
This bill modifies voting residency requirements.

Municipal Impact/Requirements:
This bill changes the definition of "principal place of residence" and "resident" and creates a rebuttable presumption that a person is a resident in his/her voting precinct. Going forward, a person will lose his/her "principal place of residence" if the person moves to another state or precinct and forms the intent of making the new state or residence the "principal place." The bill also outlines factors for an election official to use in determining the "principal place of residence."

ULCT Action/Future Trend:
Team ULCT worked with the bill sponsor to clarify the factors for an election official to use.

SB 94 | Security Personnel Licensing Act Amendments

Sponsor: **Dayton, Margaret**
Bill Status: **Failed**
http://le.utah.gov/~2014/bills/static/SB0094.html
ULCT Position: **Neutral**

Legislative Purpose for the Bill:
This bill would have modified the ability of peace officers to engage in off-duty employment as security officers.

Municipal Impact/Requirements:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
None.

SB 111S3 | Education Funding Equalization

Sponsor: **Osmond, Aaron**
Bill Status: **Failed**
http://le.utah.gov/~2014/bills/static/SB0111.html
ULCT Position: **Neutral**

Legislative Purpose for the Bill:
This bill would have amended the calculation of the school minimum basic tax rate and the amount of revenue allocated from the Minimum Basic Growth Account.

Municipal Impact/Requirements:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
ULCT has a long-standing policy of not getting involved in school district and school funding battles. ULCT represents cities on all sides of the school district debate and believes that school district policy and funding equalization are not within our purview.

SB 113 | Public Meetings Amendments

FEB 19, FEB 20

Sponsor: **Mayne, Karen**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/SB0113.html
ULCT Position: **Support after ULCT amendment**

Legislative Purpose for the Bill:
This bill requires that specified public bodies that meet on Capitol Hill must provide public notice of their meetings.

Municipal Impact/Requirements:
None.

ULCT Action/Future Trend:
UInitially, the bill defined "specified body" as any administrative, advisory, executive, or legislative body that included at least one elected official, including municipal officials. Team ULCT worked with the bill sponsor to narrow the language so that it only applies to bodies that include a legislator.

SB 134 | Taxation Related Referendum Amendments

FEB 6, FEB 21, FEB 25, FEB 27, LPC FEB 10, LPC FEB 24

Sponsor: **Valentine, John**

Bill Status: **Enrolled**

http://le.utah.gov/~2014/bills/static/SB0134.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
This bill changes the time periods for "Truth in Taxation" referendum petitions.

Municipal Impact/Requirements:
The bill now allows for a referendum election to occur in the same calendar year as the Truth in Taxation hearing. Prior to the bill, the city has 5 days to number packets, 15 days to prepare the referendum packet, and 30 days to verify signatures. Now, the city will have 2 days to number and prepare the packets and 12 days to verify signatures. The condensing of the city timeline empowers the citizen group to have 40 days to gather signatures and still provide at least 30 days for a campaign to occur. In this way, the city receives the security and predictability of knowing that the election will occur in the same calendar year and the city won't have to wait in limbo for another year. The citizen group receives more time to gather signatures as well.

ULCT Action/Future Trend:
Team ULCT was heavily involved in drafting the bill, shepherding it through the process, and negotiating the final details. Several cities around the state have faced "Truth in taxation" referenda in recent years and this bill should facilitate greater stability and predictability in the process.

SB 136S1 | Local Elections Amendments

Sponsor: **Stephenson, Howard**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/SB0136.html
ULCT Position: **Neutral**

Legislative Purpose for the Bill:
The bill empowers cities to administer an election on a local tax law referendum entirely by absentee ballot.

Municipal Impact/Requirements:
The bill empowers cities to administer an election on a local tax law referendum entirely by absentee ballot.

ULCT Action/Future Trend:
Team ULCT ensured that the language, dates, and details of SB 136 matched the language, dates, and details of SB 134 (above).

SB 139S4 | Transportation Funding Revisions

Sponsor: **Harper, Wayne**
Bill Status: **Failed**
http://le.utah.gov/~2014/bills/static/SB0139.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
This bill would have reallocated a portion of certain bond proceeds and funds from the Transportation Investment Fund of 2005 to UDOT for certain transportation infrastructure projects.

Municipal Impact/Requirements:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
Transportation funding will continue to dominate political discussion on Capitol Hill. The Statewide Unified Plan, created by stakeholders across Utah, computed that the State of Utah faces an $11.3 billion shortfall for transportation infrastructure. The $11.3 billion shortfall includes local road, state road, and mass transit needs. While several bills attempted to address those transportation funding needs, ultimately no major bill passed in 2014. Team ULCT testified in support of the 2014 transportation bills and worked hard to promote them to elected officials. ULCT will continue to work with policymakers to educate them about local needs. Please watch for updates during the interim from ULCT staff via our website at www.ulct.org.

SB 158 | Cemetery Amendments

Sponsor: **Anderson, Johnny**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/SB0158.html
ULCT Position: **Amend and Support**

Legislative Purpose for the Bill:
This bill requires that a cemetery's executive officer or owner file a transcript of deed, certificate of sale, or evidence of burial rights with a county recorder. The cemetery must also establish a record keeping system.

Municipal Impact/Requirements:
Share notice of this bill with your cemetery's executive officer.

ULCT Action/Future Trend:
Team ULCT worked with the bill sponsor and both private and public cemetery officials to modify language. Initially, the bill would have required a cumbersome recording process, but was significantly modified at Team ULCT's request.

SB 169S2 | Public Meetings Materials Requirements

FEB 7, FEB 11, FEB 12, FEB 19

Sponsor: **Henderson, Deidre**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/SB0169.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
This bill mandates public bodies require an individual who provides electronic information during an open meeting to also provide a hard or electronic copy of the information to the city.

Municipal Impact/Requirements:
The "electronic information" need not be posted online with the minutes but is considered part of the public record.

ULCT Action/Future Trend:
With the sponsor's blessing, Team ULCT narrowed the definition of "electronic information," clarified that anything a member of the public presents in a public meeting will be part of the official public record, and determined that an individual who provides electronic information during a public meeting must provide a hard or electronic copy to the city. The previous version of the bill would have required cities to post online all materials that an individual presented at a public meeting.

SB 179S3 | Procurement Revisions

Sponsor: **Jenkins, Scott**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/SB0179.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
This bill modifies the Utah Procurement Code.

Municipal Impact/Requirements:
Municipal governments are still exempt from the state procurement code.

ULCT Action/Future Trend:
Team ULCT participated in the extensive re-write of the Utah Procurement Code last year. This year's bill was primarily a clean-up effort.

SB 184S1 | Local Government Inspection Amendments

FEB 18, FEB 26, MAR 5, MAR 6, LPC FEB 24

Sponsor: **Adams, J. Stuart**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/SB0184.html
ULCT Position: **Support as amended**

Legislative Purpose for the Bill:
The bill addresses fees for construction inspections and limits when a city can deny a permit or withdraw of certificate of occupancy.

Municipal Impact/Requirements:
The bill requires that the fees collected by the city shall ensure that the construction projects receive a prompt inspection. For cities, if the city cannot provide a building inspection within three business days, then the city must engage an independent inspector. For towns, they would not have the independent inspector requirement.

ULCT Action/Future Trend:
Team ULCT successfully lobbied to modify the bill. The previous version mandated that funds collected for (a) building permits and inspections or (b) land use applications (i.e. subdivisions or rezoning) may not be transferred out of the "division or department" that collected the fee. The previous version also did not have a carve-out for towns. This bill was a top priority for members of the development community that are not active participants in the LUTF. Team ULCT negotiated with their lobbyists to achieve a bill that municipal building inspectors support and that satisfies

a longstanding concern of an up and coming legislator. The bill no longer regulates the use of municipal permit funds, but requires a city to backfill inspection staff with qualified contract inspectors of their choice if the City cannot schedule an inspection within 48 hours of a request and the applicant asks the city use a city-approved contract inspector. The last-minute nature of the bill troubled Team ULCT. Traditionally, Team ULCT funnels all land use bills through the Land Use Task Force that ULCT hosts monthly during the interim. The Land Use Task Force brings together private and public sector voices to resolve land use issues before they become controversial bills during the frantic legislative session.

SB 185 | Law Enforcement Transparency

Sponsor: **Henderson, Deidre**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/SB0185.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
This bill modifies the Code of Criminal Procedure about how law enforcement agencies report information.

Municipal Impact/Requirements:
The bill requires municipal law enforcement agencies to annually report about "reportable incidents" to the Commission on Criminal and Juvenile Justice. "Reportable incidents" are defined as the "deployment of a tactical group" or when law enforcement officers "serve a search warrant after using forcible entry."

ULCT Action/Future Trend:
The bill reflects a trend toward transparency.

SB 187 | Highway Rights-of-way Amendments

Sponsor: **Adams, J. Stuart**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/SB0187.html
ULCT Position: **Neutral**

Legislative Purpose for the Bill:
This bill modifies the Rights-of-Way Act about abandonment and dedication of a highway to the public.

Municipal Impact/Requirements:
This bill clarifies that a "highway," street," or "road" does not include an area principally used as a parking lot. The bill also clarifies that a barricade need not be maintained in order to be considered an interruption to the continuous use of the public thoroughfare.

ULCT Action/Future Trend:
None.

SB 188S1 | Local Option Sales Tax Amendments

Sponsor: **Henderson, Deidre**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/SB0188.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
This bill amends the Local Option Sales and Use Taxes for Transportation Act.

Municipal Impact/Requirements:
This bill provides additional flexibility for Counties of the Second Class to spend dedicated sales tax on transportation projects, including Class C roads, traffic and pedestrian safety, and active transportation.

ULCT Action/Future Trend:
None.

SB 190 | Utility Fee Limitations

FEB 18

Sponsors: **Valentine, John**
Bill Status: **Failed**
http://le.utah.gov/~2014/bills/static/SB0190.html
ULCT Position: **Opposed**

Legislative Purpose for the Bill:
This bill would have prohibited cities from cross-subsidizing, including the use of fees, any of their cable television or public telecommunications services.

Municipal Impact/Requirements:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
This bill was targeted at Utopia. While the bill did not pass, the legislature continues to express concern over municipal involvement in telecommunications. The ULCT continues to advocate for municipal autonomy to promote connectivity in their communities.

SB 211 | Water Rights Amendments

FEB 20, FEB 21, FEB 26, LPC FEB 24

Sponsor: **Dayton, Margaret**
Bill Status: **Failed**
http://le.utah.gov/~2014/bills/static/SB0211.html
ULCT Position: **Oppose**

Legislative Purpose for the Bill:
This bill would have empowered the state engineer, upon receiving a change application, to determine the quantity of water that is available for change and limit approval of the change application to far less than the quantity of water that is beneficially used under the right. The bill is the Water Forfeiture Amendments bill from 2013. It was drafted to address the Utah Supreme Court's Big Ditch and Jensen holdings in 2011.

Municipal Impact/Requirements:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
The Executive Water Task Force, Water Coalition, ULCT, and other members of the water community agreed this past summer to not pursue in 2014 the issues from last year's SB 109. However, SB 211 not only included the SB 109 issues but also could have eliminated cities' hard-fought protection from forfeiture from HB 51 in 2008. The bill failed to gain traction because of the political dynamics between the House and Senate. Nevertheless, we expect a similar bill to return next year. ULCT intends to convene a water working group to try to resolve the legal and political issues during the 2014 interim.

SB 216S3 | Municipal Formation Amendments

FEB 27, LPC MAR 3

Sponsor: **Mayne, Karen**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/SB0216.html
ULCT Position: **Neutral**

Legislative Purpose for the Bill:
This bill suspends the current township boundaries in Salt Lake County and prevents any incorporation or annexation effort until November 15, 2015. The bill also enacts the "Municipal Services District Act," re-defines the "municipal-type services" that a county may provide (to include animal services, storm drains, traffic engineering, code enforcement, business licensing, building permits, and building inspections), and requires Salt Lake County to study the governance and delivery of services to unincorporated Salt Lake County.

Municipal Impact/Requirements:
None.

ULCT Action/Future Trend:
Team ULCT monitored the bill because what happens in Salt Lake County can impact what happens in other counties around the state. For years, city officials within Salt Lake County have expressed concerns about the unincorporated areas and the county providing municipal services to those areas. Additionally, ULCT recognizes that several other counties are providing municipal services and following in the Salt Lake County model. After Millcreek Township failed to incorporate in 2012, the new Salt Lake County Mayor pledged to work with the townships and cities to find consensus.

SB 223 | Billboard Related Amendments

LPC FEB 24, LPC MAR 3

Sponsor: **Urquhart, Steve**
Bill Status: **Failed**
http://le.utah.gov/~2014/bills/static/SB0223.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
This bill would have prohibited the placement of a sign on certain property and allowed a property owner, city, county, or UDOT to file an action to void certain outdoor advertising agreements.

Municipal Impact/Requirements:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
SB 82 and SB 223 were conflicting billboard bills that both failed. SB 82 would have granted excessive legal discretion to the outdoor advertising industry for the upgrade or erection of electronic billboards. SB 223, on the other hand, would have narrowly defined the process for erecting or renewing signs. The legislature is weary of billboard battles and refused to consider either bill. The outdoor advertising industry brings a new bill annually and we continue to defend local land use authority and local control.

SB 228 | Geographic Diversity Amendments

Sponsor: **Reid, Stuart**
Bill Status: **Failed**
http://le.utah.gov/~2014/bills/static/SB0228.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
This bill would have required initiative or referendum petitions to meet certain signature requirements within a majority of the precincts.

Municipal Impact/Requirements:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
None.

SB 232S1 | School Safety Tip Line

MAR 3, MAR 5, MAR 10, MAR 13

Sponsor: **Thatcher, Daniel**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/SB0232.html
ULCT Position: **Neutral after ULCT amendment**

Legislative Purpose for the Bill:
This bill creates a statewide School Safety Tip Line.

Municipal Impact/Requirements:
No municipal impact.

ULCT Action/Future Trend:
This bill has no municipal impact because of the quick thinking and action of Provo City and Team ULCT. Initially, SB 232 would have re-purposed the "311" hotline from its current municipal non-emergency use to a statewide suicide prevention line. However, the FCC designated "311" as a non-emergency hotline in the 1990s and Provo already uses "311" as a customer service non-emergency hotline. Team ULCT provided an amendment, accepted by the Senate, which removed "311" from the bill and mandated that the Attorney General's office create the hotline with a different phone number.

SB 235 | Transportation Revisions

FEB 27

Sponsor: **Harper, Wayne**
Bill Status: **Failed**
http://le.utah.gov/~2014/bills/static/SB0235.html
ULCT Position: **Opposed**

Legislative Purpose for the Bill:
This bill would have limited what an impound yard could charge for a vehicle if the vehicle was being held as evidence, prohibited an airport authority from regulating transportation outside the airport's geographical limits, and required that Salt Lake City International Airport have at least nine rental car vendors.

Municipal Impact/Requirements:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
Even though this bill was targeted specifically at Salt Lake City, Team ULCT met with the bill sponsor to express our opposition and arrange a meeting with Salt Lake City officials. He in turn met with Salt Lake City officials and later agreed to hold his bill.

SB 237 | Urban Farming Amendments

FEB 27

Sponsor: **Adams, J. Stuart**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/SB0237.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
This bill includes counties of the second class in the definition of "urban farming," declares that land can be considered agricultural use if it is at least two contiguous acres, and states that land withdrawn from assessment is subject to a rollback tax for the previous five years.

Municipal Impact/Requirements:
The bill will reduce rollback payments from urban farming land that is converted to development.

ULCT Action/Future Trend:
None.

SB 243 | Air Quality Programs

FEB 27, FEB 28, MAR 3, MAR 5, LPC MAR 3

Sponsor: **Adams, J. Stuart**
Bill Status: **Failed**
http://le.utah.gov/~2014/bills/static/SB0243.html
ULCT Position: **Opposed**

Legislative Purpose for the Bill:
The bill would have required utilities (including municipal utilities) to charge and collect $1 per month from customers and remit the collection to an interlocal entity that would seek methods to improve air quality.

Municipal Impact/Requirements:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
ULCT staff and ULCT members voiced concerns in committee last week—including the state of Utah using local utility billing and local funds to pay for state priorities, the lack of detail about the interlocal entity that would receive the money, and the administrative burden—but the bill passed out of committee because of the political effort to improve Utah's air quality. Senator Adams presented the bill to the LPC and again ULCT members voiced opposition and ultimately voted to oppose the bill. Team ULCT joined a coalition of other opponents and the bill never came up for a vote in the House.

SB 244S1 | Modifications to Property Tax

Sponsor: **Osmond, Aaron**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/SB0244.html
ULCT Position: **Neutral**

Legislative Purpose for the Bill:
This bill amended property tax notices provisions.

Municipal Impact/Requirements:
The bill authorizes the county treasurer to provide property tax notice by email if a taxpayer elects that option.

ULCT Action/Future Trend:
None.

SB 245 | Internet Voting Pilot Project Amendments

Sponsor: **Bramble, Curt**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/SB0245.html
ULCT Position: **Neutral**

Legislative Purpose for the Bill:
The bill allows counties to implement an internet voting pilot project to permit either uniformed service voters or voters with a disability to register to vote and to vote electronically.

Municipal Impact/Requirements:
None.

ULCT Action/Future Trend:
None.

SB 250 | Public Duty Doctrine Amendments

Sponsor: **Bramble, Curt**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/SB0250.html
ULCT Position: **Neutral**

Legislative Purpose for the Bill:
This bill dictates that a governmental entity owes a general duty of care to the public. That general duty does not create a specific duty to an individual member of the public, unless there is a special relationship between the governmental entity and the individual member of the public.

Municipal Impact/Requirements:
None.

ULCT Action/Future Trend:
None.

SB 253S1 | Distracted Driver Amendments

MAR 3

Sponsor: **Urquhart, Steve**
Bill Status: **Enrolled**
http://le.utah.gov/~2014/bills/static/SB0253.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
This bill modifies the definition of "careless driving," re-defines "handheld wireless communication device" and changes the exception for when a person can legally use such a device while operating a motor vehicle.

Municipal Impact/Requirements:
Law enforcement officers now have another tool to monitor, prevent, and enforce careless driving.

ULCT Action/Future Trend:
None.

SB 267S1 | Governmental Immunity Act Amendments

MAR 6, MAR 10

Sponsor: **Weiler, Todd**

Bill Status: **Enrolled**

http://le.utah.gov/~2014/bills/static/SB0267.html

ULCT Position: **Neutral after ULCT amendment**

Legislative Purpose for the Bill:
This bill provides that a governmental entity may not challenge the timeliness of a notice of claim if the claimant had previously erroneously filed a claim with another governmental entity in good faith. The claimant would need to prove that he/she filed in a timely manner with the incorrect entity.

Municipal Impact/Requirements:
This bill provides some flexibility for claimants who erroneously but in good faith filed a claim with the incorrect governmental entity.

ULCT Action/Future Trend:
The initial version of the bill would have mandated that cities had a duty to notify claimants when they incorrectly filed their notice of claim and offered claimants additional time to correct the misfiling. After Team ULCT met with the bill sponsor, he agreed to drop the provision that established a burden on the city. He also agreed to the provision that the claimant needed to prove that he/she filed erroneously in good faith.

Friday Facts: January 10th 2014

Hello folks,
If it is Friday, it must be time for the first ULCT Friday Facts of 2014. We hope you enjoyed your holiday and that you are prepared for the year ahead, starting with the legislative session. On Saturday, we will be training more newly elected officials in Provo—Go UTES!—and we welcome them to team ULCT. This email will have updates about transportation funding, trails, ULCT outreach, and our upcoming Local Officials Day at the legislature on Wednesday, January 29.

Transportation funding:
First of all, the legislature has heard loud and clear that the need for additional local government transportation funding exists. The politics of the funding solution are fluid. Legislators are examining local and state needs and the current and future potential of different types of revenue streams. ULCT staff meets daily with stakeholders and policy makers and we are still optimistic that local government transportation funding will be addressed in the 2014 session. For now, please continue to reach out to legislators about the needs in your community & report their feedback to us.

Trails:
ULCT staff continues to press forward with a proposal that would restore a limited use of eminent domain authority to complete trail systems. The proposal would empower the Quality Growth Commission to review the potential municipal eminent domain for a trail. The bill is still currently being drafted so more specific legal details will be forthcoming. This week, ULCT's Cameron Diehl and Susan Wood met with the Wasatch Front Regional Council's Active Transportation Committee and with the Salt Lake County Bicycle Advisory Committee. If you know of additional groups that could be allies in this effort, please let us know.

ULCT Outreach:
On Wednesday, Ken Bullock, Lincoln Shurtz, and Cameron Diehl met with the Salt Lake County City Managers to discuss transportation funding, alcohol policy, and trails. On Thursday, the trio met with the Utah County Council of Governments and gave updates on impact fees, GRAMA, and alcohol policy. If your city or organization wants a specific issue addressed, please let us know. We are in the process of building a bill tracking list and other preparations for the session. If you spot a particular issue, please let us know so that we can get working on it.

Important Dates:

PLEASE JOIN US FOR LOCAL OFFICIALS DAY ON WEDNESDAY, JANUARY 29! The youth city councils will meet at the capitol for legislative roleplays in the morning (registration at 7 am). We invite you as city officials to join us both at the capitol to meet with legislators and at lunch at the Salt Palace at 12:15. Legislators will engage in a game of Family Feud and the survey responses come directly from your youth council members and Utah high school students.

You can register for Local Officials Day here:
http://www.ulct.org/land-use/regional-training-events/local-officials-day-at-the-legislature/

PLEASE also forward the following link to your youth city council and other high school students in your family and community. We want as many high school students to respond to this survey as possible. The survey results will be used in the legislative Family Feud game on Local Officials Day. The legislators will have to figure out what matters to Utah high school students.

Follow this link to the Survey: Take the Survey

Or copy and paste the URL below into your internet browser:
http://ulct.co1.qualtrics.com/WRQualtricsSurveyEngine/?SID=SV_8InjJHS37MeqNgN&RID=MLRP_89cEfyMNajmEhBH&_=1

Have a great weekend!

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Friday Facts: January 17th 2014

Hello folks,
Happy Friday to you all! As we enter the long weekend, we hope you all enjoy your Martin Luther King, Jr. Day and are grateful for the contribution that he and many others made to the cause of civil rights. This week was fast and furious as ULCT staff gears up for the 2014 session. This email will update you on legislative meetings, ULCT logistics, and upcoming events. This email also serves as your official introduction to ULCT's 2014 legislative intern—and proud University of Utah student and Logan High School graduate—Satin Tashnizi. Expect to see plenty of correspondence from her in the weeks ahead.

Legislative meetings:
Lincoln Shurtz and Cameron Diehl presented at both the Utah Taxpayers Association and Utah Intergovernmental Roundtable as part of their legislative session previews. The topics ranged from transportation funding to alcohol policy and from trail access to broadband connectivity. On trails, Ken Bullock, Cameron Diehl and Jodi Hoffman met with the potential bill sponsor to flesh out some details on what the bill will include. We hope to have the sponsor's approval next week with some draft language to follow. Roger Tew is organizing broadband meetings, Lincoln and Ken have met with legislative leadership to continue advocating for increased transportation funding, and Susan Wood has conducted interviews with Governor Gary Herbert, Speaker of the House Becky Lockhart, and Senate President Wayne Niederhauser. Watch for those videos on our website—www.ulct.org—or our youtube channel in the days ahead.

Additionally, ULCT staff has heard concerns across the state about the potential impact of **HB 252** (Absentee Ballot Amendments) and **HB 258** (Municipal Business Licensing Amendments). HB 252 would repeal municipal authority to conduct an election entirely by absentee ballot and HB 258 would prohibit a municipality from requiring a business license from home-based businesses that generate less than $250,000. We have reached out to both bill sponsors, provided fiscal impact analysis to the Office of the Fiscal Analyst, and will be prepared to recommend a position to the LPC at our first meeting on Monday, February 3 at noon in W30 at the State Capitol complex (west building).

Logistics:
Additionally, ULCT has invested in online software that will allow us to track bills and organize our advocacy efforts easier than ever before. We are in the process of uploading bills and will have the software up and running by next week. In the meantime, please continue to alert us of any bills or issues you see. We'll notify you when the software is ready for game time.

Upcoming Events:
The session kicks off on Monday, January 27. If you have newly elected officials, we still have one more training available on Saturday, February 8 in Salt Lake City. You can register at **http://www.ulct.org/land-use/regional-training-events/newly-elected-training-series/.**

On Wednesday, January 29 is our Local Officials Day. Please register at **http://www.ulct.org/land-use/regional-training-events/local-officials-day-at-the-legislature/.** The day begins with a legislative roleplay at the capitol for hundreds of youth council members and then lunch with legislators. Municipal officials will meet with legislators to discuss top municipal priorities and we can help you arrange meetings and provide you with background information.

Finally, we need your help to distribute a survey to high school students across the state. For Local Officials Day, legislators will compete in a Family Feud style game. The survey results will come from Utah high school students. Please forward the following link to any and all high school students that you know—friends, family members, neighbors, students, etc. The greater the participation, the better the event. We need all of the responses by Friday, January 24.

Follow this link to the Survey: Take the Survey Or copy and paste the URL below into your internet browser: **http://ulct.co1.qualtrics.com/WRQualtricsSurveyEngine/?SID=SV_8InjJHS37MeqNgN&RID=MLRP_a3E9TqcwUpKLTBb&_=1**

Thanks & we hope to see you at Local Officials Day. Enjoy the weekend!

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Friday Facts: January 24th 2014

Good morning everyone,
Courtesy of the ULCT internet crashing on Friday afternoon, your Friday Facts are a Saturday edition this week. This email contains calendar information, a water update, legislator updates on specific legislation, and ULCT logistics during the session.

CALENDAR
First things first: **NO LPC meeting on Monday, January 27.** That is the first day of the legislative session but there are no committee hearings scheduled and should be a quiet day. As such, LPC will first meet on Monday, February 3 at noon in room W030 (west building) at the Capitol Complex. The LPC will convene Monday, February 3, Monday, February 10, Monday, February 24, and Monday, March 3 at noon in Room W030.

Next week is Local Officials Day so please join us on Wednesday, January 29. First, the youth city councils will roleplay legislative hearings at 8 am at the capitol while municipal officials will meet with legislators. At 12:00, municipal officials and youth city council members will join legislators for lunch at the Salt Palace while the House and Senate compete in ULCT-style Family Feud. If you need help reaching out to your legislator, please let me know. You can register for Local Officials Day at: **http://www.ulct.org/land-use/regional-training-events/local-officials-day-at-the-legislature/.**

WATER
The Executive Water Task Force (EWTF) met last week and endorsed the canal safety bill that the ULCT Land Use Task Force drafted and endorsed. The bill would appropriate $350,000 of state money to map canals. Additionally, the EWTF endorsed Representative Kay McIff's public trust water bill **(HB 49)** that is designed to protected approved water right diversions—including municipal diversions—from environmental claims. Progress continues to be made on Representative McIff's shareholder rights legislation that could be promising to the ULCT. ULCT's Ken Bullock and Jodi Hoffman met with the Central Utah Project, Jordan Valley, Weber Basin, and Washington County Conservancy Districts to ensure coordination on legislative priorities and efforts and we are cautiously optimistic about the key proposed water legislation this year.

UPDATES ON SPECIFIC LEGISLATION
ULCT staff has reached out to Representative Mel Brown about sponsoring the ULCT trails proposal, Representative Jake Anderegg about the business license bill **(HB 258)**, Representative Jim Bird about the municipal absentee election bill **(HB 252)**, Representative Paul Ray about his law enforcement bills **(HB 225)**, and Representative Kraig Powell about his election-related bills. We have

appointments with all of them on Monday to discuss the bills and we will keep you posted. As the session rolls along, we will keep the LPC posted on our outreach and we will follow the direction of the LPC on supporting or opposing key bills.

LOGISTICS ULCT has invested in new software that will be live and ready to go next week. Via the software, you'll be able to follow all legislation that ULCT is tracking on the website at **www.ulct.org**. We will demonstrate the capacity of the website at the first LPC meeting on February 3. In the meantime, I have attached a spreadsheet that highlights the bills we are tracking. If you have any questions about legislation, please contact me at **cdiehl@ulct.org** or our new legislative intern Satin Tashnizi at **stashnizi@ulct.org**. The entire legislative team—Ken Bullock, Lincoln Shurtz, Jodi Hoffman, Roger Tew, Nick Jarvis, Cameron, and Satin—are ready to rock and roll for the next 45 days and we appreciate any and all feedback. Expect more regular updates via social media (facebook, twitter), email, and ULCT legislative videos during the upcoming 45 days.

Enjoy your last weekend before the storm!

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Thursday, January 30th 2014

Hello LPC,
Another day on the Hill, and another day primarily focused on appropriations. It is somewhat eerie to be on the Hill watching it rain outside and waiting for bills to drop. Is it really January? I'm sure we'll long for the relative quiet in the weeks ahead. I've attached the updated bill list for your review. Come next week, expect longer emails from us and we'll also have a Friday Facts tomorrow with additional details.

As a reminder, we will have our first LPC of the session on Monday, February 3 in W030 (west building) at noon. We will provide lunch and we expect the meeting to end by 1:30. Please review the bill list and let us know if you have any issue you want us to address at LPC.

Finally, we appreciate how many of you attended Local Officials Day yesterday. We had nearly 1000 people in attendance and we hope that you and your youth councils enjoyed the event.

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Monday, February 3rd 2014

Hello folks,
First, thanks to those of you who attended today's LPC at the capitol. Our next LPC will be Monday, February 10 at noon in W030 at the capitol. The other meetings will be Monday, February 24 and Monday, March 3. We had over 120 in attendance & your active participation is what makes ULCT such a strong advocate for local government. Minutes and materials from today's meeting will be available on our website for you to review soon.

Second, as we discussed today, our bill list will available online … soon. Due to some IT difficulties, it wasn't ready today as our contractor had promised. I'm still a little bitter. Nevertheless, I am confident that it will be available for public view tomorrow and will include instructions in how to use the tools in future emails.

Third, we are still updating our LPC list so keep letting me know if you need any changes. Our legislative intern Satin Tashnizi is overseeing that effort and we hope to have all of our lists synchronized soon. You can reach her at stashnizi@ulct.org.

Finally, tomorrow is the first official day of standing committee meetings. It is a full day—8 am to 4 pm—and I have attached the committee bill list here. Wednesday is scheduled for more appropriation committee hearings and Thursday has not been scheduled yet.

As always, let us know how we can best represent you.

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Tuesday, February 4th 2014

Hello LPC,
Day 9 is in the books and the session is still primarily focused on appropriations. Tuesday was the first official day of standing committees and it was a successful day for local government.

In House Political Subdivisions, Representative King presented an amendment to **HB 242**. The bill initially would have required cities to provide records per a GRAMA request in the public interest to an applicant free of charge. The amendment declares that the free of charge requirement would only apply for the first $1000 of the cost to the city to prepare the records. Legislators on the committee, including Representatives Jim Dunnigan (Taylorsville) and Craig Hall (West Valley), voiced concern that the $1000 threshold was still too high and that duplicitous requesters could split their large request into smaller requests in order to skirt the $1000 threshold. Representatives of both the news media and citizen groups testified in support of the bill, arguing for the need for transparency and accountability. The committee ultimately held the bill and Representative King said he would continue to work with ULCT and other parties to find a palpable solution this session.

Representative Anderegg then presented a substitute for **HB 258** which would narrow which home based businesses would be exempt from municipal licensing requirements. He expressed frustration at the ULCT fiscal note on the original bill & explained that the genesis of the bill was a confrontation with his home city about the city's business license department. Legislators on the committee again pushed back. Representative Craig Hall (West Valley) urged him to address the issue with the city council rather than the state legislature, Representative Jim Dunnigan (Taylorsville) said that the municipal regulation addressed the right of neighbors to enjoy the private right and use of their property, and Representative Marie Poulson (Cottonwood Heights) wondered if the unintentional consequences would be businesses transitioning to be home-based in order to avoid the fee. The committee adjourned without voting though the committee membership seemed favorable to cities retaining local control over their business license fee structure. ULCT staff continues to discuss the details with the sponsor.

Meanwhile, another concerning bill, Representative Jim Bird's **HB 252**—which initially would have pre-empted the ability of local governments to hold absentee-only elections—had a substitute offered in the House Government Operations Committee. The new language now only applies to cities within counties of the first class (Salt Lake County). Such cities could still hold an ab-

sentee ballot only election so long as the city provided at least one voting center per 100,000 residents on Election Day where voters could vote without having to submit their absentee ballot. The bill was also held and ULCT staff continues to work with the sponsor.

Wednesday and Friday this week are currently scheduled for appropriations and Thursday's schedule only includes a handful of standing committees. As of now, we only have two bills on tap for Thursday (see attached).

Finally, I have attached a traditional spreadsheet with our bill list and you can now access the bill list online via our website. At www.ulct.org you should click "Legislative Advocacy" and then the first option in the dropdown menu "Bill Tracking." Once there, you need no login; just click "legislation" and the first dropdown option of "overview" and that will take you to the site. Unfortunately, our software company still hasn't reversed the pages but at least you can now access the bill list. Hopefully all the final issues will be resolved in the next day or two. On the main "Utah 2014" page, you can review the entire bill list via the link at the center-bottom of the page that says "All Bills" or you can search by keyword via the dropdown menus (Issue, Position, etc.) on the right. If you have any questions about how to navigate the page, feel free to email me or Satin Tashnizi (ULCT Legislative Intern) at stashnizi@ulct.org. We will also review it at each LPC, including Monday, February 10.

Thanks, as always, for your participation in ULCT.

Wednesday, February 5, 2014

Hello LPC,
Day 10 is in the books and the pressure of the Legislature is now fully upon us. It was a successful day for Team ULCT as ULCT staff worked with bill sponsors to modify several key bills.

First, ULCT staff modified **HB 91**—which subjects certain committees, commissions, or other bodies to the Open and Public Meetings Act if they contain one or more elected officials—so that it did not apply to municipal committees. Second, ULCT staff is working with the sponsor to modify language in **HB 17**. The bill as currently drafted would change how interlocal entities enact policies and adopt budgets. Third, ULCT staff successfully negotiated with the bill sponsor to modify **HB 262**. The bill previously would have required a majority vote of the total number of voting members to pass an ordinance for all local governing bodies (ie. councils, district boards, CDAs, etc.). The bill was held in committee today and a substitute was offered that would make the bill only apply to municipal councils.

Finally, ULCT staff has heard much concern from ULCT members about **HB 66**. The bill sponsor has been receptive to ULCT concerns and ULCT staff is working with him regularly. The bill would still allow cities to utilize enterprise funds for services, projects, or other purposes not directly related to enterprise for which the enterprise fund was created so long as the city governing body transfers the money from the enterprise fund to the general fund and complies with current public hearing and notice requirements. Additionally, cities must pay for utility services provided to the city at the same rate charged to a private customer. If you have additional concerns about the bill, please let us know.

You will find tomorrow's committee hearings attached—a full day, for sure—and you can find the bill list on our website. To simplify the process of using it, I have included the link here:

https://www.ciclt.net/sn/leg/l_main.aspx?ClientCode=ulct&L_Session=&L_Prior=&L_State=ut&L_StateName=Utah

You can find the page via the ULCT website at www.ulct.org by clicking on the legislative advocacy link, then bill tracking, and then "legislation." Holler if you need any help navigating it.

As always, thanks for your participation in ULCT and let us know if you notice any other issues. Our next LPC will be Monday, February 10 in W030 (House Building) at noon.

Thursday, February 6, 2014

Hello folks,
Day 11 is in the books. Several important bills moved today and ULCT staff was successful in making necessary changes. First, the Senate Revenue and Taxation Committee passed **SB 134** unanimously. This bill returns after an attempt in 2013 and addresses referendum petitions related to property tax rates. The bill would actually potentially increase the number of days that petitioners have to gather signatures and would condense the amount of time that city staff has to prepare the packets. The new timeline would also allow for approximately 30 days prior to Election Day for campaigning to occur. Most importantly, the referendum would be placed on the ballot in the same calendar year as when the signatures the gathered. Last year's version also passed a Senate committee but encountered some political difficulties in the full Senate. We will continue to shepherd the bill and work with the sponsor (Senator John Valentine) to propel it.

Second, Representative Paul Ray agreed to modify **HB 225** after meeting with ULCT staff. The bill previously designated the county sheriff as the primary law enforcement authority in the incorporated and unincorporated county. Representative Ray agreed to substitute the bill so now the bill declares that the sheriff is the primary law enforcement authority of state law on federal land.

Third, ULCT staff continues the dialogue with House and Senate leadership about potential enhanced or new revenue dedicated to local transportation needs. In the Salt Lake County caucus this morning, legislators discussed the 2040 Plan and the differing potential revenue streams—sales tax, motor fuel tax, vehicle registration fees, etc.—that were possible options to address the needs. The House Transportation Committee continued the discussion this afternoon. The political situation is extremely fluid and ULCT staff continues to press forward with leadership and the body to educate them on the need for more funding.

Below are the links to the ULCT Bill list and tomorrow's committee agendas.

BILL LIST:
https://www.ciclt.net/sn/leg/l_main.aspx?ClientCode=ulct&L_Session=&L_Prior=&L_State=ut&L_StateName=Utah

You can access the bill list via our webpage (www.ulct.org) by clicking on the "Legislative Advocacy" tab, the "Bill tracking" option on the dropdown menu, and then clicking "legislation" and "overview page." Please note that you can organize bills by topic and ULCT priority via the dropdown menus on the right side of the page.

Friday's committee hearings are relatively quiet and included below:

Senate Judiciary, Friday, Feb 6, 250 State Capitol, 4:00 pm
(5) HB 20, Emergency Vehicles Duty of Care (Brad Dee) **HB0020**

Senate Natural Resources, Friday, Feb 6, 415 State Capitol, 4:00 pm
(2) HB 57, Animal Shelter Amendments (Angela Romero) **HB0057**

As always, thanks for your participation in ULCT and keep us posted about any issues that arise.

Friday, February 7, 2014

Greetings LPC,
Happy Friday! The Opening Ceremonies are underway in Sochi but we have finished our first legislative Olympic run of 2014. Day 12 is in the books and it was relatively quiet on the Hill.

First, ULCT staff worked with Representative Marie Poulson to modify her **HB 91**. The original version would have required all meetings that included at least one elected official (including municipal officials) to abide by the Open and Public Meetings Act. Representative Poulson was amenable to ULCT recommended changes to limit the bill to only meetings that include at least one legislator. That substitute bill has not been adopted yet but we are optimistic that it will be. Additionally, ULCT staff is working on another Open and Public Meetings Act bill—Senator Deidre Henderson's **SB 169**—that would require cities and other public bodies to post materials presented at public meetings on city websites along with the meeting minutes. We are working with the sponsor to clarify what the city would have to post online.

ULCT staff also continues to work on **HB 66** on the use of enterprise funds and **HB 102** on assessment areas. On HB 66, we have relayed municipal concerns to Representative Brad Wilson and he is open to making some modifications. On HB 102, we have been working with the sponsor (Representative Curt Webb) for a year in order to resolve issues about protest thresholds, definitions of benefits to property owners within the assessment area, and sunset dates. We are close on both bills and will discuss both of them in more detail during Monday's LPC.

Attached are two documents—Monday's bill list and LPC agenda—and we look forward to seeing you in Room W030 at noon on Monday. The link to the bill list is below and ULCT staff intends to have the bill list prepared with staff recommendations for you to review.

http://www.ciclt.net/sn/leg/l_list.aspx?L_Session=2014&ClientCode=ulct&SchStr=All&SearchType=BT&L_Title=All%20Bills&L_State=UT

As always, thanks for your participation in ULCT and enjoy an Olympic weekend!

Monday, February 10th 2014

Hello LPC,
Day 15 is in the books! Thanks to those of you who attended LPC at the capitol today. The key moments from the meeting included the LPC voting to oppose Representative Brian King's **HB 97** (preventing municipal breed specific bans) and endorsing the staff recommended positions for the bill list. You can find the links to the bill list at the bottom of the email (either link will work). As a point of clarification, the LPC can always re-evaluate the staff recommended positions and bring any bill back for further discussion. We as staff need the LPC approval in order to provide broad direction for our efforts in between meetings. Please keep us posted if you want additional detail or discussion on any bill. The next in-person LPC will be on Monday, February 24 due to next week's Presidents Day holiday. We are hoping to do an online LPC webinar next Wednesday, February 19 at noon but we are working on those details with Utah State University and will have a final notice to you by this Thursday.

Meanwhile, despite the LPC's opposition to HB 97, the House Political Subdivisions committee passed the bill on a 6-5 vote. ULCT staff and South Jordan staff spoke against the bill for both public safety and local control reasons and we will continue to oppose the bill on the House floor and beyond.

Tomorrow's committee assignments are rather quiet as most of the day will be dedicated to appropriations and floor time.

House Public Utilities, 4:00 pm, 20 House
1) HB 86, Utah Energy Infrastructure Authority Act (Barrus)

Senate Judiciary, 4:00 pm, 250 State Capitol
1) **HB 20** Emergency Vehicle Duty of Care (Dee)

Again, here are the links to the ULCT bill list. You can organize the list according to keywords and export it to excel. If you have any questions about either the substance of the bills or functionality of the website, you can reach me at cdiehl@ulct.org or Satin Tashnizi at stashnizi@ulct.org.

BILL LIST—either link
http://www.ciclt.net/sn/leg/l_main.aspx?ClientCode=ulct

http://www.ciclt.net/sn/leg/l_list.aspx?L_Session=2014&ClientCode=ulct&SchStr=All&SearchType=BT&L_Title=All%20Bills&L_State=UT

As always, thanks for your participation in ULCT.

Tuesday, February 11, 2014

Hello LPC!
Day 16 was a productive, behind-the-scenes day for Team ULCT. ULCT staff successfully and diligently worked with numerous bill sponsors today to provide language that should address municipal concerns on **SB 169, HB 102, HB 66**, and other pieces of legislation. Those three bills will be in committee tomorrow so check back tomorrow for updates. I referenced last Friday that we were working with Representative Marie Poulson to pull municipal officials out of her **HB 91**. She endorsed our compromise language and her committee adopted the ULCT supported substitute. Committees today were primarily appropriations. Tomorrow, as you'll see from the attached committee schedule, will bring standing committees from morning to evening. Team ULCT will monitor 27 bills in tomorrow's hearings plus several more on the floor. In other words, a busy day awaits. I for one am excited for the challenge and the adrenaline!

The ULCT bill list is available via this link:
http://www.ciclt.net/sn/leg/l_main.aspx?ClientCode=ulct&L_Session=&L_Prior=&L_State=ut&L_StateName=Utah

http://www.ciclt.net/sn/leg/l_list.aspx?L_Session=2014&ClientCode=ulct&SchStr=All&SearchType=BT&L_Title=All%20Bills&L_State=UT

As always, thanks for your participation in ULCT and keep us posted of any concerns that arise. Today, I personally heard from multiple cities and all of Team ULCT appreciates the feedback.

Wednesday, February 12, 2014

Greetings LPC,
As predicted, it was a whirlwind day on Capitol Hill. ULCT staff started with over 20 bills in committee and we achieved great success on your behalf today.

First, Representative Johnny Anderson accepted ULCT led language to modify **HB 83** so that cities have the discretion to create a residential reimbursement fund to cover the cost of an owner transferring an eligible property's title to a single-family fee simple ownership. Senator Deidre Henderson accepted ULCT drafted language to modify **SB 169** which defines "electronic information" and clarifies that anything a member of the public presents in a public meeting will be part of the official public record. Both bills passed unanimously with the ULCT supported language. Representative Kay McIff pushed **HB 49** through committee this morning with ULCT support. **HB 49** is an important bill that improves the process for shareholders to move water rights from irrigation to municipal use as the shareholder develops his property. Representative McIff worked with ULCT, the Water Coalition and the Executive Water Task Force to address all conceivable concerns.

Meanwhile Representative Curt Webb held **HB 102** on assessment areas until we finalized the language and the Senate Business and Labor Committee, at the urging of ULCT, held **SB163S1** which would have mandated an unpaid meal period for certain public employees. Finally, **HB 278** passed out of committee—it would reduce the bid limit for a construction or improvement project on a class B or C road—but ULCT staff met with the sponsor, Representative Steve Handy, to outline concerns and he was amenable to modifications. We continue to work with Representative Wilson on **HB 66** and Representative Cunningham on **HB 104** after they both agreed last night to pull those bills from today's agendas. All told, a successful day at the capitol for local government.

Tomorrow is primarily an appropriations day so the committee agendas are light (attached). The bill list links are below.

http://www.ciclt.net/sn/leg/l_main.aspx?ClientCode=ulct

http://www.ciclt.net/sn/leg/l_list.aspx?ClientCode=ulct&SearchType=LC_Code&LC_Code=29321&L_State=UT&L_Session=2014&L_Prior=2013

As always, let us know if you have any feedback. Thanks!

Thursday, February 13, 2014

Hello LPC,
Day 18 is behind us—40% of the session is now complete! Today was another appropriations day and most ULCT bills were low on the reading calendars in the House and Senate. Dozens of new bills have language in recent days so we have been reviewing each one. If you spot a bill that has not made it onto our bill list, please let me know.

First, the Utah Municipal Clerks Association contacted Team ULCT with concerns about **HB 272**. The initial bill would have required all municipal clerks to keep office hours from 8 am to 5 pm during the week long filing period in June of odd numbered years so that potential municipal candidates have plenty of opportunities to file to run. While larger cities are usually open during those hours, the requirement would have imposed a major burden on towns and smaller cities that do not staff their offices for that many hours during a normal week. As such, Team ULCT and the sponsor successfully amended the bill. The bill now reads that cities and towns that do not maintain the traditional 40 hour week must post the recorder's or clerk's contact information (phone and email) on the municipal office door and municipal website so that potential candidates can contact the recorder or clerk during the traditional business hours.

Second, Team ULCT has worked with Representative Jim Bird to modify **HB 252**. As we've discussed previously, **HB 252** would still allow for absentee-ballot only elections so long as cities in Salt Lake County provided 1 polling location on Election Day per 100,000 residents (notice the 0s) and residents could vote on Election Day without having to surrender an absentee ballot. Under the initial bill, Salt Lake City, West Valley City, and West Jordan would have had to provide two polling locations due to their populations. The bill has been amended to now only require one voting center per city regardless of population.

Finally, Team ULCT negotiated with Representative Curt Webb to pull **HB 60** (Interlocal Entity Service Prohibition) off of the committee agenda tomorrow. As you'll see from the attachment, tomorrow morning has several relevant committee hearings but the afternoon committee hearings are virtually non-existent.

Apparently Friday is Valentine's Day and people seemingly don't want to work late attending committee hearings. I don't see why…

Here is the bill list (either link):
http://www.ciclt.net/sn/leg/l_main.aspx?ClientCode=ulct&L_Session=&L_Prior=&L_State=ut&L_StateName=Utah

http://www.ciclt.net/sn/leg/l_list.aspx?ClientCode=ulct&SearchType=LC_Code&LC_Code=29321&L_State=UT&L_Session=2014&L_Prior=2013

As always, thanks for your participation in ULCT.

Tuesday, February 18, 2014

Dear LPC,
Day 23 is in the books, which means we have passed hump day for the 2014 session. I for one appreciate the Presidents Day holiday to celebrate the session's midway point. I'm sure you have missed reading the daily update as much as I have missed writing it, so here you go.

First, Senator Valentine agreed to hold **SB 190** which was originally scheduled for a committee hearing today. The bill would have prohibited a city from using a utility fee to cover the costs of operating a telecommunications service. Senator Valentine continues to work with ULCT staff to find a resolution on the issue. Second, Representative Webb continues to work with ULCT staff to tweak **HB 102** on Assessment Areas. The bill passed out of committee unanimously last week but is 59 on the reading calendar in the House which gives us several days to iron out the details of measuring direct and indirect benefits within the assessment area.

Third, Senator Adams' **SB 184** passed out of committee today despite some ULCT concerns that the bill would prohibit a city's compliance agency (ie. building inspection) from transferring collected money out of the agency's budget and that the bill would require a land use authority to city with specificity why a project's land use application was denied. Senator Adams is a long-standing ULCT ally and acknowledged that **SB 184** did not go through the Land Use Task Force process. For those of you who are unfamiliar with the Task Force, ULCT staff, city attorneys, and the development community meet monthly at ULCT HQ during the offseason to resolve land use issues and try to find consensus on all land use bills before the session. We are cautiously optimistic that Senator Adams will defer **SB 184** to the Land Use Task Force in 2014.

Finally, I didn't send an update last Friday—the excitement of the long weekend was upon me—but Representative Cunningham's **HB 104** was held in committee. The bill came through the Land Use Task Force and would require charter schools to follow zoning regulations like other land uses. Here is a link to a Salt Lake Tribune article on the issue:

http://www.sltrib.com/sltrib/politics/57548088-90/schools-charter-cunningham-price.html.csp?page=1

Wednesday's committee bills are attached and here is the bill list:

http://www.ciclt.net/sn/leg/l_main.aspx?ClientCode=ulct

http://www.ciclt.net/sn/leg/l_list.aspx?L_Session=2014&ClientCode=ulct&SchStr=All&SearchType=BT&L_Title=All%20Bills&L_State=UT

I am pleased to report that the bill list is down to 138 bills. That is exciting in a depressing sort of way. As always, thanks for your participation in ULCT and holler if you have any concerns or feedback.

Wednesday, February 19, 2014

Hello LPC,
Day 24's email is coming earlier than normal because of tonight's big Arizona-Utah showdown at the Huntsman Center. Go Utes!

Today Team ULCT successfully lobbied Senator Karen Mayne to pull **SB 113** from committee so that we could clarify the bill's language. Currently, the bill would create a new definition— "specified body"—that is more than a public body and would be required to provide public notice of any meetings that the body holds on Capitol Hill. Team ULCT met with Senator Mayne and she clarified that she does not want all meetings—such as a mayor and city manager meeting with a state senator to discuss a bill-- that occur at the Capitol to require public notice. She instead is targeting non-legislative committees whose members include elected officials. ULCT staff is working on replacement language for her that will parallel our solution for Representative Poulson's **HB 91**.

Second, Representative Knotwell's **HB 272**—the municipal clerk office hours during the candidate filing period bill—passed a Senate committee today. As I mentioned in a previous update, Representative Knotwell modified the bill at our request while it was in the House. Several cities have expressed concerns about the clerk in smaller jurisdictions having to be on call during that week. However, the sponsor wants to ensure that potential candidates for office have opportunities to file for office and we believe we have struck a good compromise to fulfill his purpose and not require the clerk's office to be physically open for the entire week of the filing period.

Third, Lincoln and Cameron (me) briefed the Greater Salt Lake Clerks and Recorders Association on election and GRAMA related bills (**SB 169, HB 252**, among others) at lunch today. If you or your organization would like a legislative update, please let me know. We can talk forever about legislation if you just give us a chance! That's a promise… and a warning.

Tomorrow's committee agenda list is limited to just the morning as the House and Senate will be in session at 10 am and 2 pm. You'll see that Representative Anderegg is bringing another business license substitute bill that we will continue to oppose.

House Political Subdivisions
8 AM 450 State Capitol

1. **HB0340** Local District Boundary Adjustments *(J. Peterson)*
2. **HB0258S02** Municipal Business Licensing Amendments *(J. Anderegg)* (va/jtw)

Senate Business and Labor
8 AM 215 Senate Building

1. **SB0109S02** Radon Awareness Campaign *(A. Osmond)*
2. **HB0245S01** State Fire Code Amendments *(J. Dunnigan)* (crg/tas)

Here is the bill list:
http://www.ciclt.net/sn/leg/l_main.aspx?ClientCode=ulct

Or
http://www.ciclt.net/sn/leg/l_list.aspx?ClientCode=ulct&SearchType=LC_Code&LC_Code=29321&L_State=UT&L_Session=2014&L_Prior=2013

If you have any feedback, please let us know. As always, thanks for your participation in ULCT and GO UTES!!!

Thursday, February 20, 2014

Hello LPC,
Day 25 is behind us and the session ends in just 3 short weeks. There are still plenty of enormous issues at stake—Medicaid expansion, education funding, transportation issues, John Swallow fallout—and that doesn't even cover the 150 or so bills that Team ULCT is tracking.

Today saw the end of **HB 258**. This bill initially would have exempted home businesses from municipal business license requirements. Lincoln took the lead on lobbying the House Political Subdivisions membership. Thanks to the efforts of Lincoln and Team ULCT, the committee rejected the bill. Many cities reached out to ULCT staff and to legislators about **HB 258** and we appreciate your advocacy and attention.

Unfortunately, the final bill that the House considered this afternoon was **HB 97**, Representative Brian King's bill to prohibit cities from banning certain breeds of dogs. Despite the efforts of South Jordan and Team ULCT, the House passed the bill. We will continue our efforts in the Senate and will have an update at LPC on Monday.

More bills continue to pop out of Legislative Research and General Counsel, including **SB 211**, Water Rights Amendments. The Executive Water Task Force, Water Coalition, ULCT, and other members of the water community agreed this past summer to not pursue in 2014 the issues from last year's SB 109. However, SB 211 not only includes the **SB 109** issues but also could eliminate cities' hard-fought protection from forfeiture from **HB 51.** SB 211 will be heard in Senate Government Operations on Friday afternoon and Team ULCT will oppose the bill.

Finally, Team ULCT worked diligently today to finalize language with bill sponsors for **HB 66** (Representative Brad Wilson's Municipal Enterprise Fund Amendments), **HB 102** (Representative Webb's Assessment Areas) and **SB 113** (Senator Karen Mayne's Public Meetings Amendments). All bills should be ready for prime time (once the Olympics end, of course) soon.

Friday's committee list is attached and here are the links to the bill list. The bill list expanded by nearly 30 over the past 2 days so take a look.

http://www.ciclt.net/sn/leg/l_main.aspx?ClientCode=ulct&L_Session=&L_Prior=&L_State=ut&L_StateName=Utah

http://www.ciclt.net/sn/leg/l_list.aspx?L_Session=2014&ClientCode=ulct&SchStr=All&SearchType=BT&L_Title=All%20Bills&L_State=UT

You'll notice I didn't say anything about Utah's "oh so close" loss to Arizona last night. I'm proud of the effort but it was a painful result. Unless you want me to analyze every possession, you probably shouldn't ask me any follow up questions.

As always, thanks for your participation in ULCT and keep us posted about anything that arises. Remember that the LPC will meet again on Monday, February 24 at noon in W030.

Friday, February 21, 2014

Hello LPC,
Due to some computer issues, your Friday update is coming to you on Saturday. I hope you survived your Friday nights without this email. Quick point of clarification—Friday was actually Day 25, not Thursday. In my eagerness this week, I overlooked the fact that Presidents Day apparently did not count towards the 45 days. Now you know… and knowing is half the battle.

Friday was an extremely busy day on Capitol Hill on both the Senate floor and in committee. First, the Senate unanimously passed **SB 134** Taxation Related Referendum Amendments. ULCT's Roger Tew has taken the lead on this issue the past two years and has worked diligently to address concerns raised by cities and legislators. SB 134 modifies the process for truth-in-taxation referenda. The bill condenses the amount of time that cities have to prepare the referenda materials from 20 days to just 2 days, increases the number of available days for the citizen group to gather signatures to 40 days, and facilitates the city holding the referenda election in the same year as the proposed tax increase. Nevertheless, we are anticipating more pushback in the House and will likely request LPC action to push the bill through the House.

In committee action, the Senate Government Operations committee passed **SB 211**. As mentioned in Thursday's email, the Executive Water Task Force, Water Coalition, ULCT, and other members of the water community agreed this past summer to not pursue in 2014 the issues from last year's SB 109. However, SB 211 not only includes the SB 109 issues but also could eliminate cities' hard-fought protection from forfeiture that was extended by HB 51. Ogden City's Mark Stratford offered excellent legal analysis and political background to the committee on behalf of ULCT. However, the bill sponsor was also the committee chair so we expected the bill to pass the committee. We intend to vigorously oppose the bill in the Senate and in the House.

Additionally in committee action, the House Transportation Committee rejected Representative Johnny Anderson's **HB 135**. The bill would have cut the state gas tax in half (from 24.5 to 12.2 cents per gallon) and replaced the lost revenue with a general sales tax increase (on everything including food) of .26%. While ULCT supported the bill and testified as such, we anticipated that the bill would likely not pass ue to concerns about moving away from a user fee based approach and potential impact of additional sales tax on low income residents. The primary transportation bill seems to be Senator Valentine's **SB 60**. The bill would reduce the state gas tax from 25.5 to 14 cents per gallon, and replace the

lost revenue with a percentage-based tax on gas only which would offer some inflationary increase in the gas tax. SB 60 passed out of committee and is still awaiting debate on the Senate floor.

As a reminder, Monday is our LPC meeting in W030 (west building of the capitol complex) at noon. The agenda is attached and we will discuss all of the aforementioned bills in more detail. Congressman Chaffetz will also speak to the LPC so come prepared with questions. I will send out the bills in committee list later this weekend. The links to the bill list are below:

http://www.ciclt.net/sn/leg/l_main.aspx?ClientCode=ulct

http://www.ciclt.net/sn/leg/l_list.aspx?L_Session=2014&ClientCode=ulct&SchStr=All&SearchType=BT&L_Title=All%20Bills&L_State=UT

As always, thanks for your participation in ULCT, have a great weekend, and see you on Monday at noon in W030.

Monday, February 24th 2014

Dear LPC,
Day 28 is behind us and we appreciate your attendance at LPC today. As you know, Congressman Chaffetz addressed the LPC today and remarked that the Marketplace Fairness Act may have a fighting chance on Capitol Hill in 2014. As a reminder, the US Senate passed Marketplace in 2013 and the bill would authorize states and local governments to collect and remit sales tax from online retail sales. The bill has languished in the House since. However, Congressman Chaffetz sits on the Judiciary Committee and he announced that the Judiciary Committee will hold a hearing in March about Marketplace. He does not expect the March meeting to propel the Senate bill forward but expressed cautious optimism that the House version of Marketplace could move by November. The Utah Legislature passed a resolution last year expressing support for Marketplace and established a procedure for collecting the potential revenue. Congressman Chaffetz requested LPC support for Marketplace which the LPC nearly unanimously offered. ULCT staff is in frequent communication with the National League of Cities about the bill and will keep you posted on potential action alerts.

On Utah's Capitol Hill, ULCT staff was successful in working with Representative Brad Wilson to hold **HB 66**. The bill would require governing bodies from spending enterprise fund monies for a purpose that is not directly related to the goods or services provided by the enterprise fund and would require a city to pay for a city-provided utility service at the same rate charged to utility customers. As ULCT staff worked with the bill sponsor and the auditor's office, we realized that we were not going to come to a consensus on key points during the pressure-cooker of the session. Additionally, ULCT staff worked with Representative Steve Handy to hold **HB 278**, which would have reduced the bid limit for a construction or improvement project on a Class B or C road from $125,000 to $100,000.

Tuesday will bring several important bills into committee—referendum and disorderly conduct to name a couple—so watch for the email update. The committee agendas are attached and the bill list is below. Until then, thanks as always for your participation in ULCT and holler if you have any other issues.

BILL LIST

http://www.ciclt.net/sn/leg/l_main.aspx?ClientCode=ulct

http://www.ciclt.net/sn/leg/l_list.aspx?L_Session=2014&ClientCode=ulct&SchStr=All&SearchType=BT&L_Title=All%20Bills&L_State=UT

Tuesday, February 25, 2014

Hello LPC,
Day 29 was fine for local government on the Hill. First, Team ULCT had a drafting meeting with Representative Curt Webb on **HB 102** Assessment Areas. ULCT's Lincoln Shurtz has led the negotiations with Rep. Webb as we have debated how to define direct benefits in assessment areas, economic promotion activities, and the voting threshold. Rep. Webb accepted most of the ULCT recommendations and asked for some alternative language. We expect the bill to pass the House tomorrow but Rep. Webb pledged to promote the necessary amendments in the Senate.

Meanwhile **SB 134**—which modifies the process for truth-in-taxation referenda by condensing the time that cities have to prepare materials, increasing the available days for citizens to gather signatures, & ensuring that the election occurs in the same calendar year—passed its first hurdle in the House. After an unanimous committee vote this morning, the bill heads for a full floor vote and ULCT's Roger Tew is shepherding it.

This morning, Representative Ray pulled **HB 276** Disorderly Conduct amendments and it is on tap for Wednesday at 4:00 pm instead. As you may recall from the LPC meeting yesterday, the LPC voted to support the bill so long as the bill was amended according to a compromise about a reasonable person standard when someone is openly carrying a firearm. The compromise was reached with the sponsor, the Police Chiefs Association, the Sheriffs Association, and ULCT on Monday morning and we will let you know what happens in committee on Wednesday.

Finally, the political oxygen continues to be consumed by Medicaid expansion negotiations, education funding (Speaker Lockhart's technology proposal is in committee on Wednesday), Count my Vote battles (the counter to Count My Vote passed the Senate last week), and other high profile issues. We continue to work on and monitor transportation, water, land use, transparency, and public safety bills. To date, the legislature has passed just 70 bills and we anticipate several hundred bills to move in the final fast & furious fifteen days. As such, please review the below links to the bill list and keep us posted about any additional issues or bills. As always, thanks for your participation in ULCT!

http://www.ciclt.net/sn/leg/l_main.aspx?ClientCode=ulct

http://www.ciclt.net/sn/leg/l_list.aspx?L_Session=2014&ClientCode=ulct&SchStr=All&SearchType=BT&L_Title=All%20Bills&L_State=UT

Wednesday, February 26, 2014

Hello LPC,
Day 30 is history. I am not a mathematician—I am instead a lawyer, basketball coach, and part-time legislative correspondent—but I can say with relative confidence that we are 2/3 of the way through the 2014 session. A final fortnight remains!

ULCT's Lincoln Shurtz and Jodi Hoffman were successful in fixing **HB 17** Interlocal Act Amendments and **HB 220** Land Use Amendments in the same committee this afternoon. In the original HB 17, the bill would have required that each interlocal entity would be subject to the most restrictive local ordinance or law of any public agency that is a member of the entity. We successfully amended language so that each interlocal entity is subject to each state law that governs each public agency that is a member of the entity BUT the interlocal entity is not subject to each individual local ordinance or other local law. HB 220 was originally a Land Use Task Force supported bill. Jodi Hoffman chairs the Land Use Task Force which consists of city officials, housing developers, and both private and public land use attorneys to address land use issues during the interim and find consensus on legislation prior to the legislative session. However, a legislator passed a hostile amendment to HB 220 in the House that would have required a city, if enacting an ordinance that imposed a stricter standard than is required by state law, to justify the stricter standard both in writing and in a public hearing. The bill sponsor and the Senate committee, upon urging from Lincoln and Jodi, removed that language.

Additionally, Lincoln and Jodi continue to work with Senator Adams on **SB 184** Local Government Inspection Amendments and Representative Wilson and the Auditor's office on **HB 66** Municipal Enterprise Fund Amendments. Your correspondent believed that HB 66 was finished earlier this week but, like a bad habit, it refuses to go away. Collectively, Team ULCT worked on potential amendments to GRAMA, disorderly conduct (again pulled from committee today), breed-specific bans, and assessment bills and I will provide more detail once we know whether the language has been accepted by the sponsors. It is also "all hands on deck" for the water bill (**SB 211**) and ULCT's Ken Bullock and Jodi Hoffman met with Senate and House leadership this morning to discuss it (and other key ULCT issues). We will keep you posted if we need an action alert. If so, we will distribute background information so that you are adequately prepared to engage with your legislators on the bill.

Over the next two days, the legislature will only hold one session of committees

each day and will hold 10 hours of floor time. The committees are attached, the bill list is below, and as always, thanks for your participation in ULCT!

http://www.ciclt.net/sn/leg/l_main.aspx?ClientCode=ulct

http://www.ciclt.net/sn/leg/l_list.aspx?ClientCode=ulct&SearchType=LC_Code&LC_Code=29321&L_State=UT&L_Session=2014&L_Prior=2013

Thursday, February 27th 2014

Hello LPC,
Day 31 is gone and the session constitutionally ends as of midnight tonight… in two short weeks. Between Tuesday's 60 degrees and today's Seattle weather, it is hard to believe it is really February. Anyone remember when the legislature used to meet during the actual winter?!?

Another productive day for local government. First, ULCT's Lincoln Shurtz successfully lobbied for a final amendment to **HB 17**. In addition to what I wrote about yesterday, the bill now clarifies that if a state law that governs a public agency that is a member of the interlocal entity conflicts with a state law that governs another member entity, the interlocal entity can choose either law with which to comply. The previous language would have required the interlocal entity to be governed by the most restrictive state law. After the amendment, HB 17 passed the Senate unanimously and is en route to the Governor's office.

Second, ULCT's Roger Tew successfully captained the final passage of SB 134. As mentioned, **SB 134** modifies the process for truth-in-taxation referenda by condensing the time that cities have to prepare materials, increasing the available days for citizens to gather signatures, and ensuring that the election occurs in the same calendar year. Last year, the bill failed for political reasons but this year Roger brought it home.

So you know, **HB 102** Assessment Areas passed the House as anticipated. ULCT staff and city officials have reached compromise with the bill sponsor on several issues but still have several concerns that we will address with the floor sponsor in the Senate. The Senate sponsor is Senator Stuart Adams who is a long-time friend and champion of local government.

Additionally, the Salt Lake County Conference of Mayors (COM) met today to express their support for **HB 388 and SB 60**. ULCT's Ken Bullock and Lincoln Shurtz were in attendance. HB 388 would authorize a local option sales tax for transit of up to a quarter cent. The bill would not apply to any potential light rail extension but would focus on other transit means. HB 388 passed out of committee last week and is buried on the House reading calendar. Interestingly, the Weber Chamber Caucus voted to oppose HB 388 because of its sole focus on transit. The SL County COM also expressed support for SB 60 which would reduce the state gas tax from 25.5 to 14 cents per gallon, and replace the lost revenue with a percentage-based tax on gas only which would offer some inflationary increase in the gas tax. SB 60 passed the Senate today with just one dissenting vote. As both of these bills are critical steps towards solving Utah's transportation issues, ULCT remains at the negotiating table with legislative

leadership, UTA, regional governing bodies, and other interested parties and we will keep you posted.

In other news, the Senate Business & Labor Committee approved the Salt Lake County proposal (**SB 216**) to freeze township boundaries and empower unincorporated county residents with the opportunity to vote on a non-contiguous "city" of all the townships combined. Passage of the bill was conditional on Salt Lake County continuing to work in good faith with county residents and legislators and ULCT continues to watch the issue from afar.

Finally, ULCT is only watching three bills in committee tomorrow morning and they are below the bill list. We have several awaiting floor debates tomorrow as well. As always, thanks for your participation in ULCT!

Cameron

http://www.ciclt.net/sn/leg/l_main.aspx?ClientCode=ulct

http://www.ciclt.net/sn/leg/l_list.aspx?ClientCode=ulct&SearchType=LC_Code&LC_Code=29321&L_State=UT&L_Session=2014&L_Prior=2013

SENATE NATURAL RESOURCES Fri, Feb 28 8 am 415 State Capitol

1. **SB0237** Urban Farming Amendments *J. S. Adams)*

3 **SB0243** Air Quality Programs *(J. S. Adams)*

SENATE TRANSPORTATION

Fri, Feb 28 8:00 am 215 Senate

1 **SB0235** Transportation Revisions (*W. Harper)*

Friday, February 28th 2014

Hello LPC,
Day 32—fare thee well to our 2nd to last Friday of the session and the final day of February! I realize this is consecutive days where the update is arriving before sundown so I apologize for disrupting your late night reading routine.

This morning, **SB 243**, Senator Adams' Air Quality Amendments, passed out of a Senate Committee. We discussed this bill at LPC last week but here is the snapshot. The bill would place a $1/month charge on gas and electric bills. The money would be deposited into a fund administered by a newly established board to allocate money for clean air projects. The procedure for selecting projects and the membership of the board are as yet undetermined. Customers would have the option to opt-out of paying the surcharge. The municipal power cities—37 in all—have expressed concern about the bill and ULCT's Roger Tew and Bountiful City Manager Gary Hill met with Senator Adams and addressed the committee. The concerns include the administrative burden and the state of Utah using local utility billing and local funds to pay for state priorities. Nevertheless, the bill passed out of committee and the sponsor and committee members asserted that the bill was a positive step towards improving Utah's air quality. We have invited Senator Adams to attend LPC on Monday and hear concerns from the LPC.

On the floor, **HB 17** Interlocal Act Amendments passed the Senate with our amendments that I referenced yesterday. HB 17, welcome to the code. Additionally, today **HB 413** was released which would establish a process for a retention election for city managers and city attorneys and for the purpose of retaining the city's current form of government. Under the bill, a city manager or city attorney would stand for retention election every four years. ULCT opposes the bill, will work diligently to defeat it, and we will discuss it at LPC as well. The LPC agenda is attached and committee agendas will come later this weekend. As a reminder, we'll meet at 12 in W030 on Monday, Mar 3 for the final LPC of the session. Please let me know if you want us to review any other bills or issues. The bill list is below; I'll continue to update it over the weekend but—don't hold it against me—I just don't feel like updating it on my Friday night. Thanks for your participation in ULCT & I look forward to seeing you all on Monday.

http://www.ciclt.net/sn/leg/l_main.aspx?ClientCode=ulct&L_Session=&L_Prior=&L_State=ut&L_StateName=Utah

http://www.ciclt.net/sn/leg/l_list.aspx?ClientCode=ulct&SearchType=LC_Code&LC_Code=29321&L_State=UT&L_Session=2014&L_Prior=2013

Monday, March 3, 2014

Hello LPC,
Day 35 is behind us and we only have one more Monday remaining in the 2014 session! Today was the final LPC of the session and we appreciate your attendance. Here is the unofficial draft recap of the motions:

First, we discussed the remaining transportation funding options still alive which includes **SB 60** and **HB 388**. As a reminder, HB 388 would authorize a local option sales tax for transit of up to a quarter cent. The bill as currently drafted would not apply to any potential light rail extension but would focus on other transit means. SB 60 which would reduce the state gas tax from 25.5 to 14 cents per gallon, and replace the lost revenue with a percentage-based tax on gas only which would offer some inflationary increase in the gas tax. LPC members discussed whether to support HB 388 even though, in its current format, it only applies to non-rail transit. Discussion also included whether to support the bill even if it morphs to only apply to Salt Lake County. Salt Lake City Mayor Ralph Becker made a motion to support HB 388 as presently drafted, but to also extend ULCT support if the bill gets narrowed to only include Salt Lake County, and extend ULCT support for flexibility in the bill in the use of transit funds for all counties. That motion passed unanimously.

HB 388: http://le.utah.gov/~2014/bills/hbillint/hb0388.htm

SB 60: http://le.utah.gov/~2014/bills/sbillamd/sb0060.htm
(note: SB 60 is in committee on Tuesday morning)

Later, Senator Adams presented on **SB 243**. The bill would place a $1/month charge on gas and electric bills. The money would be deposited into a fund administered by a newly established board to allocate money for clean air projects. The procedure for selecting projects and the membership of the board are as yet undetermined. Customers would have the option to opt-out of paying the surcharge. ULCT staff and ULCT members voiced concerns in committee last week—including the state of Utah using local utility billing and local funds to pay for state priorities and the administrative burden—but the bill passed because of the political effort to improve Utah's air quality. LPC members again raised those issues with Senator Adams and then Lehi's Derek Todd mad a motion to oppose the bill. South Jordan's Chuck Newton made a substitute motion to support the bill. After a divided initial vote, Bountiful's Gary Hill made a new motion to oppose the bill which was supported with a handful of no votes.

SB 243: http://le.utah.gov/~2014/bills/static/SB0243.html

After House Speaker Becky Lockhart and Senator Jerry Stevenson presented on the state budget, ULCT staff ran through the remaining bills. **SB 232** is prob-

lematic because it would designate "311" for use by the School Safety Tip Line. However, many cities use "311" for a customer service hotline. As such, Orem's Margaret Black made a motion to oppose SB 232 as currently drafted unless the phone number changes. The motion passed unanimously. Then St. George's Jon Pike and Shawn Guzman explained about Senator Urquhart's **SB 253** which would amend the definition of careless driving and when a driver could lawfully use a handheld wireless communication device while driving. Farmington's Jim Young made a motion to support the bill and it was supported with a handful of no votes.

SB 232: http://le.utah.gov/~2014/bills/static/SB0232.html

SB 253: http://le.utah.gov/~2014/bills/static/SB0253.html

Please recognize that this email is an unofficial draft recap of today's LPC but is intended to provide information to LPC members who attended or who were unable to attend about the LPC official positions. If you have any concerns about the aforementioned bills or any other bills, please let us know. The session has just 8 business days left so the political reality is that we will face many moving parts that will affect many pieces of legislation. We appreciate your guidance in setting the course for us as staff and we will continue to keep you appraised of what happens.

Finally, we distributed talking points on **HB 422** which would allow a city to prepare an objective analysis about a citizen referenda and initiative and share the analysis with the public in an open meeting. The bill would allow a city to inform its voters about the referendum—for example, the potential "taking" of a land use permit if the land use referenda succeeds and stops a development—but not to spend funds in opposition to the initiative or referenda. ULCT's Jodi Hoffman has taken the lead on the bill and the bill successfully passed out of committee unanimously this afternoon.

Thanks for reading and for your participation in ULCT. We as staff are successful at the capitol because of your participation. The bill list is below and Tuesday's committees are attached.

http://www.ciclt.net/sn/leg/l_main.aspx?ClientCode=ulct&L_Session=&L_Prior=&L_State=ut&L_StateName=Utah

http://www.ciclt.net/sn/leg/l_list.aspx?ClientCode=ulct&SearchType=LC_Code&LC_Code=29321&L_State=UT&L_Session=2014&L_Prior=2013

Tuesday, March 4, 2014

Hello LPC,
Day 36—80% of the session is complete—is behind us. Your faithful correspondent is returning to his late night tradition after a full day on the Hill.

This morning, the House Transportation Committee unanimously passed **SB 60**. As a reminder, SB 60 would reduce the state gas tax from 25.5 cents to 14 cents per gallon and then implement a percentage based tax on gas. Once the bill goes to the floor, Senator Valentine will add a sunset after 6 years. Your correspondent testified joined representatives from UDOT, Wasatch Front Regional Council, Mountainland Association of Governments, and other entities to speak in support the bill.

Second, the Senate Government Operations Committee unanimously passed **HB 102** on Assessment Areas. The sponsor, Representative Curt Webb, continues to negotiate with Team ULCT to modify language and we are hopeful to have a final resolution on the sticking points soon so that we can ensure the bill is amended on the Senate floor.

Third, the House Revenue and Taxation Committee passed **HB 285**—Alcoholic Beverage Amendments—by a slim 8-7 vote. The bill would eliminate the requirement for restaurants to store and dispense alcoholic beverages behind a barrier that has become known as the "Zion Curtain." The barrier requirement only applies to restaurants that have opened since 2009. Previously, the LPC has expressed support for eliminating the barrier requirement as part of an emphasis on increasing flexibility for restaurants and promoting local economic development. ULCT firmly supports the long-standing state goals of reducing alcohol overconsumption and underage drinking. However, only 9% of alcohol consumed in Utah is consumed at restaurants and very little evidence exists that either overconsumption or underage drinking occurs at Utah restaurants. Likewise, the barrier requirement has discouraged new restaurants from opening in our communities. As such, your correspondent testified in support of the bill. The political climate around alcohol policy is fascinating; there is a faction of the legislature that wants to revamp alcohol law and there is a faction of the legislature that wants to retain the status quo. The 8-7 vote in committee foreshadows the difficult path ahead for this legislation in the final 9 days.

Committees wrap up this week but surprisingly (and thankfully) Wednesday's committee schedule is rather light. The dog bill makes its Senate debut. As explained on Monday, ULCT staff has been working with the Senate sponsor on compromise language to neuter the bill. If the sponsor accepts the language,

then ULCT will be neutral on the bill. If the sponsor does not accept the language, then we will continue to actively oppose it. We will know the status of our language proposal tomorrow morning. In the meantime, the committees are attached and the bill list is below.

As always, thanks for your participation in ULCT!

http://www.ciclt.net/sn/leg/l_main.aspx?ClientCode=ulct

http://www.ciclt.net/sn/leg/l_list.aspx?ClientCode=ulct&SearchType=LC_Code&LC_Code=29321&L_State=UT&L_Session=2014&L_Prior=2013

Wednesday, March 5, 2014

Hello LPC,
Day 37 is behind us, but I first want to focus your attention to this date in history. As you are now reading this on the morning of March 6, what famous historical event occurred on this date? Here is a clue: "Victory or Death." The first three responses will receive a shout out from your correspondent in tomorrow's email.

Back to business: today Team ULCT spent most of our time preparing for Thursday's bills and working on **HB 97** (the dog bill). The House and Senate were in session until 10 pm tonight and we expect some tired lawmakers (and lobbyists) on Thursday morning. Here is a snapshot of today's preparatory work:

Your correspondent, with assistance from the good folks in Provo, prepared talking points for Senators in opposition to **SB 232**. SB 232 would re-purpose the "311" hotline from its current municipal non-emergency use to a statewide suicide prevention line.

Your correspondent also is preparing information for Senator Adams about **SB 184** on business inspectors based on the feedback that the LPC provided via our email exchange earlier today. SB 184 will be in committee on Thursday afternoon. Additionally, building inspectors will meet with Team ULCT on Thursday at lunch to review concerns as well.

From Team ULCT's resident Garys, Ogden City Attorney Gary Williams prepared an amendment to **HB 128** on behalf of law enforcement to fix notice requirements for warrants, Layton City Attorney Gary Crane is meeting with building inspectors to ascertain the impact of **SB 184** (see above), and Bountiful City Manager Gary Hill continues to work with ULCT staff to address concerns on **SB 243** (see below).

Lincoln Shurtz prepared talking points for Representative Webb's **HB 389** which will address voting residency challenges and will be heard in committee on Thursday morning.

Jodi Hoffman pulled an all-nighter to prepare language on several ULCT priority bills—including **HB 220** and **HB 102**—so that we could meet with legislators immediately this morning.

Roger Tew has taken charge of opposing Representative Stratton's **HB 413** which would require city attorneys and city managers to stand for a retention election every four years and will be in committee on Thursday morning.

Roger and Lincoln are also working with Senator Adams to modify **SB 243** so that it won't use local utility billing to collect money for state purposes.

Lincoln and your correspondent also met with the Salt Lake County City Managers at lunch to provide a legislative debrief.

Unfortunately, the House and Senate sponsors of **HB 97** refused the ULCT offered amendments so we spent the afternoon determining votes in the Senate. Every Senator with whom we spoke told us of their intention to support the bill. Consequently, we negotiated with the sponsor to delay the effective date of the bill so as to provide time for South Jordan and the other cities to change their ordinances. HB 97 sailed through the Senate committee unanimously and we expect the bill to easily pass the Senate.

Here are the links to the bill list and the committees are attached. Send me your guesses on the historical trivia and, as always, thanks for your participation in ULCT!

http://www.ciclt.net/sn/leg/l_main.aspx?ClientCode=ulct

http://www.ciclt.net/sn/leg/l_list.aspx?ClientCode=ulct&SearchType=LC_Code&LC_Code=29321&L_State=UT&L_Session=2014&L_Prior=2013

Thursday, March 6, 2014

Hello LPC,
On Day 38, let me say "Remember the Alamo!" Thanks to those of you who responded to my historical trivia. Kudos to South Jordan's Chuck Newton, Spanish Fork's Seth Perrins, and Wasatch Front Regional Council's Andrew Gruber for being the first three to reply. Thanks also to Andrew for his analysis on HB 388 and SB 60 which I have paraphrased below.

Representative Anderson has offered a substitute to **HB 388** based on the feedback from local governments and MPOs. The county would place the sales tax increase on the ballot at the county's discretion. The substitute extends the additional .25% tax for transit for a city or town that is not in a public transit district and broadens how all counties except Salt Lake County can use the .25% sales tax increase. All other counties in a transit district may impose the .25% sales tax for transit, including rail, bus, and other projects. Salt Lake County would still be restricted from using the additional revenue on rail projects. HB 388 has some momentum and legislators seem open to the bill because it empowers the voters to decide whether to raise taxes and it addresses air quality. Legislators also continue to tinker with **SB 60**; varying proposals include adding a sunset to the bill so that it would expire in 2021, modify the schedule of how the formula is calculated, and even increase the gas tax. We will continue to monitor both bills and advocate for additional tools to address local government transportation needs.

This morning, ULCT's Roger Tew along with Spanish Fork's Seth Perrins and Farmington's Dave Millheim testified in opposition to **HB 413**. As we expected, the bill died in committee and we are optimistic that the bill will not have any legs in the interim. Thanks to both the Utah City Management Association and the Utah Municipal Attorneys Association for their quick responses to our action alert on this bill.

Thanks also to those of you who replied to my informational appeal for **SB 184**. The information we received was extremely valuable as we worked with the sponsor to achieve consensus. The bill passed out of its House Committee tonight.

Friday morning, in addition to being the final Friday of the session, is the last day of committee hearings (see attached). We will testify on several bills, including **SB 267** which has generated some concern among municipal attorneys. The bill provides that a governmental entity may not challenge the timeliness of a notice of claim if the claimant had previously erroneously filed a claim with another governmental entity in good faith. The claimant would need to prove that he/she filed in a timely manner with the incorrect entity. The sponsor, Sena-

tor Todd Weiler, met with ULCT staff and Salt Lake City's Lynn Pace to resolve some language issues.

Even though committee hearings end tomorrow afternoon, our work goes on. The House can consider House bills through Monday night. The Senate can consider Senate bills through Monday night. After Monday night, the chambers will hear bills that originated in the opposite chamber. The legislature is still negotiating over the budget, Medicaid expansion, and the Speaker's technology initiative for education. We will be at the capitol until the constitutionally mandated final minutes of the session—midnight on Day 45—to ensure that ULCT priorities are accomplished. Sleep is for the weak!

As always, thanks for your participation in ULCT.

BILL LIST:
https://www.ciclt.net/sn/leg/l_main.aspx?ClientCode=ulct&L_Session=&L_Prior=&L_State=ut&L_StateName=Utah

Monday, March 10, 2014

Hello LPC,
Day 42 is over and your faithful correspondent is at his post once more. Three more mornings to go…

The legislature hasn't finalized the state budget which continues to hang over every other issue on the Hill. Last Friday was the final day of committee hearings and today was the final day for each chamber to hear bills that originated in their chamber. The Senate was in session until 8:30 pm listening to Senate bills and the House was in session until 9:30 pm listening to House bills. If a bill didn't pass its body of origin by Monday night, then the bill would die a procedural death. ULCT staff worked the bills as both houses cruised through the evening. The highlights:

HB 389 passed the House 74-0. The bill addresses concerns about challenges to voter eligibility and empowers the city clerk or elected official. Currently, a challenger brings documents and materials to the clerk and the clerk determines the eligibility of the voter. If the challenger disputes the clerk's findings, then the challenger can go to court and bring additional documents and materials to the court. The bill would modify the presumption and evidentiary burden in court. Per HB 389, the district court will uphold the clerk's decision unless the court determines that it was arbitrary, capricious, or unlawful. Additionally, the district court's review is limited to the information that the challenger submitted to the clerk initially.

HB 388 passed the House—the quarter of a quarter cent of sales tax for counties to levy—and it is part of ongoing dialogue about transportation funding (along with SB 60 which is now in the House). Even though it did not have a hearing in the Senate, we anticipate that the Senate will suspend the procedural rules and allow bills to be heard regardless of whether the bill went through committees in both chambers.

SB 232 passed the Senate but the bill is fixed. The bill initially would have designated "311" as a school safety tip line. However, the FCC designated "311" as a non-emergency hotline in the 1990s and Provo already uses "311" as a customer service non-emergency hotline. The Senate floor amendment removed "311" from the bill and mandates that the Attorney General's office will create the hotline. The amendment fixes our concerns about "311" but we will continue to monitor the language and make sure the amendment stays in the bill.

Finally, **SB 267** passed out of committee on Friday and out of the Senate on Monday. The bill provides that a governmental entity may not challenge the

timeliness of a notice of claim if the claimant had previously erroneously filed a claim with another governmental entity in good faith. The claimant would need to prove that he/she filed in a timely manner with the incorrect entity. Senator Weiler, the bill sponsor, agreed to some modifications to satisfy ULCT concerns.

We are anticipating dozens of bills to fly by in the next three days. We have over 20 ULCT bills in the queue that we will push or oppose until midnight on Thursday night. In other words, fighting the good fight.

The bill list is below; we will update it as the legislature continues to prioritize bills. As always, thank you for your participation in ULCT and wish us well for the final 72 hours and 15 minutes… but who is counting?

http://www.ciclt.net/sn/leg/l_main.aspx?ClientCode=ulct

http://www.ciclt.net/sn/leg/l_list.aspx?ClientCode=ulct&SearchType=LC_Code&LC_Code=29321&L_State=UT&L_Session=2014&L_Prior=2013

Tuesday, March 11, 2014

Hello LPC,
Day 43—can it be? The session ends in about 50 hours and both bodies still have dozens of bills to go. This morning, both bodies released their first round of prioritized bills and only a handful impacted local government. We anticipate both bodies to wipe their boards again on Wednesday and Thursday and House and Senate members can pull up bills from the Rules Committee under a suspension of the rules. As such, Team ULCT—which consists of ULCT staff and the cadre of experienced city attorneys and analysts that come to the Hill regularly—continue to meet daily to monitor all proceedings.

The biggest lift today came on **HB 102** Assessment Areas. ULCT staff members Lincoln Shurtz and your legislative correspondent have been meeting with Representative Curt Webb throughout the session to find consensus on HB 102. South Salt Lake's Randy Sant, Ogden's Gary Williams and Mark Stratford, and Salt Lake City's Lynn Pace joined Lincoln and your correspondent today to finalize the agreement with Representative Webb. Team ULCT has worked tirelessly on the bill—legal definitions of direct and indirect benefits to property owners within the assessment area, the methodology for assessing a levy, the protest threshold, notice and hearing requirements, impact on bond holders, and other concerns. The crew has met daily to offer and review language, correspond with bond counsel, and negotiate with the good Representative. We worked through several different versions of the bill. Today, I am pleased to report that Representative Webb graciously agreed to postpone the larger dialogue about many of the Assessment Area issues for the interim. Legislative Research is working on the changes as I type but the final version will just address protest requirements and will place a moratorium on assessment areas for the rest of the year. The key changes are that the new protest threshold will be 35% of the affected owners (per the methodology defined in the assessment area). If the protest is between 35% and 45%, then it will be considered a contestable protest where the city may secure support signatures that exceed the protest signature percentage by at least 5%. The new percentages will apply to assessment areas up for renewal this year.

HB 102 could have had major financial impacts on many cities without ULCT intervention. Team ULCT didn't see language until the first week of the session and since that time we have dedicated countless hours to research, drafting, and negotiating. Today's resolution was a success and we appreciate Representative Webb's willingness to work with us. Additionally, Representative Webb chaired the House Political Subdivisions Committee and is sponsoring several other bills

that impact municipalities so we have worked diligently to maintain a strong relationship with him. It may be just one of the 100+ bills we have tracked this year but it took considerable time, effort, and manpower to get it right. More work awaits in the interim on the issue but we hope you recognize our commitment to representing your interests on Capitol Hill.

We are still monitoring the progress of numerous bills—some that are on the reading calendar already and some that are awaiting prioritization—so stay tuned for further developments. You can find the reading calendars here:

http://le.utah.gov:443/FloorCalendars/

Here is the full bill list. As a reminder, we will publish a summary of all of the passed bills that impact local government in time for our April Conference in St. George. Here is the link to the conference:

http://www.ulct.org/training-events/ulct-conferences/midyear-conference/

Now for your third and favorite link, the bill list:
http://www.ciclt.net/sn/leg/l_main.aspx?ClientCode=ulct

As always, thanks for your participation in ULCT and I'll touch base with you all on Wednesday.

Wednesday, March 12, 2014

Hello LPC,
And then there was one.

One more dawn. One more day. One day more!

If you haven't gathered, tomorrow is the final day of the 2014 session. Today was a classic "hurry up and wait" day. As the legislature re-prioritized bills, we monitored the list, confirmed amendments, & verified vote counts. Thursday we still will monitor a dozen or so bills-- some of which we support & some of which we don't—and it will be a fast & furious day on the Hill.

The main bill that passed today was **HB 276** Disorderly Conduct Amendments. The bill clarifies when a law enforcement officer may approach an individual openly carrying a firearm. Senator Jenkins, the floor sponsor, was open to a ULCT supported amendment that provided additional clarity for law enforcement. You can read more about the bill via the Salt Lake Tribune here:

http://www.sltrib.com/sltrib/politics/57673074-90/bill-carrying-dressed-enforcement.html.csp

In conclusion tonight, I want to offer the League's gratitude to the army of city attorneys & officials who have fought the good fight alongside ULCT staff on the Hill the past 44 days.

Gary Crane (Layton)
Gary Williams & Gregg Buxton (Ogden)
Lynn Pace (Salt Lake)
John Hiskey & Ian (Sandy)
Rob Wall & Chip Dawson (South Jordan)
Randy Sant (South Salt Lake)
Nicole Cottle (West Valley)

We could not have achieved such success for local government this year without their help, analysis, and support. To those cities that loan us their staff during the session, we thank you.

Thursday, March 13, 2014

Dear LPC,
"And that's the way it is."

Day 45, and the 2014 legislative session, is over. All told, it was a successful session for local government. The following ULCT supported bills passed today (all of which had ULCT amendments or other language modifications):

HB 102 Assessment Areas
HB 422 Initiative and Referendum Impact Disclosure
SB 51 Local Government Entities Amendments
SB 56 Risk Management Amendments
SB 70 State Data Portal Amendments
SB 232 School Safety Tip Line

There were still dozens of bills left on the board when Cinderella's spell (curse?) ended.

What happens now, you ask?

First, Team ULCT will publish a document with all of the bills that passed this year that affect local government and offer guidance about the potential impact in your city.

Second, Team ULCT will update our land use manual and publish it with the 2014 changes to the code.

Third, Team ULCT will hit the road and present at the Utah City Management Association, Utah Government Finance Officers Association, and Utah Municipal Attorneys Association conferences in the upcoming weeks. Your correspondent already spoke at the Utah Municipal Clerks Association Institute earlier this week. If you have other events you would like us to attend, please let us know.

Fourth, Team ULCT will finish preparing our 2014 Midyear Convention in sunny St. George—which sounds awesome after 45 days inside the capitol—where we will brief you both on what happened on 2014 but also on trends and expectations for 2015. That's right—we are already looking ahead to what the next 12 months have in store. If you haven't registered for the Midyear Convention, here's your chance:

http://www.ulct.org/training-events/ulct-conferences/midyear-conference/

Fifth, Team ULCT will get some sleep.

Finally, I want to offer another sincere thank you to the remarkable members of the capitol hill contingent of Team ULCT:

Ken Bullock (ULCT Executive Director)
Lincoln Shurtz (ULCT Director of Legislative Affairs)
Jodi Hoffman (ULCT Land Use Analyst)
Roger Tew (ULCT Tax Policy Analyst)
Satin Tashnizi (ULCT Fearless Intern)
Cameron Diehl (your correspondent/ULCT Policy Analyst)
Gary Crane (Layton)
Gary Williams & Gregg Buxton (Ogden)
Lynn Pace and Wilf Sommerkorn (Salt Lake)
John Hiskey & Ian Robertson (Sandy)
Rob Wall & Chip Dawson (South Jordan)
Randy Sant (Tooele)
Nicole Cottle (West Valley)

Happy Trails to you…until we meet again in St. George. As always, thanks for your participation in ULCT. Watch for the publications, holler if you have any questions, and thanks for reading. This is your humble legislative correspondent for the 2014 General Session saying "good night, and good luck."

Legislative Policy Committee Agenda

Monday, February 3rd 2014
Capitol Building Rm W-30, 12:00 noon

1. Welcome and Introductions
2. Local Official Day Thank you!!
3. Natalie Gochnour Associate Dean at David Eccles School of Business & Chief Economist/Senior Advisor to Salt Lake Chamber
   a. Economic Perspective on Transportation Finances
4. Transportation—Lincoln
5. Health Care Seminar/Announcement
6. Rep. Jack Draxler—Alcohol HB 40
7. Rep. Jim Nielson—Sales Tax Distribution HB 434
8. Trails/ Website Bill Tracking – Cameron
9. Salt Lake Mayor Ben McAdams HB 356
   a. Convention Hotel
10. Other Items

Legislative Policy Committee Agenda

Monday, February 10th 2014
Capitol Building Rm W-30, 12:00 noon

1. Welcome and Introductions
2. Transportation—Lincoln Shurtz & Ken Bullock
3. HB 258, Business licenses
4. HB 66, Enterprise Funds
5. Elections issues (HB 252, SB 134)
6. 911 HB 155
   a. Representative Brad Dee (invited)
7. HB 97, Breed specific ordinances
   a.Representative Brian King (invited)
8. Power issues—Roger Tew and Ted Rampton
9. Trails issues—Cameron Diehl
10. Website Bill Tracking—Cameron Diehl
11. Bill list, staff recommendations
12. Other Items

Legislative Policy Committee Agenda

Monday, February 24th 2014
Capitol Building Rm W-30, 12:00 noon

1. Welcome and Introductions
2. Congressman Jason Chaffetz
   a. Marketplace Fairness
   b. Health care
3. Transportation—Lincoln Shurtz & Ken Bullock
4. SB 134, Referendum—Roger
5. HB 102, Assessment Areas—Lincoln
6. HB 66, Enterprise Funds—Lincoln
7. SB 184, Building Inspections—Lincoln
8. SB 82 & SB 223, Billboards—Lincoln & Jodi
9. SB 211, Water—Jodi and Cameron
10. HB 97, Breed specific ordinances—Cameron
11. HB 276 and SB 220, Disorderly Conduct—Cameron
12. Website Bill Tracking – Cameron
13. Bill list, staff recommendations
14. Other Items

Legislative Policy Committee Agenda

Monday, March 3rd 2014
Capitol Building Rm W-30, 12:00 noon

1. Welcome and Introductions
2. Transportation funding: SB 60, HB 388, and HB 430

   Utah state budget (Speaker Becky Lockhart & Senator Jerry Stevenson, invited)
3. SB 134, Referendum—Roger
4. SB 243, Air Quality Programs (Senator Stuart Adams,
5. Connectivity Resolution (Senator Howard Stephenson, invited)—Ken Bullock
6. HB 102, Assessment areas—Lincoln Shurtz
7. HB 155, E-911—Lincoln Shurtz
8. SB 216, township—Lincoln Shurtz
9. SB 82 and SB 223, billboards—Jodi Hoffma
10. HB 220S2, land use—Jodi Hoffman
11. HB 413, city manager & attorney elections—Cameron Diehl & Roger Tew
12. HB 276, disorderly conduct—Cameron Diehl & Rob Wall (South Jordan)
13. HB 97, breed specific ordinances—Cameron Diehl

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