UTAH LEAGUE OF CITIES AND TOWNS

2016 GENERAL LEGISLATIVE SESSION WRAP UP

2016 Legislative Update

Welcome to the 2016 ULCT Legislative Wrap Up. Team ULCT tracked a record 261 bills (out of 824 total bills) during the 2016 session on topics ranging from law enforcement to wildland fire, and indigent defense to GRAMA. We had a successful and productive year on the Hill.

Thanks to the ULCT Board of Directors and members of the Legislative Policy Committee for your involvement and insight. Thanks to the many elected officials, city attorneys, city managers, city recorders, town clerks, lobbyists, and municipal communication professionals who gave of your time and resources to assist in the Team ULCT effort. ULCT staff appreciates your expertise, dedication, and assistance. The League Army is vital to ULCT's effectiveness.

This book provides multiple resources for you. First, you can find any of the 152 priority bills within the Table of Contents. Each bill page will have an online link to the bill, ULCT analysis of the municipal impact, a summary of ULCT action, and a possible future trend for the bill topic. Additionally, each page may have a list of dates on the page too. Those dates correspond to emails or Legislative Policy Committee meetings which are included at the end of the book. Click on a date and you will go to the email or LPC minutes.

Second, ULCT has provided an "at a glance" of the bills that passed that require cities to proactively update ordinances or policies. Those bills are highlighted in the "Bills by Icon" section.

Third, the booklet has every daily email that ULCT staff sent during the session and you can click back and forth between the bill page, the tables of contents, and the emails.

Fourth, the LPC agendas and minutes are also included. Between the emails and the agendas, you can review the background of the bills and ULCT efforts on them.

Fifth, the booklet includes the master study items on the legislative interim list. The master list provides a snapshot of what issues may arise during the interim and in the 2017 session.

We hope you find this book useful. If you want to learn more about any bill or participate in any work groups on specific topics, please let us know. On behalf of ULCT staff, we appreciate the opportunity to serve you and advocate for local government.

Cameron Diehl
Director of Government Relations, ULCT

ULCT Legislative Team

Kenneth H. Bullock, ***Executive Director*** **kbullock@ulct.org**
Ken has worked for ULCT for 31 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.

Jodi Hoffman, ***Land Use Attorney/Chair, Land Use Task Force*** **jhoffman@xmission.com**
Jodi has worked for ULCT for 13 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 7 years, coordinates all ULCT efforts at the county, state, and federal levels, and administers the Legislative Policy Committee. He is responsible for law enforcement, transportation funding, and literally every other conceivable political issue.

Nick Jarvis, ***Director of Research & Technology*** **njarvis@ulct.org**
Nick has worked for ULCT for 6 years and oversees the League's research arm. He is responsible for compiling and analyzing the data we use to support our positions, advancing our online presence, and working with other research organizations to provide ULCT membership with the best information possible.

Brandon Smith, ***Legislative Research Analyst*** **bsmith@ulct.org**
Brandon has worked for ULCT for 1.5 years. He lobbied and managed logistics during the legislative session. Brandon specializes in legislative research and data analysis.

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Krysten has worked for ULCT for 4 years. She kept LPC minutes and organized ULCT daily committee assignments.

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106 HB 369 | Electronic Device Location Data Amendments

107 HB 380S3 | Utah Communication Authority Amendments
108 HB 381S1 | Standards for Issuance of Summons
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138 SB 76S1 | Workers' Compensation for Volunteers
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141 SB 89S5 | Cannabis-based Medicine Amendments
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146 SB 100 | Traffic Fines Amendments
147 SB 107 | Hate Crimes Amendments
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160 SB 161S2 | Highway Signage Amendments
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Icon and Date Reference

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Air Quality	Land Use
Building Code	Public Safety
Elections	Retirement/Benefits
Finances	Transparency
General Government	Transportation
Judiciary	Water

Bills by Icon

(Green bills passed; bullet points indicate whether cities/towns must take immediate action or consider action and ULCT interim commitments)

Air Quality

HB 242S2 Alternative Energy Development Tax Amendments

HB 244 Independent Energy Producer Amendments

SB 115S4 Sustainable Transportation and Energy Plan Act

Building Code

HB 121 Building Code Amendments

HB 316S6 Building Code Review and Adoption Amendments

- Action Required

HB 330 State Fire Code Revisions

- Action Required

SB 44 Construction Code Amendments

- Action Required

Elections

HB 10S4 Initiative and Referendum Amendments

HB 21 Election Revisions

- Action Optional

HB 83S1 Campaign Finance Disclosures in Municipal Elections

- Action Required

HB 146S1 Disclosure of Local Candidates

- Action Required

HB 198 Ballot Proposition Amendments

SB 25S1 Ballot Amendments

- Action Required

SB 26 Election Notice Amendments

- Action Optional

SB 27 Absentee Ballot Amendments

- Action Required

SB 114S1 Municipal Utilities Amendments

- Action Optional

Finances

HB 17S3 Assessment Area Foreclosure Amendments

- Action Required

HB 23S1 Privilege Tax Amendments

HB 25S3 Property Tax Changes

HB 31 Enterprise Zone Amendments

- Action Optional

HB 104S1 Property Taxation Amendments

HB 122 Sales Tax Exemption for Public Buildings

- ULCT interim commitment

HB 145S2 Municipal Energy Tax Rate Amendments

- ULCT interim commitment

HB 180S1 Sales and Use Tax Exemption Amendments

HB 235S1 Remote Transaction Parity Act

- ULCT interim commitment

HB 346S1 Urban Redevelopment Tax Credit

HB 347S1 Local and Special Service District Amendments

HB 428S2 Local Government Bonding Amendments

HB 471S1 Powersport Vehicle Franchise Amendments

SB 68 Property Tax Amendments

SB 120 Property Tax Notice Amendments

- Action Required

SB 142S1 Improvement District Amendments

SB 151S1 Community Development and Renewal Agencies Act Revisions

- Action Required

SB 169S5 Olene Walker Housing Loan Fund Amendments

- Action Optional
- ULCT interim commitment

SB 182S2 Sales and Use Tax Revisions

- ULCT interim commitment

SB 192 Study on Claims

- ULCT interim commitment

SB 203 Immunity Amendments

- ULCT interim commitment

SB 258 Distribution of Local Sales Tax Revenue

SCR 002 Concurrent Resolution in Support of Sales and Use Tax Transactional Equity

- Action Optional
- ULCT interim commitment

SJR 3 Proposal to Amend Utah Constitution – Property Tax Exemptions

- Action Dependent on Passage

General Government

HB 12 Disaster Recovery for Local Governments

HB 14 Emergency Services Account Loan Amendments

HB 33 Fire Prevention Board Membership Amendments

HB 52S2 Office of Outdoor Recreation Amendments

- Action Optional

HB 76 Alcoholic Beverage Service Amendments

- ULCT interim commitment

HB 77 Special District Amendments

HB 96S2 Single Sign-On Business Database

HB 129 Towing Surcharge Amendments

- ULCT interim commitment

HB 130 Electric Vehicle Infrastructure Amendments

- Action Optional

HB 132S1 Local Government Licensing Amendments

- ULCT interim commitment

HB 133 Municipal Government Amendments

HB 157S2 Age Limit for Tobacco and Related Products

HB 187S1 Animal Shelter Amendments

HB 228S2 Alcohol Modifications

HB 258S2 Solid Waste Amendments

HB 318S2 Point of the Mountain Development Commission Act

- ULCT interim commitment

HB 328 Housing and Homeless Amendments

- ULCT interim commitment

HB 333 Electronic Cigarette Products, Nicotine Inhalers, and Related Revenue Amendments

HB 341S1 Interlocal Cooperation Act Amendments

HB 348S2 Mountainous Planning District Amendments

HB 436S3 Housing and Homeless Reform Initiative

- Action Optional
- ULCT interim commitment

SB 34S1 Sewer Lateral Disclosures

- Action Required

SB 59S1 Antidiscrimination and Workplace Accommodations Revisions

- Action Required

SB 122S3 Wildland Fire Policy Updates

- Action Required
- ULCT interim commitment

SB 125S1 After-School Programs Amendments

- Action Optional

SB 196S2 Retail Bag Impact Reduction Program

SB 210S4 Unmanned Vehicle Revisions

- ULCT interim commitment

SB 212S1 Wildland Fire Suppression Fund

- Action Optional
- ULCT interim commitment

SB 250 Alcoholic Beverage Policy Amendments

Judiciary

HB 85S2 Attorney Fee Revisions

HB 160S3 Justice Court Amendments

- Action Required

HB 381S1 Standards for Issuance of Summons

- Action Required

HB 399 Victim Rights Amendments

SB 107 Hate Crimes Amendments

SB 155S5 Indigent Defense

- Action Required
- ULCT interim commitment

SB 181 Judiciary Amendments

- Action Required

SB 187S1 Reclassification of Misdemeanors

- Action Required

SB 202 Pre-trial Release Amendments

- ULCT interim commitment (Justice Reinvestment Initiative)
- ULCT interim commitment (Land Use Task Force)

Land Use

HB 32 Subdivision Base Parcel Tax Amendments

- Action Required

HB 78 Abandoned Road Amendments

HB 115S1 Beekeeping Modifications

- ULCT interim commitment

HB 144S1 Food Freedom Act

HB 161 Agriculture Parcel Amendments

HB 223S3 Local Historic District Amendments

- Action Required

HB 224 Impact Fee Revisions

- ULCT interim commitment

HB 232 Scenic Byway Amendments

HB 248 Municipal Disconnection Amendments

HB 315 Bee Keeping Amendments

HB 360S2 Land Use Amendments

HB 368 Short-term Rental Tax Amendments

HB 409 Short-term Rental Amendments

- ULCT interim commitment

HB 413 Falconry Amendments

HB 414S1 Zoning Amendments

HB 431 Affordable Housing Revisions

- Action Required

SB 86 School Building Coordination

- Action Required

SB 150S2 Metro Township Amendments

SB 161S2 Highway Signage Amendments

Public Safety

HB 22S1 Civil Asset Forfeiture – Procedural Reforms

HB 30 Good Landlord Program Amendments

- Action Required
- ULCT interim commitment

HB 80 Vehicle Impound Amendments

HB 126S3 Unmanned Aircraft Revisions

HB 300S1 Body-worn Cameras for Law Enforcement

- Action Required
- ULCT interim commitment

HB 380S3 Utah Communication Authority Amendments

HB 389 Sanctuary City Liability Amendments

HB 390 Law Enforcement Tracking Amendments

HB 434 Law Enforcement Officer Investigation Amendments

HB 460 School Resource Officers and School Administrators Training and Agreement

- Action Required

SB 73S3 Medical Cannabis Act

SB 89S5 Cannabis-based Medicine Amendments

SB 94 Law Enforcement Use of Body Cameras

SB 100 Traffic Fines Amendments

SB 157S1 Pawnshop Amendments

- Action Optional

SB 193S2 Utah Communications Authority Act Amendments

SB 236S1 Utah Communications Authority Governance Amendments

SCR 005S2 Concurrent Resolution in Support of Law Enforcement Officers

- Action Optional

SCR 011 Concurrent Resolution Urging the Rescheduling of Marijuana

Retirement/Benefits

HB 15 Domestic Relations Retirement Shares

- Action Required

HB 47 Postretirement Employment Rural and Title I

- ULCT interim commitment

HB 50 Postretirement Reemployment Amendments

HB 86S3 Postretirement Employment Restrictions

HB 117 Modifications to Postretirement Reemployment Restrictions

HB 159S1 Line-of-duty Death Benefits Amendments

- Action Required

HB 205 Tier II Retirement Amendments

SB 19 Phased Retirement

- Action Optional

SB 29 Retirement Systems Amendments

- Action Optional

SB 36 Postretirement Employment Exceptions

SB 76S1 Workers' Compensation for Volunteers

SB 208 Retirement Amendments

- Action Optional

Transparency

HB 63 Fees for Government Records Requests

- Action Required

HB 326 Special and Local District Transparency

HB 432S1 Governmental Nonprofit Entity Compliance Amendments

HB 473 Local Government Revisions

- ULCT interim commitment

SB 99S2 Transparency for Political Subdivisions

- Action Required
- ULCT interim commitment

SB 164S2 Local Government Modifications

- Action Required

SB 235S1 Local District Tax Revisions

- ULCT interim commitment

Transportation

HB 60 Class B and C Road Fund Amendments

HB 168 Transportation Funding Modifications

HB 183 County Option Sales and Use Tax for Highways and Public Transit Amendments

- Action Optional

HB 209 Public Transit District Board County Appointment Amendments

HB 215S1 Local Option Sales and Use Tax Amendments

HB 296S1 Transportation Funding Revisions

HB 369 Electronic Device Location Data Amendments

- Action Optional

Water

HB 222 Nonuse Application Amendments

HB 253 Public Trust Amendments

HB 257 Water Funding Revisions

HB 305S2 Water Rights and Resources Amendments

- Action Required

SB 23S2 Water Law Protected Purchaser Amendments

SB 75 Water Rights Adjudication Amendments

- Action Required

SB 80S2 Infrastructure Funding Amendments

SB 92S3 Water Conservation Amendments

- ULCT interim commitment

SB 110S3 Water Quality Amendments

- Action Optional
- ULCT interim commitment

SB 177 Nighttime Highway Construction Noise Amendments

SB 251S3 Water Infrastructure Funding Amendments

SCR 001 Concurrent Resolution Encouraging Universal Metering of Water Systems

- Action Optional
- ULCT interim commitment

House Bills

HB 10S4 | Initiative and Referendum Amendments

Jan 26, LPC Minutes Feb 29

Sponsor: **Greene, Brian**
Bill Status: **Enrolled**
http://le.utah.gov/~2016/bills/static/HB0010.html
ULCT Position: **Oppose until amended**

Legislative Purpose for the Bill:
The bill modifies the definition of a "local law" that can be referred. "Local law" now includes "other legislative action of a local legislative body." Additionally, the bill also removes the printed requirement that a registered voter must have read and understood the law proposed by the initiative or referendum petition. The overall objective of the bill was to codify the common law on initiative and referendum procedures.

Municipal Impact/what you need to do:
The local clerk must furnish copies of the referendum petition and signature sheets to petitioners within five days of receiving a completed application. .

ULCT Action/Future Trend:
ULCT worked with partner organizations to amend the bill. The original version broadly defined "local law" and "local clerk" in ways that caused us concerns. Going forward, ULCT expects additional legislation about initiatives and referendums.

HB 12 | Disaster Recovery for Local Governments

Sponsor: **Oda, Curtis**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0012.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
This bill modifies the Public Safety Code and the Budgetary Procedures Act, and establishes the Local Government Emergency Response Loan Fund for the purpose of providing short-term, low-interest loans to local government entities to be used for costs incurred for providing emergency disaster services; and matching funds required to secure federal funds or grants related to a declared disaster.

Municipal Impact/what you need to do:
Local governments may apply for loans from the Local Government Emergency Response Loan Fund in order to help cover the costs incurred by a local government for providing emergency disaster services. A "declared disaster" is defined as an event that is sudden and infrequent that results in the President of the United States, Governor, or chief executive officer of a local government declaring an emergency. Local governments must agree to loan terms and not be in default on any other state loans in order to qualify.

ULCT Action/Future Trend:
ULCT monitored the bill and Rep. Oda presented to the ULCT Annual Convention about the concept in 2015.

HB 14 | Emergency Services Account Loan Amendments

Sponsor: **Oda, Curtis**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0014.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
This bill modifies the Emergency Management Act, and authorizes the Division of Emergency Management to provide short-term loans to agents of the state for the purpose of providing emergency services to a member state of the Emergency Management Assistance Compact when the member state has a declared disaster, requested support from the agent of the state; and the agent of the state has no funds available to respond to the request.

Municipal Impact/what you need to do:
Note that the bill provides that agents of the state will reimburse the State Disaster Recovery Restricted Account when reimbursed by the member state for emergency services provided, and can only receive funds when no other funds are available. The bill also clarifies that the applicant or sub-applicant agency is responsible for any financial match requirements when requesting a federal disaster declaration.

ULCT Action/Future Trend:
ULCT monitored the bill and Rep. Oda presented to the ULCT Annual Convention about the concept in 2015.

HB 15 | Domestic Relations Retirement Shares

Sponsor: **McIff, Kay**
Bill Status: **Enrolled**
http://le.utah.gov/~2016/bills/static/HB0015.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
The bill expands the definition of "surviving spouse" to the lawful spouse who was married to a member of the Utah Retirement System for at least six months immediately before the member's death, or a former lawful spouse of a member with a valid domestic relations order benefits on file with the Utah Retirement System office prior to the member's death.

Municipal Impact/what you need to do:
Cities must consider the new definition when providing benefits to the "surviving spouse" of a "covered individual." If the death benefits are partitioned among more than one surviving spouse due to the aforementioned domestic relations order, the total amount cannot exceed the death benefit normally provided to just one surviving spouse under state law.

ULCT Action/Future Trend:
The legislature considered multiple bills on survivor benefits and ULCT tracked them closely.

HB 17S3 | Assessment Area Foreclosure Amendments

Sponsor: **Webb, Curt**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0017.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
HB 17 modifies the methods of creating and enforcing assessment liens for new assessment area projects.

Municipal Impact/what you need to do:
New assessment area liens must be judicially foreclosed for new assessment area projects initiated after May 10, 2016. The lien may be foreclosed non-judicially with the permission of the owner.

ULCT Action/Future Trend:
The Land Use Task Force, which consists of city managers, city attorneys, ULCT staff, home builders, developers, and the Property Rights Coalition, and works to address land use issues, worked closely with Rep. Webb and positively recommended the bill.

HB 21 | Election Revisions

Sponsor: **Eliason, Steve**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0021.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
The bill allows for daily disclosure of the results of counted absentee and provisional ballots.

Municipal Impact/what you need to do:
Local clerks may now release publicly the results of absentee ballots and provisional ballots counted during the interim period starting on the day after Election Day and ending at the final canvass. Local clerks may not release election results if disclosure could result in revealing the specific vote choice cast by an individual voter.

ULCT Action/Future Trend:
ULCT offered support of the bill during the November Interim. The bill was a result of concerns that arose when multiple cities and counties conducting exclusive absentee ballot elections ("vote by mail") in 2015. Candidates wanted updates on the vote count of the daily ballots but clerks were legally unable to share the information. ULCT expects more legislation to facilitate the procedure for absentee ballot elections in the future.

HB 22S1 | Civil Asset Forfeiture—Procedural Reforms

Feb 16, LPC Minutes Feb 8, LPC Agenda Feb 22, LPC Minutes Feb 22

Sponsor: **Greene, Brian**
Bill Status: Failed
http://le.utah.gov/~2016/bills/static/HB0022.html
ULCT Position: Oppose

Legislative Purpose for the Bill:
The bill would have limited civil asset forfeiture proceedings and steered forfeiture proceeds from the Commission on Criminal and Juvenile Justice to the Uniform School Fund or the Criminal Forfeiture Restricted Account.

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
ULCT, Utah Association of Counties, Utah Sheriffs Association, and the Utah Chiefs of Police Association all opposed the bill and we successfully argued against it in the Senate Judiciary Committee. Nationwide, there is an effort to reform civil asset forfeiture—particularly on a federal level—but we were concerned that the unintended consequence of this bill would be to reduce funding via CCJJ for local drug and gang task forces.

HB 23S1 | Privilege Tax Amendments

Sponsor: **Stanard, Jon**
Bill Status: **Enrolled**
http://le.utah.gov/~2016/bills/static/HB0023.html
ULCT Position: **Neutral**

Legislative Purpose for the Bill:
A recent Utah Supreme Court interpreted the current Utah privilege tax statute in a manner that could have severely limited the use of the tax. This legislation largely maintained the previous interpretation.

Municipal Impact/what you need to do:
There is no action for cities to take.

ULCT Action/Future Trend:
ULCT monitored the bill.

HB 25S3 | Property Tax Changes

Sponsor: **McCay, Daniel**
Bill Status: **Enrolled**
http://le.utah.gov/~2016/bills/static/HB0025.html
ULCT Position: Support

Legislative Purpose for the Bill:
The bill clarified the "new growth" statute for property tax. It should limit if not eliminate the situation where actual new real property tax growth is negated by personal property/centrally assessed changes.

Municipal Impact/what you need to do:
There is no action for cities to take.

ULCT Action/Future Trend:
ULCT worked with other stakeholders to find consensus on HB 25 and the bill should improve application of new growth.

HB 30 | Good Landlord Program Amendments

Feb 3

Sponsor: **Froerer, Gage**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0030.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
The bill defines "residential landlord," outlines the authority of a city over the residential landlord, clarifies the notice and communication requirements and the duties and responsibilities between a city, residential landlord, and property manager.

Municipal Impact/what you need to do:
15 cities currently utilize "good landlord" programs. Cities with such programs must update their notice and communication procedures with property managers and residential landlords. Likewise, cities may not collect or retain a tenant's consumer report, a tenant's criminal history record information, or a copy of an agreement between the residential landlord and tenant. Cities may also not require that documents be notarized or prohibit a residential landlord from passing the disproportionate fee or license fee onto tenants. Cities may still audit and inspect records to ensure compliance.

ULCT Action/Future Trend:
ULCT spent significant time during the 2015 interim working with Rep. Froerer, the good landlord program cities, and other stakeholders to address concerns with the program. HB 30 represents the consensus reached on administrative concerns. ULCT committed to work with cities, the Department of Corrections, Adult Probation and Parole, and the Commission on Criminal and Juvenile Justice to craft a pilot program in Ogden City that could replace the current statutory restriction on renting to an individual with a criminal conviction in the past four years.

HB 31 | Enterprise Zone Amendments

Sponsor: **Sandall, Scott**
Bill Status: **Enrolled**
http://le.utah.gov/~2016/bills/static/HB0031.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
This bill amends provisions related to the Enterprise Zone Act. It modifies the population requirements for a county or a municipality to qualify for designation as an enterprise zone. For municipalities, it is now a population that does not exceed 20,000 as opposed to the former 15,000. It also modifies the requirements to receive an enterprise zone tax credit, including requirements related to obtaining a tax credit certificate from the Governor's Office of Economic Development (GOED). The bill grants certain rulemaking authority to GOED related to the enterprise zone tax credit certificates, and modifies GOED's reporting requirements related to enterprise zone tax credits.

Municipal Impact/what you need to do:
Municipalities with a population between 15,000 and 20,000 now have the ability to consider creating an enterprise zone.

ULCT Action/Future Trend:
ULCT actively supported this bill.

HB 32 | Subdivision Base Parcel Tax Amendments

Jan 27, Feb 13

Sponsor: **Webb, Curt**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0032.html

ULCT Position: Support

Legislative Purpose for the Bill:
HB 32 provides a legal method to clear past tax liens on a lot that has been properly subdivided from a tax-delinquent base parcel.

Municipal Impact/what you need to do:
The bill legalizes a common practice that had actually been prohibited by statute.

ULCT Action/Future Trend:
The Land Use Task Force, which consists of city managers, city attorneys, ULCT staff, home builders, developers, and the Property Rights Coalition, and works to solve land use issues, worked closely with the bill sponsor to arrive at a consensus bill.

HB 33 | Fire Prevention Board Membership Amendments

Sponsor: **Dunnigan, James**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0033.html

ULCT Position: **Neutral**

Legislative Purpose for the Bill:
The bill reduces the Utah Fire Prevention Board from 13 to 11 members.

Municipal Impact/what you need to do:
The two removed board members are a Labor Commissioner and a city or county official. Local government still has representation on the Board via a member of the Utah State Fire Chiefs Association, Utah Fire Marshal's Association, and three fire executives from full-time fire departments (one from within a county of the first class; one from within a county of the second class; one from within a county of the third, fourth, fifth, or sixth class).

ULCT Action/Future Trend:
ULCT monitored the bill. No future trend.

HB 47 | Postretirement Employment Rural and Title I

Jan 29, Feb 8, Feb 10, Feb 12, Feb 16,
LPC Agenda Feb 1, LPC Minutes Feb 1,
LPC Agenda Feb 8, LPC Minutes Feb 8

Sponsor: **Cunningham, Rich**
Bill Status: **Failed**
http://le.utah.gov/~2016/bills/static/HB0047.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
The bill would have modified the postretirement reemployment provisions in the Utah State Retirement and Insurance Benefit Act for rural Utah communities (cities of less than 10,000 people) and Title I schools.

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
ULCT worked closely with Rep. Cunningham during the 2015 interim on all of his retirement bills. ULCT's Legislative Policy Committee retirement working group recommended support of HB 47 because of the potential flexibility for municipal employers to recruit workers. ULCT expects postretirement bills to continue to attract interest in the 2016 interim.

HB 50 | Postretirement Reemployment Amendments

Jan 29, Feb 8, Feb 10, Feb 12, Feb 16, LPC Agenda Feb 1, LPC Minutes Feb 1, LPC Agenda Feb 8, LPC Minutes Feb 8

Sponsor: **Cunningham, Rich**
Bill Status: **Failed**
http://le.utah.gov/~2016/bills/static/HB0050.html
ULCT Position: Support

Legislative Purpose for the Bill:
The bill would have amended the earning limitation for reemployed retirees who return to work for a participating employer from $15,000 to $20,000.

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
ULCT worked closely with Rep. Cunningham during the 2015 interim on all of his retirement bills. ULCT's Legislative Policy Committee retirement working group recommended support of HB 50 because of the potential flexibility for municipal employers to recruit workers. ULCT expects postretirement bills to continue to attract interest in the 2016 interim.

HB 52S2 | Office of Outdoor Recreation Amendments

Feb 1 LPC Email, Feb 4, Feb 25, LPC Minutes Feb 1

Sponsor: **Arent, Patrice**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0052.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
The bill creates the Outdoor Recreational Infrastructure Grant Program, provides one-time grant money of $1 million to the Utah Office of Outdoor Recreation (Governor's Office of Economic Development), and describes the requirements of the program.

Municipal Impact/what you need to do:
The grant program is available to cities and towns for outdoor recreation infrastructure projects. Grant recipients must provide matching funds. The Utah Office of Outdoor Recreation will make rules soon about the eligibility and reporting criteria to qualify for the grant funds.

ULCT Action/Future Trend:
ULCT testified in support of the bill, distributed a letter of support to legislators, and is optimistic that the $1 million of one-time funding will grow in future sessions. ULCT recognizes the critical role that active transportation and outdoor recreation play in Utah's economy and quality of life.

HB 60 | Class B and C Road Fund Amendments

Sponsor: **Anderson, Johnny**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0060.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
HB 60 clarifies what ULCT and UAC had previously agreed upon in 2015 in HB 362. A handful of rural counties and cities with populations less than 14,000 have a unique apportionment formula from the class B and class C road fund dating back to 1996-1997. UDOT expressed concerns that HB 362 in 2015 did not adequately articulate the longstanding apportionment formula. Consequently, HB 60 makes the changes.

Municipal Impact/what you need to do:
The municipal impact is only on a handful of rural towns.

ULCT Action/Future Trend:
ULCT worked with UDOT and UAC to clarify the language. No future trend.

HB 63 | Fees for Government Records Requests

Sponsor: **King, Brian**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0063.html

ULCT Position: **Neutral**

Legislative Purpose for the Bill:
The bill would specify that the appeal to the adjudicative body of the denial a fee waiver request be considered "de novo."

Municipal Impact/what you need to do:
The city's chief administrative officer shall consider the fee waiver denial "de novo" (decide the issues without reference to the legal conclusions or assumptions made in the previous decision).

ULCT Action/Future Trend:
ULCT monitored the bill. The legislature is constantly reviewing and modifying the Government Records Access and Management Act.

HB 76 | Alcoholic Beverage Service Amendments

Sponsor: **Powell, Kraig**

Bill Status: **Failed**

http://le.utah.gov/~2016/bills/static/HB0076.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
The bill would eliminated bar structure restrictions in restaurants, exempt full-service and limited-service restaurants from restrictions on the dispensing and storage of alcoholic products (the so-called "Zion curtain" that prevents the view of dispensing and storing alcohol), and would have required signage to provide notice to patrons about the preparation of alcohol in public view.

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
ULCT has consistently supported common sense alcohol policies that facilitate economic development of full-service and limited-service restaurants, promote public safety, and discourage alcohol consumption by minors. While HB 76 did not pass, ULCT anticipates that the legislature will consider similar bills during the 2016 interim and in future sessions.

HB 77 | Special District Amendments

Sponsor: **Handy, Stephen**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0077.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
HB 77 allows an elected county official to serve on the board of trustees for a service area or a local district, without residing in the service area or district, if the official is elected at large; modifies the method for a municipality to withdraw from a service district.

Municipal Impact/what you need to do:
The bill requires no municipal action and codifies common practice.

ULCT Action/Future Trend:
Local districts and service areas are proliferating in number and scope of purpose each year.

HB 78 | Abandoned Road Amendments

LPC Minutes Feb 8

Sponsor: **Handy, Stephen**

Bill Status: **Failed**

http://le.utah.gov/~2016/bills/static/HB0078.html

ULCT Position: **Opposed**

Legislative Purpose for the Bill:
The bill would have amended provisions of the "public road by public prescriptive use" statute to address a single circumstance. The bill would have transferred liability to local government to establish title to private land in certain circumstances involving new subdivisions.

Municipal Impact/what you need to do:
No municipal impact. The bill did not pass.

ULCT Action/Future Trend:
The issue was not vetted by the Land Use Task Force, which consists of city managers, city attorneys, ULCT staff, home builders, developers, and the Property Rights Coalition, which works together to solve land use issues. The bill sponsor withdrew the bill after discussions with ULCT members.

HB 80 | Vehicle Impound Amendments

Sponsor: **Cox, Fred**
Bill Status: **Failed**
http://le.utah.gov/~2016/bills/static/HB0080.html
ULCT Position: **Oppose**

Legislative Purpose for the Bill:
The bill would have repealed the requirement for a peace officer to impound a vehicle without a warrant if the vehicle is not insured.

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
ULCT monitored the bill.

HB 83S1 | Campaign Finance Disclosures in Municipal Elections

Jan 28, Jan 29, Feb 1

Sponsor: **Hall, Craig**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0083.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
The bill requires municipal candidates to file a campaign finance statement with the municipal clerk or recorder no later than seven days prior to the municipal primary election. The bill only applies when there are sufficient candidates for a municipal primary election.

Municipal Impact/what you need to do:
City clerks and recorders must now inform candidates that they must submit a campaign finance disclosure form seven days prior to the municipal primary election if a municipal primary election occurs.

ULCT Action/Future Trend:
ULCT worked with the bill sponsor on the bill. Legislators are supportive of transparency—in this case, candidate disclosure in elections—so that the public knows what government and government officials are doing.

HB 85S2 | Attorney Fee Revisions

Jan 28

Sponsor: **Greene, Brian**

Bill Status: **Failed**

http://le.utah.gov/~2016/bills/static/HB0085.html

ULCT Position: **Oppose**

Legislative Purpose for the Bill:
The bill would have repealed a provision of state law that disavowed the private attorney general doctrine.

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
ULCT, Utah Association of Counties, and the Attorney General's office all had concerns about HB 85. Even though it did not pass, we anticipate the bill will return.

HB 86S3 | Postretirement Employment Restrictions

Jan 29, Feb 8, Feb 10, Feb 12, Feb 16, Feb 17, Feb 25, Feb 26, Mar 3, Mar 7, LPC Agenda Feb 1, LPC Minutes Feb 1, LPC Agenda Feb 8, LPC Minutes Feb 8, LPC Minutes Feb 22

Sponsor: **Cunningham, Rich**
Bill Status: **Failed**
http://le.utah.gov/~2016/bills/static/HB0086.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
The bill would have modified postretirement employment restrictions. The bill would have reduced the current one year separation to 60 days, would have maintained the no retirement in place limitation, and would have applied to all public employees. If an employer re-hired a post-retired employee, the employer would have to pay the certified contribution rate to the Utah Retirement System as if the re-hire were an eligible, full-time position. The bill also included a five year sunset so as to collect data for future evaluation.

Municipal Impact/what you need to do:
No municipal impact. The bill did not pass.

ULCT Action/Future Trend:
ULCT worked closely with Rep. Cunningham during the 2015 interim on all of his retirement bills. ULCT's Legislative Policy Committee retirement working group recommended support of HB 86 because of the potential flexibility for municipal employers to recruit workers. ULCT expects postretirement bills to continue to attract interest in the 2016 interim.

HB 96S2 | Single Sign-On Business Database

Feb 8

Sponsor: **Cutler, Bruce**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0096.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
This bill directs the Department of Technology Services to develop a business database and single sign-on web portal. The portal would be a central location for businesses to enter business information that is required by multiple organizations and state agencies such as address, phone number, owner, etc. The idea of the portal is to be able to enter those standard pieces of information once and have it cover most, if not all, of the agencies and organizations that require that information.

Municipal Impact/what you need to do:
Participation in a single sign-on portal is optional for municipalities.

ULCT Action/Future Trend:
ULCT will be involved in the design and prototype of the single sign-on web portal. This bill fits into the larger picture of a push to make Utah/cities more business friendly.

HB 104S1 | Property Taxation Amendments

Sponsor: **Peterson, Jeremy**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0104.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
HB 104 allows for property tax notices to be sent electronically.

Municipal Impact/what you need to do:
Notices are a county responsibility.

ULCT Action/Future Trend:
ULCT watched the bill. ULCT expects similar legislation in the future to facilitate the conducting of local government business electronically.

HB 115S1 | Beekeeping Modifications

Feb 17, Mar 2, LPC Minutes Feb 29

Sponsor: **Roberts, Marc**

Bill Status: **Failed**

http://le.utah.gov/~2016/bills/static/HB0115.html

ULCT Position: **Opposed until amended**

Legislative Purpose for the Bill:
The bill would have eliminated state regulation of certain bee keeping practices. The bill would have prohibited local regulation of bee keeping on private property—regardless of its impacts.

Municipal Impact/what you need to do:
No municipal impact. The bill did not pass.

However, ULCT urges you to consider a proactive approach: many cities were characterized as prohibiting bee keeping, rather than regulating the practice as a land use (lot size, setbacks, fencing, limitations on numbers of hives (home occupation v. commercial enterprise), etc. Please review your code to see if it would allow a single bee colony in a traditional single-family zone, as a hobby or a home occupation, if proper placement, setbacks and fencing requirements were met.

ULCT Action/Future Trend:
The bill sponsor worked with ULCT staff to amend the bill to allow local land use regulation. The compromise balanced the importance of bees in Utah's economy with the need for site-specific application of land use laws. Exaggerated reports of overreaching land use codes prompted the sponsor to propose a bill to limit our local land use power. This was a recurring trend in the 2016 session.

HB 117 | Modifications to Postretirement Reemployment Restrictions

Jan 29, Feb 8, Feb 10, Feb 12, Feb 16, LPC Agenda Feb 1, LPC Minutes Feb 1, LPC Agenda Feb 8, LPC Minutes Feb 8

Sponsor: **Cunningham, Rich**
Bill Status: **Failed**
http://le.utah.gov/~2016/bills/static/HB0117.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
HB 117 is similar to HB 47 in that it would have provided flexibility to re-hire a retiree at a Title I school.

Municipal Impact/what you need to do:
No municipal impact. The bill did not pass.

ULCT Action/Future Trend:
ULCT worked closely with Rep. Cunningham during the 2015 interim on all of his retirement bills. ULCT's Legislative Policy Committee retirement working group recommended support of HB 117 because of the potential flexibility for municipal employers to recruit workers. ULCT expects postretirement bills to continue to attract interest in the 2016 interim.

HB 121 | Building Code Amendments

Sponsor: **Edwards, Rebecca**
Bill Status: **Failed**
http://le.utah.gov/~2016/bills/static/HB0121.html
ULCT Position: **Opposed**

Legislative Purpose for the Bill:
The bill would have incorporated new energy efficiency provisions into the Building Code and would have competed with revisions that were addressed in HB316.

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass. See our HB 316 discussion below for recommendations.

ULCT Action/Future Trend:
Energy efficiency revisions will be incorporated in the state Building Code as consumer demand and larger production volume lowers product costs.

HB 122 | Sales Tax Exemption for Public Buildings

Sponsor: **Powell, Kraig**

Bill Status: **Failed**

http://le.utah.gov/~2016/bills/static/HB0122.html

ULCT Position: **Oppose**

Legislative Purpose for the Bill:
HB 122 would have amended the sales and use tax exemption for construction materials purchased by or on behalf of the state or political subdivisions.

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
ULCT watched the bill and met with supporters. The legislature sent the bill to interim study and ULCT expects a similar bill to return in 2017.

HB 126S3 | Unmanned Aircraft Revisions

Sponsor: **Powell, Kraig**
Bill Status: **Enrolled**
http://le.utah.gov/~2016/bills/static/HB0126.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
HB 126 prohibits an individual from flying an unmanned aircraft (drone) within an area under a temporary flight restriction as a result of a wildland fire scene. The wildland fire incident commander may grant reasonable access to the area within three miles of the wildfire if the access would not impose a safety risk or impair efforts to control the fire.

Municipal Impact/what you need to do:
HB 126 also prohibits cities from enacting a law, ordinance, or rule governing the private use of an unmanned aircraft (drone) in relation to a wildland fire.

ULCT Action/Future Trend:
ULCT worked with the bill sponsor, fire officials, and unmanned aircraft interests on the bill. The scope of the bill is limited to wildland fire. Nevertheless, ULCT expects Federal Aviation Administration rules and future state legislation about unmanned aircraft usage and will engage stakeholders about the appropriate role of local government.

HB 129 | Towing Surcharge Amendments

Sponsor: **Stratton, Keven**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0129.html

ULCT Position: **Neutral**

Legislative Purpose for the Bill:
The bill allows a tow truck driver, a tow truck motor carrier, or an impound yard to charge a credit card processing fee in an amount equal to the lesser of the actual cost of processing the credit card transaction or 3% of the transaction total.

Municipal Impact/what you need to do:
No municipal impact.

ULCT Action/Future Trend:
ULCT met with representatives of the towing industry during the 2015 interim and the 2016 session. Ultimately, we all agreed to not proceed with a towing bill that had a larger scope. ULCT anticipates the dialogue to resume in the 2016 interim.

HB 130 | Electric Vehicle Infrastructure Amendments

Sponsor: **Arent, Patrice**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0130.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
The bill authorizes a public agency to issue bonds for an electric vehicle charging infrastructure and authorizes a local district or special service district to be created to provide electric vehicle charging infrastructure.

Municipal Impact/what you need to do:
The bill is voluntary but provides a tool for local government to invest in electric vehicle charging infrastructure.

ULCT Action/Future Trend:
ULCT monitored the bill and anticipates more bills and efforts to promote and facilitate similar infrastructure in the future.

HB 132S1 | Local Government Licensing Amendments

Feb 1 LPC Email, Feb 1, Feb 22, Mar 4, LPC Minutes Feb 1, LPC Minutes Feb 8, LPC Agenda Feb 22, LPC Minutes Feb 22, LPC Minutes Feb 29

Sponsor: **Anderegg, Jacob**
Bill Status: **Failed**
http://le.utah.gov/~2016/bills/static/HB0132.html
ULCT Position: **Oppose until amended/support**

Legislative Purpose for the Bill:
The bill would have required cities to create a fee waiver for home occupation businesses that had an offsite impact that materially exceed the offsite impact of the primary residential use. The bill also would have prohibited cities from requiring a home occupation business license from occasional home based businesses operated by individuals younger than 18.

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
Team ULCT worked closely with Rep. Anderegg to improve the bill. The original draft would have prohibited the authority to license many types of home occupation businesses but the Representative was willing to find common ground with local government. While the bill did not pass, ULCT expects the bill to return in 2017. ULCT strongly recommends that cities start preparing to provide fee waivers for low impact home occupation businesses.

HB 133 | Municipal Government Amendments

Jan 28, Jan 29

Sponsor: **Anderegg, Jacob**
Bill Status: **Failed**
http://le.utah.gov/~2016/bills/static/HB0133.html
ULCT Position: **Oppose**

Legislative Purpose for the Bill:
The bill would have modified the balance of power between mayors and councils in the five member of six member council forms of government.

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
ULCT testified against the bill and the bill failed. ULCT anticipates bills every year about municipal form of government. ULCT opposes any changes to municipal form of government law unless all local stakeholders are included in discussions. The last major changes came in 2008 after an extensive two year dialogue between ULCT, cities, towns, legislators, and the general public.

HB 144S1 | Food Freedom Act

Sponsor: **Roberts, Marc**
Bill Status: **Failed**
http://le.utah.gov/~2016/bills/static/HB0144.html
ULCT Position: **Opposed**

Legislative Purpose for the Bill:
HB 144 would have exempted certain food production from all state and local regulation if product is sold to "informed"consumer.

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
The ULCT had many allies opposing the bill. The bill was not reviewed by the Land Use Task Force, which consists of city managers, city attorneys, ULCT staff, home builders, developers, and the Property Rights Coalition, which works together to solve land use issues. The bill supports a movement to eliminate most government regulation (regardless of whether the regulation is federal, state, or local).

HB 145S2 | Municipal Energy Tax Rate Amendments

Feb 10, Feb 11

Sponsor: **Handy, Stephen**

Bill Status: **Failed**

http://le.utah.gov/~2016/bills/static/HB0145.html

ULCT Position: **Oppose**

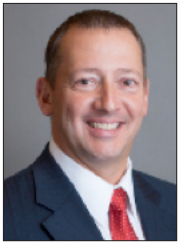
Legislative Purpose for the Bill:
The bill would have significantly changed the structure of the Municipal Energy Tax. The bill went through various versions that ranged from shifting the MET tax burden from large energy users to other users to just a general reduction in overall municipal revenue.

Municipal Impact/what you need to do:
No municipal impact. The bill did not pass.

ULCT Action/Future Trend:
ULCT opposed the bill and raised concerns with the bill sponsor, bill supporters, and legislators. The bill was sent to interim study and we believe the bill could return in some form in 2017.

HB 146S1 | Disclosure of Local Candidates

Sponsor: **Ray, Paul**
Bill Status: **Enrolled**
http://le.utah.gov/~2016/bills/static/HB0146.html
ULCT Position: **Neutral**



Legislative Purpose for the Bill:
HB 146 requires the city clerk/recorder to post the name, contact information, and the office the candidate is running for on the city/town website within 3 days of their filing as a candidate.

Municipal Impact/what you need to do:
The clerk/recorder must post the candidate's information (name, contact info, office for which candidate is running) on the city/town website within 3 days of the candidate's filing as a municipal candidate.

ULCT Action/Future Trend:
HB 146 is in the trend of transparency and availability of election and government information.

HB 157S2 | Age Limit for Tobacco and Related Products

Sponsor: **Powell, Kraig**

Bill Status: **Failed**

http://le.utah.gov/~2016/bills/static/HB0157.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
HB 157 would have increased the age limit for the purchase, possession, and use of tobacco from 19 to 21 years.

Municipal Impact/what you need to do:
No municipal impact. The bill did not pass..

ULCT Action/Future Trend:
ULCT monitored the bill. The legislature considered several bills about the use of tobacco and e-cigarettes and we expect similar bills in 2017.

HB 159S1 | Line-of-duty Death Benefits Amendments

Feb 12

Sponsor: **McKell, Mike**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0159.html

ULCT Position: **Oppose until amended**

Legislative Purpose for the Bill:
HB 159 extends line-of-duty death benefits to a surviving spouse until he/she becomes eligible for Medicare. Previously, the death benefits extended until either Medicare eligibility or until the surviving spouse remarried. HB 159 removed the remarried provision. The bill also made some administrative improvements to the trust fund established in the 2015 session upon ULCT recommendations.

Municipal Impact/what you need to do:
Cities would pay into the trust fund and the fund would provide the line-of-duty death benefit to a surviving spouse.

ULCT Action/Future Trend:
ULCT, particularly Bountiful City Manager Gary Hill, worked with the bill sponsor to address the administrative concerns from last year's bill. ULCT does not expect future legislation.

HB 160S3 | Justice Court Amendments

Feb 5, LPC Agenda Feb 8, LPC Minutes Feb 8

Sponsor: **Hall, Craig**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0160.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
HB 160 requires future justice court judges in counties of the first and second class to have a degree from an accredited law school. The bill maintains the requirement for a high school diploma for justice court judges within counties of the third, fourth, fifth, or sixth class. The bill also explains how the Administrative Office of the Courts should provide notice of available justice court judge positions.

Municipal Impact/what you need to do:
If you are a city within a county of the first or second class, your city will need to fill future justice court vacancies with an individual with a law degree. Existing judges without law degrees are grandfathered in their positions until their terms end.

ULCT Action/Future Trend:
ULCT met frequently with the bill sponsor to narrow the impact of the bill on rural Utah. Legislators are concerned about the adequacy of the administration of justice, particularly for indigent defendants, in justice courts.

HB 161 | Agriculture Parcel Amendments

LPC Minutes Feb 29

Sponsor: **McKell, Mike**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0161.html

ULCT Position: **Neutral**

Legislative Purpose for the Bill:
HB 161 would allow a county to eliminate platting requirements for certain agricultural subdivisions.

Municipal Impact/what you need to do:
The bill has no impact in particular. The bill restated a process that is allowed in LUDMA.

ULCT Action/Future Trend:
The bill was not reviewed by the Land Use Task Force, which consists of city managers, city attorneys, ULCT staff, home builders, developers, and the Property Rights Coalition, which works together to solve land use issues. Skipping Land Use Task Force review was a trend in 2016.

HB 168 | Transportation Funding Modifications

Sponsor: **Anderson, Johnny**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0168.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
HB 168 amended the authorized uses for revenue in the County of the First Class Highway Projects Fund. The Fund can now be used on parking structures or active transportation infrastructure (trails, bridges, facilities, etc.).

Municipal Impact/what you need to do:
The bill only affects cities within Salt Lake County. The bill provides additional flexibility for communities in Salt Lake County to fund active transportation projects.

ULCT Action/Future Trend:
ULCT led the charge in 2015 on HB 362 to ensure that the potential uses for the local option quarter cent would include active transportation infrastructure. HB 168 follows in that trend. ULCT expects more state and local efforts in the future to invest in active transportation needs.

HB 180S1 | Sales and Use Tax Exemption Amendments

Mar 1, Mar 2, Mar 10, LPC Minutes Mar 7

Sponsor: **Wilson, Brad**

Bill Status: **Failed**

http://le.utah.gov/~2016/bills/static/HB0180.html

ULCT Position: **Oppose**

Legislative Purpose for the Bill:
HB 180 would have extended a sales tax exemption to all manufacturing parts and equipment.

Municipal Impact/what you need to do:
No municipal impact. The bill did not pass.

ULCT Action/Future Trend:
As the bill would have reduced local sales tax revenue by over $25 million, ULCT actively opposed the bill. Going forward, ULCT will monitor the bill carefully since this issue has been pushed by multiple legislators for the past several years.

HB 183 | County Option Sales and Use Tax for Highways and Public Transit Amendments

Feb 3, Feb 4, LPC Agenda Feb 1, LPC Minutes Feb 1

Sponsor: **Draxler, Jack**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0183.html

ULCT Position: **Neutral**

Legislative Purpose for the Bill:
HB 183 modifies the local option sales tax provision of 2015's HB 362 for Cache, Duchesne, Iron, Summit, and Uintah Counties. Under HB 362, cities/towns receive .10, transit providers receive .10, and counties receive .05 of the local option quarter cent. Under HB 183, the governing body in those five counties would consult with cities and the transit provider to determine the allocation for transit. At least .025 must be dedicated to transit. The remaining .075 may be divided between cities, the county, and the transit provider. The non-transit money must be divided 50/50 between cities and the county and the city amount would be allocated according to the longstanding 50% point of sale/50% population formula.

Municipal Impact/what you need to do:
The bill only impacts cities within Cache, Duchesne, Iron, Summit, and Uintah Counties. In Duchesne County, the county governing body must put the new allocation formula on the ballot in order to modify the Proposition 1 formula approved by voters therein during the 2015 election. The other four counties will present the formula and question to voters for the first time in 2016 or beyond. While the county governing body makes the final allocation decision for the remaining .075, the bill requires the county to collaborate with cities and the transit provider. As such, the cities within those five counties must start the dialogue with the county leaders to determine the formula.

ULCT Action/Future Trend:

ULCT provided data to the bill sponsor about the unintended consequences of HB 362 on the small transit providers around the state. 2015's HB 362 was the grand bargain on transportation and the result of many years of research, negotiation, and compromise. ULCT expects other bills in the future to modify portions of HB 362.

HB 187S1 | Animal Shelter Amendments

Feb 10

Sponsor: **Anderson, Johnny**

Bill Status: **Failed**

http://le.utah.gov/~2016/bills/static/HB0187.html

ULCT Position: **Support with amendments**

Legislative Purpose for the Bill:
HB 187 would have required animal shelters in the state to phase out the usage of chambers (with carbon monoxide, carbon dioxide, or other non-anesthetic inhalants) for the euthanasia of animals.

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
The House defeated the bill on the floor but ULCT expects a similar bill to return in the future.

HB 198 | Ballot Proposition Amendments

Sponsor: **Fawson, Justin**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0198.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
The bill amends conflicting and inconsistent provisions in state law about ballot propositions.

Municipal Impact/what you need to do:
The bill will make it easier for municipal clerks and recorders who face ballot propositions in future elections. HB 198 consistently defines the requirements for eligible voters to submit arguments and rebuttals for the local voter information pamphlet in the Election Code (Title 20A) and in the Transparency of Ballot Propositions Act (Title 59-1-16).

ULCT Action/Future Trend:
During the Proposition 1 deliberations in 2015, Team ULCT noticed multiple inconsistencies in state law that impacted how clerks and recorders collected and distributed arguments about ballot propositions. ULCT legal staff provided information on our website about how cities and election officers could comply with the law despite the codified inconsistencies. HB 198 was the result of consultation between ULCT, Utah Association of Counties, legislators, and the Lieutenant Governor's office and hopefully resolves those inconsistencies within the code.

HB 205 | Tier II Retirement Amendments

Jan 29, Feb 8, Feb 10, Feb 16, LPC Agenda Feb 1, LPC Minutes Feb 1, LPC Agenda Feb 8, LPC Minutes Feb 8, LPC Minutes Feb 22

Sponsor: **Cunningham, Rich**
Bill Status: **Failed**
http://le.utah.gov/~2016/bills/static/HB0205.html
ULCT Position: **Oppose**

Legislative Purpose for the Bill:
HB 205 would have modified the Tier II Contributory Retirement Act for public employees and public safety employees by changing the formula for the accrual of retirement credit.

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
ULCT worked closely with Rep. Cunningham during the 2015 interim on all of his retirement bills. However, HB 205 had a fiscal impact on cities and towns and did not include a specific funding mechanism. Consequently, ULCT's Legislative Policy Committee retirement working group recommended opposition to HB 205. Rep. Cunningham committed to continue working on Tier II modifications and agreed to seek a potential funding mechanism. ULCT expects postretirement bills to continue to attract interest in the 2016 interim.

HB 209 | Public Transit District Board County Appointment Amendments

Sponsor: **Anderson, Johnny**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0209.html

ULCT Position: **Neutral**

Legislative Purpose for the Bill:
HB 209 modifies the Public Transit District Act by amending the membership of the UTA Board of Trustees. With the incorporation of Millcreek City and the metro townships within Salt Lake County, the UTA Board of Trustees needed to be modified so as to include a voting member for the County.

Municipal Impact/what you need to do:
The bill only impacts the Utah Transit Authority and thus the communities within the UTA service district.

ULCT Action/Future Trend:
ULCT monitored the bill. UTA was the subject of considerable dialogue during the 2016 session and UTA leadership has pledged to improve service delivery, governance, and public accountability and trust. ULCT expects additional dialogue in the 2016 offseason about UTA.

HB 215S1 | Local Option Sales and Use Tax Amendments

Feb 10, LPC Agenda Feb 1, LPC Minutes Feb 1

Sponsor: **Greene, Brian**

Bill Status: **Failed**

http://le.utah.gov/~2016/bills/static/HB0215.html

ULCT Position: **Oppose**

Legislative Purpose for the Bill:
HB 215 attempted to modify the allocation formula from the quarter cent local option for transportation that was part of HB 362 in 2015. The bill would have allocated .20 to cities and towns and .05 to counties instead of the HB 362 compromise of .10 to cities and towns, .10 to transit, and .05 to counties.

Municipal Impact/what you need to do:
No municipal impact. The bill did not pass.

ULCT Action/Future Trend:
2015's HB 362 was the grand bargain on transportation and the result of many years of research, negotiation, and compromise. The Legislative Policy Committee deliberated about HB 215 on February 1 and determined to honor the commitment to the entire HB 362 compromise, including the allocation formula. ULCT expects other bills in the future to modify portions of HB 362.

HB 222 | Nonuse Application Amendments

Sponsor: **Hawkes, Timothy**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0222.html

ULCT Position: **Monitor**

Legislative Purpose for the Bill:
HB 222 clarifies that water rights subject to forfeiture prior to receiving state approval for non-use are still subject to forfeiture.

Municipal Impact/what you need to do:
Cities must make certain that any water right you purchase or exact is not subject to forfeiture for any time prior to your acceptance of title. Just because the right has an approved non-use application, does not mean it is a right that is protected from forfeiture. The best practice is to require state engineer approval of a change into your system of any new water right prior to paying full value or accepting the right as an offset of water impact.

ULCT Action/Future Trend:
The clear trend is toward easing the process to eliminate paper water rights.

HB 223S3 | Local Historic District Amendments

Feb 18, LPC Minutes Feb 29

Sponsor: **Wilson, Brad**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0223.html

ULCT Position: **Opposed**

Legislative Purpose for the Bill:
HB 223 limits local discretion to establish an historic district through a citizen-initiated process.

Municipal Impact/what you need to do:
This bill applies only to Salt Lake City.

ULCT Action/Future Trend:
The bill sponsor worked diligently with Salt Lake City and the Land Use Task Force (which consists of city managers, city attorneys, ULCT staff, home builders, developers, and the Property Rights Coalition, and works together to solve land use issues) to achieve a local ordinance-based solution without the need for state legislation. Ultimately, that process failed.

HB 224 | Impact Fee Revisions

Feb 4

Sponsor: **Ray, Paul**

Bill Status: **Failed**

http://le.utah.gov/~2016/bills/static/HB0224.html

ULCT Position: **Opposed**

Legislative Purpose for the Bill:
HB 224 requires an additional opportunity for public input from the date an impact fee ordinance is proposed to the date it is enacted.

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass. It is prudent for all jurisdictions considering impact fee ordinances to allow stakeholders sufficient time for review and input of draft proposals that will be presented to Council for adoption.

ULCT Action/Future Trend:
ULCT committed to incorporate this issue into a broader impact fee discussion that will take place during the 2016 interim.

HB 228S2 | Alcohol Modifications

Sponsor: **Froerer, Gage**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0228.html

ULCT Position: **Neutral**

Legislative Purpose for the Bill:
The bill allows manufacturing permit license holders to conduct onsite alcohol testing. Food is still required to be served.

Municipal Impact/what you need to do:
No direct municipal impact, though cities should understand that manufacturing permit license holders can now allow alcohol consumption onsite.

ULCT Action/Future Trend:
ULCT has consistently supported common sense alcohol policies that facilitate economic development of full-service and limited-service restaurants, promote public safety, and discourage alcohol consumption by minors. ULCT anticipates that the legislature will consider more alcohol bills during the 2016 interim and in future sessions.

HB 232 | Scenic Byway Amendments

Feb 9

Sponsor: **Noel, Michael**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0232.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
HB 232 modifies the Designation of State Highways Act by allowing the segmentation of a non-scenic area on a state scenic byway, National Scenic Byway, or All-American Road. The bill also empowers the Utah State Scenic Byway Committee to appeal that the property requested to be segmented is actually not a non-scenic area.

Municipal Impact/what you need to do:
The bill only impacts those cities and towns with scenic byways.

ULCT Action/Future Trend:
ULCT tracked the bill and our legal team examined the bill and determined that the bill was consistent with local authority and priorities. The legislature has not tackled controversial sign bills in recent years and ULCT encourages cities to find local solutions.

HB 235S1 | Remote Transaction Parity Act

Feb 24, Feb 29, Mar 1, HB 235 Action Alert (Mar 2), Mar 2, Mar 3, Mar 7, LPC Agenda Feb 29, LPC Minutes Feb 29, LPC Agenda Mar 7, LPC Minutes Mar 7

Sponsor: **McKell, Mike**
Bill Status: **Failed**
http://le.utah.gov/~2016/bills/static/HB0235.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
HB 235 would have statutorily applied "nexus" to retailers who used affiliates located in Utah. As such, it would have provided a means of collecting sales tax on on-line purchases.

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
The issue is part of an ongoing effort to address the on-line sales tax issue from a tax fairness perspective. Local governments are feeling the pinch of an eroding sales tax base and local brick and mortar businesses are struggling to compete in an unfair tax climate that the lack of tax equity has created. The ULCT will continue to support efforts to resolve this issue.

HB 242S2 | Alternative Energy Development Tax Amendments

Feb 23

Sponsor: **Handy, Stephen**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0242.html

ULCT Position: **Opposed until amended**

Legislative Purpose for the Bill:
HB 242 modifies an exemption from state tax paid on sales or uses of electricity, if the sales or uses are made under a tariff adopted by the Public Service Commission only for purchase of electricity produced from a new alternative energy source.

Municipal Impact/what you need to do:
As originally proposed this bill would have had a significant fiscal impact on cities with the primary impact on the Municipal Energy Tax (MET). The bill sponsor deleted the impact on the MET so the municipal impact is non-existent.

ULCT Action/Future Trend:
ULCT worked with the sponsor to eliminate the impact on local government. ULCT anticipates more bills in the future to encourage the use of alternative energy.

HB 244 | Independent Energy Producer Amendments

Sponsor: **Gibson, Francis**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0244.html

ULCT Position: **Neutral**

Legislative Purpose for the Bill:
The bill allows power purchase agreements (PPA) for the sale of renewable energy. The bill only allows such PPA's within the Rocky Mountain Power service area only after the adoption of a new metering decision by the Utah PSC. Such PPAs would be subject to the Utah Municipal Energy Tax (MET).

Municipal Impact/what you need to do:
The PPAs subject to the MET could result in revenue for cities and towns, but no municipal action is required.

ULCT Action/Future Trend:
ULCT anticipates more bills in the future to encourage the use of alternative energy.

HB 248 | Municipal Disconnection Amendments

LPC Minutes Feb 8

Sponsor: **Brown, Melvin**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0248.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
HB 248 allows a mayor within an area proposed for disconnection to be the petitioner to initiate the municipal disconnection proceedings.

Municipal Impact/what you need to do:
HB 248 does not change the actual municipal disconnection process. The bill only authorizes the mayor to start the process, which may be helpful for some cities and towns.

ULCT Action/Future Trend:
The bill targeted a specific situation in one community in rural Utah. The bill did not receive review from the Land Use Task Force, which consists of city managers, city attorneys, ULCT staff, home builders, developers, and the Property Rights Coalition, and works together to solve land use issues. This was a trend during the 2016 session.

HB 253 | Public Trust Amendments

Sponsor: **Hawkes, Timothy**

Bill Status: **Failed**

http://le.utah.gov/~2016/bills/static/HB0253.html

ULCT Position: **Monitor**

Legislative Purpose for the Bill:
HB 253 would have provided a presumption that the state engineer acted in full compliance with the public trust.

Municipal Impact/what you need to do:
No municipal impact. The bill did not pass.

ULCT Action/Future Trend:
ULCT monitored the bill. ULCT expects future proposals to insulate state engineer decisions as the office moves toward general adjudication of basin water rights.

HB 257 | Water Funding Revisions

Sponsor: **Perry, Lee**
Bill Status: **Failed**
http://le.utah.gov/~2016/bills/static/HB0257.html
ULCT Position: **Neutral**

Legislative Purpose for the Bill:
HB 257 was identical to Sen. Adams' SB 80 and proposed to reallocate funding from UDOT to water infrastructure projects for the large water conservancy districts.

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass. However, the companion bill (SB 80) did pass. See below.

ULCT Action/Future Trend:
ULCT monitored the discussion on water infrastructure and met regularly with water leaders. As Utah's population is projected to double by 2060, addressing water infrastructure will be critical to ensure that Utah's quality of life continues. ULCT estimates that the cost to repair and replace municipal water infrastructure between now and 2060 is $17.9 billion and that does not include the estimate for new water facilities. SB 80 prioritized funding for water infrastructure in Utah without jeopardizing currently programmed transportation projects from the Transportation Investment Fund. Water infrastructure—and all infrastructure—will continue to be a major topic of discussion on Capitol Hill.

HB 258S2 | Solid Waste Amendments

Sponsor: **Oda, Curtis**

Bill Status: **VETOED**

http://le.utah.gov/~2016/bills/static/HB0258.html

ULCT Position: **Neutral**

Legislative Purpose for the Bill:
The bill expands the definition of solid waste to exclude scrap metal. HB 258 also defines a "solid waste management facility" to not include a facility that accepts and processes used or recyclable metal, scrap iron, steel, to non-ferrous metals to produce scrap metal for sale or other use.

Municipal Impact/what you need to do:
Governor Gary Herbert vetoed HB 258. As of March 31, 2016, there is no indication of a legislative veto override.

ULCT Action/Future Trend:
ULCT monitored the bill.

HB 296S1 | Transportation Funding Revisions

Sponsor: **Anderson, Johnny**

Bill Status: **Failed**

http://le.utah.gov/~2016/bills/static/HB0296.html

ULCT Position: **Neutral**

Legislative Purpose for the Bill:
HB 296 would have modified the state sales and use tax earmarks for transportation. The bill was the legislative version of the Governor's proposal to reduce the level of funding from the state sales tax currently going to UDOT. The bill also consolidated transportation earmarks to improve the flexibility of how state transportation dollars are used. The earmark consolidation language was added to SB 80 (see below).

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass. SB 80, however, did pass and did change transportation earmarks.

ULCT Action/Future Trend:
ULCT monitored HB 296 and SB 80 which was the bill that eventually passed. SB 80 modified state infrastructure funding without jeopardizing currently programmed transportation projects from the Transportation Investment Fund. The reduction in transportation earmarks reflects an effort by legislators to ensure that more money is available with greater flexibility within the general fund and encourage transportation needs to be weighed against all other needs.

HB 300S1 | Body-worn Cameras for Law Enforcement

Feb 5, Feb 8, Feb 17, Feb 19, Feb 22, Mar 1, Mar 7, Mar 10, LPC Agenda Feb 8, LPC Minutes Feb 8, LPC Agenda Feb 22, LPC Minutes Feb 22, LPC Agenda Feb 29, LPC Minutes Feb 29, LPC Agenda Mar 7, LPC Minutes Mar 7

Sponsor: **McCay, Daniel**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0300.html

ULCT Position: **Support as amended**

Legislative Purpose for the Bill:
HB 300 codifies minimum standards for local policies for agencies that equip their police officers with body-worn camera for police officers. The bill also modifies the Government Records Access and Management Act specifically for body-worn camera recordings that occur within a home. HB 300 does not mandate the usage of body-worn cameras though and only applies to agencies that use body-worn cameras.

The codified minimum standards are as follows:
An officer shall activate the camera prior to any law enforcement encounter or as soon as reasonably possible. A law enforcement encounter is defined in the law as:

- Enforcement stop
- Dispatched call
- Field interview/interrogation
- Use of force
- Execution of warrants
- Traffic stops
- Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording

An officer must verify that the camera is functioning properly and record his/her name on footage. An officer shall wear a camera so that it is "clearly visible" and shall give notice (if reasonable) upon entering a home. Wearing the camera in a "clearly visible" way qualifies as notice. An officer shall document that a camera was present during the law enforcement encounter and may not use cameras for personal use. An officer shall record the encounter in an uninterrupted manner except to consult with another officer, during periods of inactivity, and during conversation with a sensitive crime victim, witness, or informant if the individual requests de-activation and the officer believes that the value of the potential information outweighs the value of the recording. Finally, an agency must make the agency body-worn camera policies available to the public and place them on the agency website when possible.

On GRAMA, HB 300 provides clarity about the existing balancing test and privacy within a home. HB 300 urges the governmental entity, State Records Committee, local appeals board, or court to consider and weigh both personal privacy interests and public interests that would be affected by disclosure. HB 300 also creates a presumption of privacy for body-worn camera recordings within a home or residence. The presumption comes with several exceptions:

- Images that depict the commission of an alleged crime
- Images that record any encounter between a law enforcement officer and a person that results in death or bodily injury, or includes an instance when an officer fires a weapon
- Images that record any encounter that is the subject of a complaint or a legal proceeding against a law enforcement officer or law enforcement agency
- Images that contain an officer involved critical incident(defined in state law)
- Images that have been requested for reclassification as a public record by a subject or authorized agent of a subject featured in the recording

Municipal Impact/what you need to do:
Dozens of municipal police agencies are using body-worn cameras. Cities must ensure that their policies are consistent with the codified minimum standards. Additionally, cities must ensure that their record officers are aware of the clarification of body-worn camera recordings within the home.

ULCT Action/Future Trend:
ULCT was heavily involved in the negotiations that resulted in the HB 300 compromise. ULCT convened a Local Government Public Safety Home Team during the 2015 interim to review this bill and other legislation that impacted law enforcement. ULCT's Cameron Diehl led the Home Team and it included representatives from the Chiefs of Police Association, Sheriffs Association, Utah City Management Association, Utah Municipal Attorneys Association, Utah Prosecution Council, and the Utah Association of Counties. ULCT's Nick Jarvis created a comprehensive law enforcement survey so that we had sufficient data about current practices.

Previous versions of HB 300 (specifically HB 386 in the 2015 session) had provisions that troubled ULCT. For example, previous versions included a rebuttable presumption for an individual if an officer's camera did not record. Additionally, previous versions include a camera specific retention schedule and other administrative burdens. During the interim, ULCT and the Home Team negotiated frequently with the bill sponsor and other stakeholders.

During the session, ULCT's Cameron Diehl spearheaded the negotiations with legislators and other stakeholders and ULCT appreciates the valuable efforts of South Jordan City Attorney Ryan Loose, Ogden City Attorney Gary Williams, and Bountiful Police Chief Tom Ross. Ultimately, ULCT, UAC, Chiefs of Police Association, American Civil Liberties Union (ACLU), and the Media Coalition all endorsed the HB 300 compromise.

Going forward, ULCT expects more legislation about law enforcement. As body-worn cameras become more common, it is also possible that future legislatures will want to consider changes to HB 300. For now, all of the stakeholders have agreed to not modify HB 300 unless necessary.

HB 305S2 | Water Rights and Resources Amendments

Sponsor: **Briscoe, Joel**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0305.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
HB 305 requires a certified operator of a public water supplier or the professional engineer performing those duties to verify the accuracy of water use and supply data submitted to the Division of Drinking Water.

Municipal Impact/what you need to do:
Cities must check with the Division of Drinking Water for new rules on what water use data the division will require. Some jurisdictions without a certified operator on staff may need to hire a professional engineer to perform duties that may currently be performed by a consultant without professional engineer credentials. This bill may require your jurisdiction to install additional monitoring devices.

ULCT Action/Future Trend:
ULCT monitored the bill and warns cities to expect the same scrutiny/verification of secondary systems in the future.

HB 315 | Bee Keeping Amendments

Sponsor: **McIff, Kay**
Bill Status: **Failed**
http://le.utah.gov/~2016/bills/static/HB0315.html
ULCT Position: **Neutral**

Legislative Purpose for the Bill:
HB 315 would have required the separation of commercial beekeepers from other land uses.

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
The bill did not receive review of the Land Use Task Force, which consists of city managers, city attorneys, ULCT staff, home builders, developers, and the Property Rights Coalition, and works together to solve land use issues. Beekeeping appears to be a changing industry with competing interest groups. ULCT monitored the bill because of the potential impact on local land use authority. ULCT expects the legislature to study beekeeping during the 2016 interim.

HB 316S6 | Building Code Review and Adoption Amendments

Feb 11, Feb 26

Sponsor: **Wilson, Brad**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0316.html

ULCT Position: **Support (6th Sub)**

Legislative Purpose for the Bill:
HB 316 is a comprehensive bill to adopt the 2015 International Construction Codes (Building, Residential, Plumbing, Mechanical, Fuel Gas, Electric, and Existing Building) with revisions. HB 316 also requires communities to adopt a 6 year schedule for future code adoption.

Municipal Impact/what you need to do:
Cities must train code officials to enforce the 2015 codes, as modified by the 6th Substitute.

ULCT Action/Future Trend:
ULCT was involved in dialogue about HB 316. Layton City Attorney Gary Crane led the ULCT efforts on this bill in the 2015 and 2016 sessions. Thank you to Gary!

HB 318S2 | Point of the Mountain Development Commission Act

Feb 16, LPC Agenda Feb 22, LPC Minutes Feb 22

Sponsor: **Wilson, Brad**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0318.html

ULCT Position: **Support as amended**

Legislative Purpose for the Bill:
HB 318 created the Point of the Mountain Development Commission and appropriated $750,000 for the Commission's work. The commission will have 15 members—including the mayors of Lehi and Draper and two ULCT appointees of communities near the point of the mountain—and the commission shall evaluate, prepare reports, and recommend the future planning and development of the area. The commission shall study public participation, economic development, population growth, transportation infrastructure, and funding options.

Municipal Impact/what you need to do:
If your city is in the point of the mountain area, then your city should stay engaged with the commission.

ULCT Action/Future Trend:
ULCT was involved in conversations with the bill sponsor and other stakeholders. ULCT will make two appointments soon to the commission and will provide updates to the surrounding communities. The commission must report to several legislative interim committees by the end of 2016 and their recommendations could result in legislation in 2017.

HB 326 | Special and Local District Transparency

Sponsor: **Fawson, Justin**

Bill Status: **Failed**

http://le.utah.gov/~2016/bills/static/HB0326.html

ULCT Position: **Neutral**

Legislative Purpose for the Bill:
HB 326 would have authorized a county's or municipality's authority to audit a local district or a special service district. The bill also would have required a local district and a special service district to post the contact information of the district's governing body on the Utah Public Notice Website. The bill also modified other district responsibilities.

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
Multiple legislators expressed interest to ULCT about enhanced accountability between municipalities, districts, and the general public. Legislators and the State Auditor pursued efforts in 2016 and will again pursue bills in 2017 to improve the transparency of all political subdivisions.

HB 328 | Housing and Homeless Amendments

Sponsor: **Chavez-Houck, Rebecca**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0328.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
HB 328 requires the Homeless Coordinating Committee to conduct a needs assessment prior to October 1, 2016. The bill requires the needs assessment to identify desired statewide outcomes related to minimizing homelessness, seek opportunities to align priorities and data between homelessness, intergenerational poverty, incarceration, and recidivism, and to review technology used for data gathering. The Committee must make recommendations about the necessary improvements in order to better serve the homeless population.

Municipal Impact/what you need to do:
Cities should work with the Homeless Coordinating Committee in order to collect the best information possible.

ULCT Action/Future Trend:
ULCT worked closely with all of the stakeholders and the bill sponsors of the package of bills that are addressing homelessness (HB 328, HB 436, and SB 169). Cities should expect dialogue throughout the 2016 offseason about how we all can do our part to provide a helping hand to the needy among us.

HB 330 | State Fire Code Revisions

Feb 18, LPC Minutes Feb 29

Sponsor: **Schultz, Mike**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0330.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
HB 330 incorporates amendments to the 2015 Fire Code to limit additional authority of Fire Code official to emergency situations to address solar installation, fire sprinklers, CO detectors, fire alarm systems, water control valves, and hazardous materials.

Municipal Impact/what you need to do:
Cities and towns must train code officials in the 2015 Fire Code as amended.

ULCT Action/Future Trend:
ULCT monitored the bill development.

HB 333 | Electronic Cigarette Products, Nicotine Inhalers, and Related Revenue Amendments

Mar 2, LPC Minutes Feb 29

Sponsor: **Ray, Paul**

Bill Status: **Failed**

http://le.utah.gov/~2016/bills/static/HB0333.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
HB 333 would assess a tax of 86% of wholesale value on e-cigarettes which is the same tax rate on other tobacco products except cigarettes. About 11% of Utah's teenagers are regular users of e-cigarettes and research shows that increased e-cigarette prices lead to a decrease in youth usage.

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
ULCT monitored the bill. The legislature considered several bills about the use of tobacco and e-cigarettes and we expect similar bills in 2017.

HB 341S1 | Interlocal Cooperation Act Amendments

Sponsor: **Nelson, Merrill**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0341.html

ULCT Position: **Neutral**

Legislative Purpose for the Bill:
HB 341 authorizes "taxed interlocal entities" (Intermountain Power Agency [IPA], Utah Associated Municipal Power Systems [UAMPS], and the Utah Municipal Power Agency [UMPA]) to create "segment" interlocal entities that do create additional projects under the umbrella of the primary interlocal entity. UAMPS currently operates in this fashion.

Municipal Impact/what you need to do:
For Utah cities that are participants in the IPP project, HB 341 will provide increased flexibility for future operations.

ULCT Action/Future Trend:
ULCT monitored the bill.

HB 346S1 | Urban Redevelopment Tax Credit

Sponsor: **Handy, Stephen**
Bill Status: **Failed**
http://le.utah.gov/~2016/bills/static/HB0346.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
HB 346 would have created an Urban Redevelopment Tax Credit for a project that improves previously developed land. An agency could have recommended a project for the tax credit if the project provides benefits to the community's tax base, reduces or eliminates blight, is only financial feasible with a tax credit, has no more than 20% of the land area dedicated to commercial use, and costs at least $3,500,000 to complete.

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
ULCT monitored the bill. The legislature approved a massive re-write of the redevelopment code (see SB 151). It is possible that HB 346 or a similar bill could return in the future.

HB 347S1 | Local and Special Service District Amendments

Sponsor: **Handy, Stephen**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0347.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
HB 347 clarifies training requirements for local district board members, clarifies notice requirements for fee increases and authorizes an improvement district created to operate a sewage system to acquire, construct, manage, or operate a resource recovery project. A resource recovery project means a project that consists of facilities for the handling, treatment, and processing through anaerobic digestion of solid waste consisting primarily of organic matter. SB 142 addresses resource recovery projects as well (see below).

Municipal Impact/what you need to do:
If your city belongs to an improvement district created to operate a sewage system, then your city should monitor the potential creation and operation of a resource recovery project. Municipalities should consider SB 142 and HB 347 as an additional opportunity for financing public infrastructure.

ULCT Action/Future Trend:
ULCT monitored the bill. ULCT is also monitoring the growing power and authority of local districts.

HB 348S2 | Mountainous Planning District Amendments

Sponsor: **Dee, Brad**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0348.html

ULCT Position: **Watch**

Legislative Purpose for the Bill:
HB 348 extends the Mountainous Planning District (agreed upon during the 2015 session) for one year. HB 348 also enhances municipal representation on the planning commission as vacancies occur.

Municipal Impact/what you need to do:
Cities that border the Mountainous Planning District should keep an eye on the happenings there and the potential impact on municipal authority..

ULCT Action/Future Trend:
The bill did not receive review from the Land Use Task Force, which consists of city managers, city attorneys, ULCT staff, home builders, developers, and the Property Rights Coalition, and works together to solve land use issues. However, regional planning is becoming a bigger and bigger trend across the state.

HB 360S2 | Land Use Amendments

Feb 26, Mar 3, Mar 7, Mar 8, Mar 9, Mar 10,
LPC Agenda Mar 7, LPC Minutes Mar 7

Sponsor: **Brown, Melvin**
Bill Status: **Failed**
http://le.utah.gov/~2016/bills/static/HB0360.html
ULCT Position: **Opposed**

Legislative Purpose for the Bill:
HB 360 would have created an inexplicable technical requirement to add legalese to existing land use notice provisions.

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
The bill did not receive review from the Land Use Task Force, which consists of city managers, city attorneys, ULCT staff, home builders, developers, and the Property Rights Coalition, and works together to solve land use issues. The sponsor advocates eliminating LUDMA and replacing it with a Private Property Owner's Bill of Rights. Consequently, please let your legislators know about the importance of land use planning in your jurisdiction and of your concerns regarding land use bills that frustrate or supplant local authority.

HB 368 | Short-term Rental Tax Amendments

LPC Minutes Feb 22

Sponsor: **Pitcher, Dixon**

Bill Status: **Failed**

http://le.utah.gov/~2016/bills/static/HB0368.html

ULCT Position: **Opposed**

Legislative Purpose for the Bill:
HB 368 would have created a voluntary method to collect and remit tourism taxes.

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
ULCT was concerned that HB 368 could have created a loophole for traditional tourism businesses to avoid paying tourism taxes. Additionally, the bill did not receive review from the Land Use Task Force, which consists of city managers, city attorneys, ULCT staff, home builders, developers, and the Property Rights Coalition, and works together to solve land use issues. The ULCT opposed the bill and committed to legislators to participate in interim discussions to address short-term rentals.

HB 369 | Electronic Device Location Data Amendments

Sponsor: **Knotwell, John**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0369.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
HB 369 authorizes a government entity to collect and utilize anonymous electronic data containing location information of an electronic device from a non-government entity as long as the electronic data contains no information that could reveal an individual's identity.

Municipal Impact/what you need to do:
Cities and towns may collect and utilize data from a non-government entity about travel habits, trail usage, or other usage of municipal services. Local government may not use the data for investigative or law enforcement purposes.

ULCT Action/Future Trend:
ULCT worked with the bill sponsor and other stakeholders to preserve privacy and promote the use of data collection to analyze how residents are using local services. As more and more data becomes available to policy makers and administrators, local government will have more resources to better identify and address citizen demands.

HB 380S3 | Utah Communication Authority Amendments

Feb 23, Mar 2, Mar 7, LPC Minutes Feb 22, LPC Minutes Mar 7

Sponsor: **Dee, Brad**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0380.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
HB 380 modifies the membership of the Utah Communications Authority (UCA) Board, amends the method of appointing the UCA chair, requires UCA to create a comprehensive strategic plan, amends several technical advisory committees, and requires UCA to report to the Legislative Executive Appropriations Committee before issuing bonds.

Municipal Impact/what you need to do:
If your city is a member of UCA, then you need to understand the changes to UCA (both in this bill and in SB 193).

ULCT Action/Future Trend:
ULCT worked closely with the bill sponsors and other stakeholders to find consensus on HB 380. 75% of the UCA membership is local jurisdictions so we advocated to retain sufficient local authority over UCA decisions. As technology evolves, ULCT expects additional legislation and dialogue about the modernization, accountability, and governance of the UCA network.

HB 381S1 | Standards for Issuance of Summons

LPC Minutes Feb 22, LPC Minutes Feb 29

Sponsor: **Christensen, LaVar**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0381.html

ULCT Position: **Oppose until amended**

Legislative Purpose for the Bill:
HB 381 modifies when a magistrate may issue a warrant in lieu of summons for the appearance of the accused. HB 381 now requires the magistrate to find probable cause that the person to be arrested has committed a public offense and that a warrant is necessary to prevent risk of injury to a person or property, secure the appearance of the accused, or protect the public safety and welfare of the community or an individual.

Municipal Impact/what you need to do:
Municipalities must assure that warrants issued for arrests meet the enhanced requirements (probable cause and prevent risk of injury, secure appearance, or protect public safety).

ULCT Action/Future Trend:
ULCT, along with partner organizations, raised concerns about the broad language in the initial draft of the bill. The bill sponsor responded to our collective concerns and narrowed the bill.

HB 389 | Sanctuary City Liability Amendments

LPC Minutes Feb 22

Sponsor: **Eliason, Steve**

Bill Status: **Failed**

http://le.utah.gov/~2016/bills/static/HB0389.html

ULCT Position: **Oppose**

Legislative Purpose for the Bill:
HB 389 would have waived governmental immunity for a governmental entity that releases an undocumented immigrant without first checking with Immigration and Customs Enforcement.

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
ULCT opposed the bill because the bill would have waived government entity because of a potential act committed by a non-governmental actor (undocumented immigrant). While the bill failed in committee, the bill sponsor indicated an interest on making changes to HB 389 during the interim and bringing it back in 2017.

HB 390 | Law Enforcement Tracking Amendments

Sponsor: **Hutchings, Eric**

Bill Status: **Failed**

http://le.utah.gov/~2016/bills/static/HB0390.html

ULCT Position: **Neutral**

Legislative Purpose for the Bill:
HB 390 would have required law enforcement agencies to declare to the state the deployment of an armored vehicle for a law enforcement purpose as a "reportable incident."

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
ULCT monitored the bill. Over the past two years, ULCT tracked over 100 bills that impacted law enforcement practices.

HB 399 | Victim Rights Amendments

Mar 1, LPC Minutes Feb 29

Sponsor: **Christensen, LaVar**

Bill Status: **Failed**

http://le.utah.gov/~2016/bills/static/HB0399.html

ULCT Position: **Oppose**

Legislative Purpose for the Bill:
HB 399 would have modified the victim's bill of rights by amending provisions relating to victims, witnesses, and victim advocates.

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
ULCT assisted in organizing victim advocates and other stakeholders to raise concerns with the bill sponsor. The issue arose out of a difficult prosecution in one city. After seeing the outpouring of support for victim advocates and the valuable service that they provide, the bill sponsor agreed to withdraw the bill.

HB 409 | Short-term Rental Amendments

Mar 8, LPC Minutes Feb 22, LPC Minutes Feb 29, LPC Agenda Mar 7, LPC Minutes Mar 7

Sponsor: **Knotwell, John**

Bill Status: **Failed**

http://le.utah.gov/~2016/bills/static/HB0409.html

ULCT Position: **Opposed**

Legislative Purpose for the Bill:
HB 409 would have prohibited local land regulation or any code enforcement related to short-term rentals through 2017. The definition included most forms of tourism properties-from hotels and bed and breakfasts, to a room rental in a single-family home.

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass.

Nevertheless, HB 409 does require municipalities to engage during the 2016 interim because of the ULCT commitment to address the issues within the bill (see below).

ULCT Action/Future Trend:
This bill did not receive review from the Land Use Task Force, which consists of city managers, city attorneys, ULCT staff, home builders, developers, and the Property Rights Coalition, and works together to solve land use issues. The ULCT has committed to work through short-term rental issues during the interim. Those efforts may result in a recommended approach for short-term rental regulation—that would vary, depending on your jurisdiction's particular circumstances and the intensity of short-term rental use in your jurisdiction.

Most jurisdictions do not regulate short-term rentals. However, many jurisdictions report that they prohibit them. These inaccurate reports led to a legislative concern that short-term rentals were overregulated in

Utah. Discretion is the better part of valor at this point. If your jurisdiction is not one of those 15-20 tourist communities that are intensely impacted by short-term rentals, the best approach at this point may be to stay tuned for recommendations from the interim study. In the meanwhile, please ask your attorney, or ULCT staff, to review your code in light of relevant case law to be certain that your jurisdiction gives the correct answer to anyone who inquires about your short-term rental rules.

HB 413 | Falconry Amendments

Mar 7, LPC Minutes Feb 29, LPC Minutes Mar 7

Sponsor: **Peterson, Jeremy**

Bill Status: **Failed**
http://le.utah.gov/~2016/bills/static/HB0413.html

ULCT Position: **Opposed**

Legislative Purpose for the Bill:
HB 413 would have prohibited local land regulation or enforcement related to raptors (especially falcons).

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
This bill did not receive review from the Land Use Task Force, which consists of city managers, city attorneys, ULCT staff, home builders, developers, and the Property Rights Coalition, and works together to solve land use issues. ULCT will work with interested parties during the summer to resolve what may be a misunderstanding.

In the meantime, cities should review their codes to understand whether and under what circumstances birds of prey may be allowed. For example, would it matter if a bird will be kept indoors or out of doors? Does your code prohibit a person from keeping a parrot, for example? There may be a number of ways your code already allows a person legally to keep a bird.

HB 414S1 | Zoning Amendments

LPC Minutes Feb 29

Sponsor: **Christensen, LaVar**

Bill Status: **Failed**

http://le.utah.gov/~2016/bills/static/HB0414.html

ULCT Position: **Opposed**

Legislative Purpose for the Bill:
HB 414 attempted to address zoning aspects of recovery residence uses.

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
First, the bill did not receive review from the Land Use Task Force, which consists of city managers, city attorneys, ULCT staff, home builders, developers, and the Property Rights Coalition, and works together to solve land use issues.

Second, recovery residence issues involve federal mandates that limit state and local land use discretion. Consult legal counsel for advice whenever these issues arise.

HB 428S2 | Local Government Bonding Amendments

Mar 3, Mar 10

Sponsor: **Sagers, Douglas**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0428.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
HB 428 authorizes a "judgment levy" to pay for court ordered judgments above $3 million. As such a city could bond to discharge the court mandated liability.

Municipal Impact/what you need to do:
If your city finds itself with a judgment levy, HB 428 now provides a mechanism to pay for certain judgments.

ULCT Action/Future Trend:
ULCT worked closely with Tooele's Randy Sant and other local leaders to push the bill forward.

HB 431 | Affordable Housing Revisions

Sponsor: **Edwards, Rebecca**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0431.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
HB 431 requires public transit districts to adopt transit-oriented development policies that include provisions on affordable housing. HB 431 requires the public transit district to work with the metropolitan planning organization and city and county governments where the project is located to collaboratively seek to create joint plans that include plans for affordable housing for the areas within one-half mile of transit stations.

Municipal Impact/what you need to do:
While the bill does not mandate affordable housing, the bill does require collaboration between MPOs, transit districts, and local governments. If your city or town as a transit station, then your city or town should communicate with your transit district to discuss affordable housing in the area.

ULCT Action/Future Trend:
ULCT participate in the dialogue among stakeholders and the bill sponsor. ULCT anticipates additional conversation in the future about ensuring sufficient affordable housing in all communities.

HB 432S1 | Governmental Nonprofit Entity Compliance Amendments

Sponsor: **Coleman, Kim**

Bill Status: **Failed**

http://le.utah.gov/~2016/bills/static/HB0432.html

ULCT Position: **Neutral**

Legislative Purpose for the Bill:
HB 432 would have assured that the Open and Public Meetings Act, the Government Records Access and Management Act, and the Accounting Reports from Political Subdivisions, Interlocal Organizations, and Other Local Entities apply to a governmental nonprofit corporation.

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
ULCT monitored the bill but expects a similar bill to return in 2017.

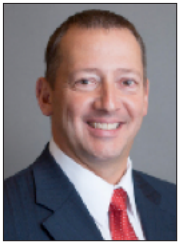
HB 434 | Law Enforcement Officer Investigation Amendments

Sponsor: **Ray, Paul**

Bill Status: **Failed**

http://le.utah.gov/~2016/bills/static/HB0434.html

ULCT Position: **Oppose**



Legislative Purpose for the Bill:
HB 434 would have created a new chapter in state law entitled "Investigation of Law Enforcement Officers" who are under investigation for possible suspension, demotion, or dismissal.

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
ULCT monitored the bill and expects similar legislation in the future about additional accountability and consistency in law enforcement activity and discipline.

HB 436S3 | Housing and Homeless Reform Initiative

Feb 29, LPC Minutes Mar 7

Sponsor: **Gibson, Francis**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0436.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
HB 436 creates the Homeless to Housing Reform Restricted Account and describes the process that the Homeless Coordinating Committee and the Housing and Community Development Division must use in awarding grants or contracts from the account. The bill also appropriates $9.25 million this year (with an additional $18 million potentially coming in the next two years) for grants and programming.

Municipal Impact/what you need to do:
If your city currently provides services to at-risk or homeless people (including families with children, transitional-aged youth, single men, single women, veterans, victims of domestic violence, individuals with behavioral health disorders, individuals who are medically frail, individuals exiting prison, or homeless individuals), then your city and local service providers may apply for the new funding.

ULCT Action/Future Trend:
ULCT worked closely with all of the stakeholders and the bill sponsors of the package of bills that are addressing homelessness (HB 328, HB 436, and SB 169). Cities should expect dialogue throughout the 2016 offseason about how we all can do our part to provide a helping hand to the needy among us.

HB 460 | School Resource Officers and School Administrators Training and Agreement

Sponsor: **Hollins, Sandra**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0460.html

ULCT Position: **Neutral**

Legislative Purpose for the Bill:
HB 460 creates statewide guidelines for school resource officers. The bill creates statewide training and curriculum for school resource officers as well as contractual requirements between law enforcement agencies and local educational agencies. Within the contracts, schools and law enforcement personnel must define which student offenses will be considered administrative and be handled by the school administrator instead of the school resource officer.

Municipal Impact/what you need to do:
If your city contracts with schools to provide school resource officers, then your city must comply with the new contractual requirements in HB 460.

ULCT Action/Future Trend:
ULCT monitored the bill and the Chiefs of Police Association worked closely with the bill sponsor on the bill. ULCT expects more legislation in the future about legal issues arising between law enforcement and students, including privacy, usage of body-worn cameras in schools, and access to records.

HB 471S1 | Powersport Vehicle Franchise Amendments

Sponsor: **Schultz, Mike**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/HB0471.html

ULCT Position: **Neutral**

Legislative Purpose for the Bill:
HB 471 modifies the state restriction on the location of a powersport vehicle (such as an ATV, snowmobile, motorcycle, or personal watercraft) from a 15 mile radius to a 10 mile radius within a county of a population of 225,000 or more.

Municipal Impact/what you need to do:
Municipalities within counties of populations of 225,000 or more should be aware that the shorter radius could result in additional powersport dealerships being established or relocated.

ULCT Action/Future Trend:
ULCT monitored the bill. The legislature has considered similar legislation about the automobile dealerships. HB 471 is representative of a trend towards reducing or eliminating laws or regulations that may be perceived as limiting commercial opportunities.

HB 473 | Local Government Revisions

Mar 4

Sponsor: **Knotwell, John**

Bill Status: **Failed**

http://le.utah.gov/~2016/bills/static/HB0473.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
This bill would have amended audit provisions for local governments. The language was ultimately inserted into SB 164.

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass.

However, SB 164 included the provisions from HB 473 and did pass (see below).

ULCT Action/Future Trend:
ULCT and UMCA participated in a local government round table with the State Auditor's Office and worked with the bill sponsor of both HB 473 and SB 164 to address concerns for towns. Transparency is both an expectation and a legal requirement, regardless of the size of your community. ULCT advocates for flexibility for towns and small cities. ULCT has a strong relationship with both the State Auditor's Office and legislators to ensure that local government is a partner in efforts to improve government transparency and accountability.

SB 19 | Phased Retirement

Sponsor: **Weiler, Todd**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/SB0019.html

ULCT Position: **Neutral**

Legislative Purpose for the Bill:
SB 19 allows a participating employer to participate in phased retirement for a retiree who has not completed the one-year employment separation requirement so long as the participating employer establishes written policies within certain parameters. The bill goes into effect on January 1, 2017 and has a sunset date of January 1, 2022.

Municipal Impact/what you need to do:
Cities and towns will now have the flexibility to offer phased retirement.

ULCT Action/Future Trend:
ULCT monitored the bill as part of the larger discussion about retirement benefits and postretirement flexibility.

SB 23S2 | Water Law Protected Purchaser Amendments

Sponsor: **Dayton, Margaret**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/SB0023.html

ULCT Position: **Watch**

Legislative Purpose for the Bill:
SB 23 modifies the definition of protected purchaser of a share of stock in a water company.

Municipal Impact/what you need to do:
Cities and towns should seek advice of experienced water advisors prior to purchasing water shares or accepting them in the exaction process.

ULCT Action/Future Trend:
Water transfers are increasing in complexity and risk. ULCT expects additional legislation on water transfers and change applications in the future.

SB 25S1 | Ballot Amendments

Sponsor: **Dayton, Margaret**
Bill Status: **Enrolled**
http://le.utah.gov/~2016/bills/static/SB0025.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
SB 25 amends the definition of "ticket" to include a list of political parties, candidates for an office, or ballot propositions. The bill also clarifies how to design ballots (both paper ballots and machine counted ballots) and ensure a space for write-in candidates.

Municipal Impact/what you need to do:
Municipal election officers should ensure that future ballots comply with SB 25.

ULCT Action/Future Trend:
ULCT monitored the bill. The Utah Association of Counties initiated several election bills with Senator Dayton based on experiences from the 2014 and 2015 election cycles. UAC consulted with ULCT on the bills during the 2015 interim. As jurisdictions pursue absentee ballot only elections ("vote-by-mail") and other election options, ULCT expects additional legislation to clarify and clean up the election code.

SB 26 | Election Notice Amendments

Jan 28

Sponsor: **Dayton, Margaret**
Bill Status: **Enrolled**
http://le.utah.gov/~2016/bills/static/SB0026.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
SB 26 modifies the election notice requirement in state law. Previously, an election officer had to give written or printed notice of the date and place of an election, polling hours, polling places, and the qualifications for persons to vote in the election. Additionally, the election officer had to print the notice in a newspaper of general circulation. SB 26 now authorizes an election officer, instead of only using the newspaper, to give printed notice by mailing the notice to each registered voter who resides in the area at least five days before Election Day.

Municipal Impact/what you need to do:
An election officer now has the flexibility to use a newspaper or mail to provide the election notice to residents.

ULCT Action/Future Trend:
ULCT monitored the bill. The Utah Association of Counties initiated several election bills with Senator Dayton based on experiences from the 2014 and 2015 election cycles. UAC consulted with ULCT on the bills during the 2015 interim. As jurisdictions pursue absentee ballot only elections ("vote-by-mail") and other election options, ULCT expects additional legislation to clarify and clean up the election code.

SB 27 | Absentee Ballot Amendments

Sponsor: **Dayton, Margaret**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/SB0027.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
SB 27 changes the date by which an election officer is required to mail absentee ballots from 28 days before Election Day to 21 days before Election Day.

Municipal Impact/what you need to do:
Election officers must now comply with the 21 day requirement instead of the 28 day requirement.

ULCT Action/Future Trend:
ULCT monitored the bill. The Utah Association of Counties initiated several election bills with Senator Dayton based on experiences from the 2014 and 2015 election cycles. UAC consulted with ULCT on the bills during the 2015 interim. As jurisdictions pursue absentee ballot only elections ("vote-by-mail") and other election options, ULCT expects additional legislation to clarify and clean up the election code.

SB 29 | Retirement Systems Amendments

Sponsor: **Weiler, Todd**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/SB0029.html

ULCT Position: **Neutral**

Legislative Purpose for the Bill:
SB 29 modifies the Utah State Retirement and Insurance Benefit Act. The modifications include allowing Utah Retirement Systems to make payments to a deceased member's beneficiaries 30 days instead of three months after the death date, amending the definition of "final average salary" so as to be a calendar year for local governments.

Municipal Impact/what you need to do:
Municipalities who belong to the Utah Retirement Systems should review the changes.

ULCT Action/Future Trend:
ULCT monitored the bill and was involved in multiple discussions about retirement benefits and potential postretirement changes.

SB 34S1 | Sewer Lateral Disclosures

LPC Minutes Feb 8

Sponsor: **Mayne, Karen**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/SB0034.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
SB 34 enacts provisions relating to sanitary sewer service. The bill defines "sanitary sewer service," and "sewer lateral." The bill requires each public owner of sanitary sewer facilities to provide certain disclosures related to liability for the repair or replacement of a sewer lateral.

Municipal Impact/what you need to do:
Each calendar year, a public owner shall distribute a disclosure to residents that:

- includes the definition of a sewer lateral
- states whether the record owner of the property or the public owner is responsible for repair and replacement of the sewer lateral that serves a property

A public owner may distribute the disclosure by once each calendar year conspicuously placing the disclosure:

- on each bill for sanitary sewer service in a particular billing cycle; or
- in a newsletter that is circulated within the boundaries of the area served by the public owner;
- conspicuously placing the disclosure on the public owner's website;
- including the disclosure in a broad based social media campaign; or
- any other means reasonably calculated to make the disclosure available to individuals served by the public owner.

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Municipal Impact/what you need to do:
ULCT was made aware of the bill during the 2015 interim and worked with the bill sponsor to reduce the administrative burden on municipalities.

SB 36 | Postretirement Employment Exceptions

Jan 29, Mar 7, LPC Minutes Mar 7

Sponsor: **Mayne, Karen**

Bill Status: **Failed**

http://le.utah.gov/~2016/bills/static/SB0036.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
The bill would have modified postretirement employment restrictions. The bill would have reduced the current one year separation to 60 days, would have maintained the no retirement in place limitation, and would have applied to all public employees. If an employer re-hired a post-retired employee, the employer would have to pay the certified contribution rate to the Utah Retirement System as if the re-hire were an eligible, full-time position.

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
ULCT worked closely with legislators during the 2015 interim on all of the postretirement bills. ULCT expects postretirement bills to continue to attract interest in the 2016 interim.

SB 44 | Construction Code Amendments

Jan 25, LPC Minutes Feb 29

Sponsor: **Dayton, Margaret**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/SB0044.html

ULCT Position: **Opposed until amended**

Legislative Purpose for the Bill:
SB 44 expands an exemption from the Building Code for temporary agricultural produce sales stands by 50% from 1000 square feet to 1500 square feet.

Municipal Impact/what you need to do:
Building inspectors must be aware of this exception in their authority.

ULCT Action/Future Trend:
The issue did not receive review from the Land Use Task Force, which consists of city managers, city attorneys, ULCT staff, home builders, developers, and the Property Rights Coalition, and works together to solve land use issues. Nevertheless, ULCT met with the Farm Bureau (who supported the bill) and the bill sponsor to discuss concerns.

SB 59S1 | Antidiscrimination and Workplace Accommodations Revisions

LPC minutes Mar 2

Sponsor: **Weiler, Todd**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/SB0059.html

ULCT Position: **Neutral**

Legislative Purpose for the Bill:
SB 59 prohibits an employer from refusing to provide reasonable accommodations for an employee related to pregnancy, childbirth, breastfeeding, or related conditions. The employer may require an employee to provide a certification from a health care provider about the medical advisability of the reasonable accommodation though no certification is required for more frequent restroom, food, or water breaks. The employer may avoid the reasonable accommodation requirement if the accommodation would create an undue hardship on the operations of the employer.

Municipal Impact/what you need to do:
As employers, cities and towns should ensure that they provide reasonable accommodations for the aforementioned pregnancy, childbirth, breastfeeding, or other related conditions.

ULCT Action/Future Trend:
ULCT monitored the bill.

SB 68 | Property Tax Amendments

Feb 1, Groundhog Day (Feb 2)

Sponsor: **Harper, Wayne**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/SB0068.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
SB 68 implements the constitutional amendment proposed by SJR 3 (see below). It would exempt property that is leased to state and local government where the type of lease constitutes a form of de facto ownership.

Municipal Impact/what you need to do:
SB 68 should eliminate some confusion associated with leased personal property to state and local government, but the implementation of SB 68 is dependent on whether Utah voters approve SJR 3 during the 2016 general election.

ULCT Action/Future Trend:
ULCT worked with the bill sponsor on both SB 68 and SJR 3 to clarify the definitions and scope.

SB 73S3 | Medical Cannabis Act

Feb 3, Feb 4, Feb 5, Feb 18, Feb 19, Feb 22, LPC Agenda Feb 1, LPC Minutes Feb 1, LPC Agenda Feb 8, LPC Minutes Feb 8, LPC Agenda Feb 22, LPC Minutes Feb 29

Sponsor: **Madsen, Mark**
Bill Status: **Failed**
http://le.utah.gov/~2016/bills/static/SB0073.html
ULCT Position: **Oppose until amended**

Legislative Purpose for the Bill:
SB 73 would have legalized the production, processing, and distribution of medical cannabis and was one of two bills that attempted to address medicinal marijuana (SB 89, see below). The original version of SB 73 would have preempted local ordinances regulating or prohibiting a cannabis establishment. Additionally, the original SB 73 would have mandated that local government allow a cannabis establishment as a permitted use in an industrial, manufacturing, or agricultural zone.

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
While both medicinal marijuana bills passed the Senate, neither of them passed the House. The SB 73 bill sponsor is retiring from the legislature and some SB 73 supporters have indicated a desire to place the crux of SB 73 on the ballot for Utah voters to decide. ULCT raised concerns about the land use preemption language which the bill sponsor agreed to withdraw from the bill before the Senate passed the bill. Consequently, ULCT expects either future legislation or an initiative to address medicinal marijuana in November 2016 (or other election) or in the 2017 legislative session.

SB 75 | Water Rights Adjudication Amendments

Sponsor: **Dayton, Margaret**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/SB0075.html

ULCT Position: **Watch**

Legislative Purpose for the Bill:
SB 75 streamlines the notice and statement of claim process in a general adjudication to lessen the state engineer's costs to adjudicate and eliminate paper water rights.

Municipal Impact/what you need to do:
Cities and towns must file a timely statement of claims to protect your water rights in a general adjudication.

ULCT Action/Future Trend:
ULCT monitored the bill. The state is increasing its ability and lowering its costs to adjudicate and forfeit paper water rights so it will be critical for cities and towns to stay on top of their legal claims to their water rights.

SB 76S1 | Workers' Compensation for Volunteers

Sponsor: **Mayne, Karen**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/SB0076.html

ULCT Position: **Neutral**

Legislative Purpose for the Bill:
SB 80 clarifies that volunteers are not employees for purposes of workers' compensation unless the nongovernment entity for which the volunteer provides services elects to cover the volunteer with workers' compensation coverage.

Municipal Impact/what you need to do:
No municipal impact as the bill only directly applies to the nongovernment entity's employees. Current law may already either address or not address volunteers with government entities.

ULCT Action/Future Trend:
ULCT monitored the bill.

SB 80S2 | Infrastructure Funding Amendments

Mar 9, Mar 10

Sponsor: **Adams, Stuart**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/SB0080.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
HB 257 was identical to Sen. Adams' SB 80 and proposed to reallocate funding from UDOT to water infrastructure projects for the large water conservancy districts ($76,633,600 by fiscal year 2021-2022). The bill will phase in funds from the Transportation Investment Fund to the Water Infrastructure Restrict Account, starting with 20% in 2016-2017 and ending in 100% by 2021-2022.

Municipal Impact/what you need to do:
Beginning this summer, there will be dedicated state revenue available for water infrastructure.

ULCT Action/Future Trend:
ULCT monitored the discussion on water infrastructure and met regularly with water leaders. As Utah's population is projected to double by 2060, addressing water infrastructure will be critical to ensure that Utah's quality of life continues. ULCT estimates that the cost to repair and replace municipal water infrastructure between now and 2060 is $17.9 billion and that does not include the estimate for new water facilities. SB 80 prioritized funding for water infrastructure in Utah without jeopardizing currently programmed transportation projects from the Transportation Investment Fund. Water infrastructure—and all infrastructure—will continue to be a major topic of discussion on Capitol Hill.

SB 86 | School Building Coordination

Sponsor: **Jackson, Alvin**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/SB0086.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
SB 86 requires school districts and charter schools to notify state, local governments and utilities prior to acquiring a school site or constructing a school building.

Municipal Impact/what you need to do:
SB 86 is positive for local governments because it will facilitate communication between government entities. Upon notice, a municipality should promptly inform districts/charter schools of all costs and concerns associated with school construction on the proposed site.

ULCT Action/Future Trend:
ULCT supported the bill.

SB 89S5 | Cannabis-based Medicine Amendments

Feb 3, Feb 4, Feb 5, Feb 18, Feb 19, LPC Agenda Feb 1, LPC Minutes Feb 1, LPC Agenda Feb 8, LPC Agenda Feb 22

Sponsor: **Vickers, Evan**

Bill Status: **Failed**

http://le.utah.gov/~2016/bills/static/SB0089.html

ULCT Position: Support

Legislative Purpose for the Bill:
SB 89 would have authorized the production, processing, and distribution of cannabidiol (maximum of .5% dry weight of THC) for medicinal purposes. Unlike SB 73 above, SB 89 did not preempt local regulation, local zoning, or local ordinances and proactively stated that a cannabidiol must meet local zoning requirements and have a local business license.

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
While both medicinal marijuana bills passed the Senate, neither of them passed the House. The SB 73 bill sponsor is retiring from the legislature and some SB 73 supporters have indicated a desire to place the crux of SB 73 on the ballot for Utah voters to decide. ULCT raised concerns about the land use preemption language which the bill sponsor agreed to withdraw from the bill before the Senate passed the bill. Consequently, ULCT expects either future legislation or an initiative to address medicinal marijuana in November 2016 (or other election) or in the 2017 legislative session.

SB 92S3 | Water Conservation Amendments

Feb 1, Groundhog Day (Feb 2), Feb 3, Feb 9,
LPC Minutes Feb 1, LPC Minutes Feb 8

Sponsor: **Jenkins, Scott**
Bill Status: **Failed**
http://le.utah.gov/~2016/bills/static/SB0092.html
ULCT Position: **Amend**

Legislative Purpose for the Bill:
Originally, the bill would have prohibited cities and towns from requiring landscaping in commercial and industrial zones. The bill was substituted to eliminate the prohibition and require cities and towns to report on water conservation efforts.

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass"

ULCT Action/Future Trend:
The bill did not receive review from the Land Use Task Force, which consists of city managers, city attorneys, ULCT staff, home builders, developers, and the Property Rights Coalition, and works together to solve land use issues. The ULCT worked closely with the bill sponsor to achieve consensus in the third substitute. Despite the bill not passing, ULCT urges each jurisdiction to consider water conservation measures for outdoor landscaping requirements. Water supply and use will be closely scrutinized in the coming years.

SB 94 | Law Enforcement Use of Body Cameras

Feb 5, Feb 8, Feb 19, Feb 22, LPC Agenda Feb 1, LPC Agenda Feb 8, LPC Minutes Feb 8, LPC Agenda Feb 22, LPC Minutes Feb 22, LPC Agenda Feb 29, LPC Minutes Feb 29

Sponsor: **Thatcher, Daniel**
Bill Status: **Failed**
http://le.utah.gov/~2016/bills/static/SB0094.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
SB 94 would have authorized the Peace Officers Standards and Training Council to prepare a model body-worn camera policy, potentially subject to approval from the Administrative Rules Committee, for local law enforcement agencies to adopt and utilize. The bill also would have addressed potential changes to the Government Records Access and Management Act for body-worn camera recordings. SB 94 was a competing bill with HB 300 (see above).

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass. HB 300, however, did pass (see above).

ULCT Action/Future Trend:
ULCT was heavily involved in the negotiations that resulted in the SB 94/HB 300 compromise. ULCT convened a Local Government Public Safety Home Team during the 2015 interim to review this bill and other legislation that impacted law enforcement. ULCT's Cameron Diehl led the Home Team and it included representatives from the Chiefs of Police Association, Sheriffs Association, Utah City Management Association, Utah Municipal Attorneys Association, Utah Prosecution Council, and the Utah Association of Counties. ULCT's Nick Jarvis created a comprehensive law enforcement survey so that we had sufficient data about current practices.

Previous versions of HB 300 (specifically HB 386 in the 2015 session) had provisions that troubled ULCT. For example, previous versions included a rebuttable presumption for an individual if an officer's camera did not record. Additionally, previous versions include a camera specific retention schedule and other administrative burdens. During the interim, ULCT and the Home Team negotiated frequently with the stakeholders. Sen. Thatcher proposed SB 94 to provide an alternative approach to the issue.

During the session, ULCT's Cameron Diehl spearheaded the negotiations with legislators and other stakeholders and ULCT appreciates the valuable efforts of South Jordan City Attorney Ryan Loose, Ogden City Attorney Gary Williams, and Bountiful Police Chief Tom Ross. Ultimately, ULCT, UAC, Chiefs of Police Association, American Civil Liberties Union (ACLU), and the Media Coalition all endorsed the HB 300 compromise.

Going forward, ULCT expects more legislation about law enforcement. As body-worn cameras become more common, it is also possible that future legislatures will want to consider changes to HB 300. For now, all of the stakeholders have agreed to not modify HB 300 unless necessary.

SB 99S2 | Transparency for Political Subdivisions

Feb 24

Sponsor: **Henderson, Deidre**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/SB0099.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
SB 99 removes a size and budget threshold for local government participation in the Utah Public Finance Website. The also bill modifies provisions relating to local government disclosures. It requires a local district or a special service district to post on the Utah Public Notice Website the contact information of each member of the district's governing body.

Municipal Impact/what you need to do:
A participating local entity that makes public financial information accessible via the Utah Public Finance Website on or after May 10, 2016, and that was not previously required to make financial information accessible via the website shall permit information that is generated on or after the first day of the participating local entity's fiscal year that includes January 1, 2017, to be accessible via the website. Except for municipalities with an annual budget of less than $100,000, each municipality needs to comply on or before January 1, 2017. Municipalities with an annual budget of less than $100,000 need to comply on or before July 1, 2017.

ULCT Action/Future Trend:
The bill sponsor worked with ULCT to create a phase in time for cities with annual budgets of less than $100,000. The bill is part of a larger movement for greater transparency and accountability of government. During the 2016 interim, ULCT will prepare a toolkit for towns and small cities about transparency and other state requirements.

SB 100 | Traffic Fines Amendments

Feb 1 LPC Email, Feb 1, Feb 23, Mar 3, Mar 4, LPC Agenda Feb 22, LPC Minutes Feb 22

Sponsor: **Hillyard, Lyle**

Bill Status: **Failed**

http://le.utah.gov/~2016/bills/static/SB0100.html

ULCT Position: **Oppose**

Legislative Purpose for the Bill:
The bill would have restricted the ability of local governments to receive funds from traffic fines that exceed 25% of the total general fund revenues. Any traffic fine revenue exceeding 25% would be remitted to the state.

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
SB 100 was another example of the ongoing trend of one particular local situation resulting in state legislation. ULCT opposed the bill on the principle that the state should not dictate the breakdown of local government budgets. It is possible that the bill could return in the future.

SB 107 | Hate Crimes Amendments

Sponsor: **Urquhart, Stephen**
Bill Status: **Failed**
http://le.utah.gov/~2016/bills/static/SB0107.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
SB 107 would have clarified Utah's hate crimes law as any criminal offense against an individual or property when the alleged criminal actor commits the offense because of the actor's belief regarding an individual's ancestry, disability, ethnicity, gender, gender identity, national origin, race, religion, or sexual orientation. The trier of fact would need to find that an actor is guilty of a hate crime beyond a reasonable doubt. The bill would not have limited an individual's constitutional right to the lawful expression of free speech.

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
ULCT, UAC, and the Chiefs of Police Association all supported the bill. While it did not pass in 2016, ULCT anticipates a similar bill in 2017 and beyond.

SB 110S3 | Water Quality Amendments

Feb 4, Mar 1

Sponsor: **Hinkins, David**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/SB0110.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
SB 110 establishes independent peer review process for challenges to Division of Water Quality (DWQ) proposed water quality (aka "nutrients") requirements. The challenge must be on the merits of the technical or scientific data upon which a technology based nutrient effluent limit proposal is based. The challenging party bears the cost of the independent peer review. The peer review includes a minimum of three independent experts who will determine whether the proposal is scientifically defensible, not scientifically defensible, or scientifically defensible with conditions.

Municipal Impact/what you need to do:
This process is available for any DWQ permit holder to challenge any DWQ nutrient limit proposed after January 1, 2016.

ULCT Action/Future Trend:
ULCT has participated in the nutrient stakeholder group with DWQ for the last four plus years. The state has attempted to define numeric criteria for nitrogen and phosphorus in wastewater in order to comply with an Environmental Protection Agency mandate. SB 110 was the result of some frustrated parties who had concerns about the underlying science behind the proposed nutrient rules. Expect increasing scrutiny and regulation of public water, storm water, and effluent treatment systems.

SB 114S1 | Municipal Utilities Amendments

Feb 17

Sponsor: **Stevenson, Jerry**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/SB0114.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
SB 114 authorizes a municipality to call an election for a non-binding opinion question regarding the provision of public telecommunications service facilities. The bill only applies to those municipalities who approved the provision of the facilities prior to July 1, 2016.

Municipal Impact/what you need to do:
The bill only applies to 11 cities who belong to the Utah Telecommunication Open Infrastructure Agency. Those cities now have the flexibility to ask their voters a non-binding opinion question about the future of the network.

ULCT Action/Future Trend:
ULCT supported the bill so that the affected cities could have the additional flexibility to empower their voters. While the UTOPIA network has garnered checkered publicity through the years, ULCT does not expect more legislation in the future.

SB 115S4 | Sustainable Transportation and Energy Plan Act

Sponsor: **Adams, Stuart**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/SB0115.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
SB 115 focuses on regulatory changes for Rocky Mountain Power (RMP – and as a result it is limited to the RMP service area). It allows RMP to recover additional costs and all allocates rate-payer money to a variety of clean-air related projects.

Municipal Impact/what you need to do:
The bill applies only to RMP area and not to any municipal power cities or cities served by electric cooperatives.

ULCT Action/Future Trend:
ULCT monitored the bill. As the bill was controversial on Capitol Hill, ULCT expects all parties to heavily monitor the impact of SB 115 in future years.

SB 120 | Property Tax Notice Amendments

Sponsor: **Stephenson, Howard**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/SB0120.html

ULCT Position: **Neutral**

Legislative Purpose for the Bill:
SB 120 defines last year's property tax budgeted revenue for purposes of the advertisement used to provide notice of a proposed property tax increase. The new definition of "last year's property tax budgeted revenue" does not include revenue received by a taxing entity from a debt service levy voted on by the public.

Municipal Impact/what you need to do:
Cities and towns should confirm the exact property tax revenue with the new definition prior to advertising and noticing a proposed property tax increase. A truth in taxation hearing notice would thus not show revenue from a debt service levy that has already been approved by voters. The truth in taxation notice would only reflect projected revenue from the requested tax increase.

ULCT Action/Future Trend:
ULCT monitored the bill.

SB 122S3 | Wildland Fire Policy Updates

Feb 3, Feb 4, Feb 10, Feb 23, Feb 25, Mar 3, Mar 9, LPC Agenda Feb 22, LPC Minutes Feb 22

Sponsor: **Vickers, Evan**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/SB0122.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
SB 122 authorizes a municipality, county or fire district to enter into a cooperative agreement with the Division of Forestry, Fire, and State Lands. The cooperative agreement will specify that the municipality, county, or fire district will be eligible for the state of Utah to cover the costs of catastrophic wildland fire suppression so long as local entities meet their "participation match." The participation match would include prevention, preparedness, and mitigation efforts and the specific participation match details will be addressed via administrative rule and through the individual cooperative agreements. The bill goes into effect on January 1, 2017 so as to provide sufficient time for local governments and the state to craft cooperative agreements.

Municipal Impact/what you need to do:
Municipalities should enter into cooperative agreements with the Division of Forestry, Fire, and State Lands. The Division can provide municipalities now with the risk assessment and historic fire average of each acre within municipal boundaries. That data will guide the creation of the participation match for which municipalities (or counties and districts) will be accountable.

ULCT Action/Future Trend:
ULCT dedicated countless hours during the 2015 interim to studying the wildland fire issue. Sen. Vickers charged ULCT, UAC, and the Division to find consensus and bring forward a bill that addressed suppression, prevention,

and mitigation of wildland fire in Utah. ULCT convened a working group of city officials across Utah that discussed the bill throughout 2015. ULCT thanks Division Director Brian Cottam and his team for their outreach and expertise and thanks all of the members of the working group for their participation. Going forward, ULCT will work with the other stakeholders to assist municipalities in the next step of the participation match and cooperative agreement so that all communities are prepared for the 2017 implementation.

SB 125S1 | After-School Programs Amendments

Sponsor: **Escamilla, Luz**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/SB0125.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
SB 125 requires the State Board of Education, in consultation with the Department of Workforce Services, to make rules that describe high quality standards for programs for elementary and secondary students that operate outside of the regular school day.

Municipal Impact/what you need to do:
Municipalities should participate in the administrative rulemaking procedure to provide feedback about standards for after school programs.

ULCT Action/Future Trend:
ULCT supported the bill as more and more cities are either providing or partnering with local groups to provide after-school programs for students. The original draft included an appropriation of new funding but that appropriation will likely return in future legislation.

SB 142S1 | Improvement District Amendments

Sponsor: **Weiler, Todd**
Bill Status: **Enrolled**
http://le.utah.gov/~2016/bills/static/SB0142.html
ULCT Position: **Monitor**

Legislative Purpose for the Bill:
SB 142 authorizes an improvement district created to operate a sewage system to acquire, construct, or operate a resource recovery project. HB 347 also addressed similar issues (see above).

Municipal Impact/what you need to do:
Municipalities should consider SB 142 and HB 347 as an additional opportunity for financing public infrastructure.

ULCT Action/Future Trend:
ULCT monitored the bill. ULCT is also monitoring the growing power and authority of local districts.

SB 150S2 | Metro Township Amendments

Sponsor: **Mayne, Karen**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/SB0150.html

ULCT Position: **Neutral**

Legislative Purpose for the Bill:
SB 150 is the cleanup bill from last year's massive metro township bill for Salt Lake County. SB 150 addresses the definition of municipality in various sections of the code that were missed last year, annexation and incorporation, and the county role within the metro township.

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
ULCT monitored the bill. ULCT worked closely with the bill sponsors and Salt Lake County during the 2015 legislative session on the metro township comprehensive bill. During the 2015 election cycle, Millcreek voters chose to incorporate as a city whereas the other areas within Salt Lake County decided to incorporate as metro townships. ULCT will continue to monitor the progress of metro townships in Salt Lake County and state law will prevent any metro townships from popping up in other counties around the state.

SB 151S1 | Community Development and Renewal Agencies Act Revisions

Feb 17

Sponsor: **Harper, Wayne**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/SB0151.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
SB 151 is a recodification of the existing RDA, EDA and CDA development tracks. It essentially collapses the existing structure into 1 major track essentially the existing EDA track. Traditionally RDA's are still available if eminent domain is required. It also allows for eminent domain to be used if a project is making no effort to move forward. Existing projects are grandfathered.

Municipal Impact/what you need to do:
If your city or town intends to use a RDA, CDA, or EDA going forward, then your city should follow the new structure. The goal is to have an easier understood structure.

ULCT Action/Future Trend:
ULCT participated in dialogue about the bill.

SB 155S5 | Indigent Defense

Feb 18, Mar 8

Sponsor: **Weiler, Todd**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/SB0155.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
SB 155 creates a state run Indigent Defense Commission will 11 members – most appointed by the Governor. Two members will be recommended by the ULCT. The initial purpose of the Commission will be to conduct an assessment of public defender workloads and the development of operational standards for public defenders —including whether existing contracts comply with constitutional standards. The Commission's role is advisory in nature. In addition, $1 million dollars was initially appropriated to assist local governments in complying with increased obligations. The $1 million is viewed as only an initial payment on what is likely to be a much larger state expenditure.

Municipal Impact/what you need to do:
Cities should be aware of the increased scrutiny of their indigent defense obligations, including upcoming conversations about public defender contracts.

ULCT Action/Future Trend:
The ULCT will recommend members to the Commission and will be involved in the work of the Commission.

SB 157S1 | Pawnshop Amendments

Mar 8

Sponsor: **Thatcher, Daniel**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/SB0157.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
SB 157 requires pawn shops to return property to the original victim of a crime within 15 days upon receiving notice from the law enforcement agency. The bill requires a law enforcement agency and prosecuting agency to coordinate information about the possession of a stolen article. Additionally, SB 157 modifies the Secondhand Merchandise Advisory Board membership. The four year terms will be staggered and the Commission on Criminal and Juvenile Justice should consider the recommendations from members of all of the representatives on the board.

Municipal Impact/what you need to do:
Local law enforcement agencies and prosecutors should be aware of the new provisions that can facilitate the return of stolen items to original victims of a crime.

ULCT Action/Future Trend:
ULCT monitored the bill and participated in conversations with the bill sponsor, law enforcement agencies, and pawn shop representatives to find consensus.

SB 161S2 | Highway Signage Amendments

Sponsor: **Adams, Stuart**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/SB0161.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
SB 161 enables on-premise signs to advertise major activities conducted on the property where the on-premise signs. SB 161 also authorizes on-premise signs within a unified commercial development to advertise the sale or lease of land within the unified commercial development where the sign is located, activities conducted at venues or products available for sale within the unified commercial development, or the name of venues or stores within the unified commercial development. The bill also defines a sign in the outdoor advertising corridor permitted by local zoning as an on-premise sign which advertises an activity, service, event, or prudct located on property other than the property on which the sign is located as unlawful.

Municipal Impact/what you need to do:
SB 161 is narrowly drafted to only impact a tiny number of signs or potential signs in Utah.

ULCT Action/Future Trend:
ULCT monitored the bill so as to prevent a narrow bill from having unintended consequences on the current legal balance between the outdoor advertising industry and local government.

SB 164S2 | Local Government Modifications

Sponsor: **Henderson, Deidre**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/SB0164.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
SB 164 modifies provisions relating to local governments. The bill removes the requirement for the Office of the State Auditor to provide certain budget forms, and requires a town, city, county, interlocal entity, or local district to appropriate a percentage of fund revenue toward deficit fund balances. The bill also requires a town to prepare certain financial reports, and clarifies the due date for budget adoption for a city undergoing truth in taxation. It also removes obsolete language related to city auditor bookkeeping duties, and repeals the requirement for an independent audit of a county's transient room tax and tourism, recreation, cultural, convention, and airport facilities tax. The bill modifies the contents of a property tax notice, and provides that a taxpayer who pays less than the full amount of the items listed on the taxpayer's property tax notice may direct how the county treasurer allocates the partial payment between the amounts due.

Municipal Impact/what you need to do:
If there is a deficit fund balance in a fund at the close of the last completed fiscal year, the council shall include an item of appropriation for the deficit in the current budget of the fund equal to at least 5% of the total revenue of the fund in the last completed fiscal year. If the deficit is equal to less than 5% of the total revenue of the fund in the last completed fiscal year, than the entire amount of the deficit needs to appropriated.

Also, the town clerk or other designated person shall prepare and present to the council a quarterly financial report, or upon request by the council, a financial report more frequently than each quarter.

ULCT Action/Future Trend:
ULCT worked closely with the bill sponsor (as well as the bill sponsor for HB 473, which was merged into SB 164) to ensure that they considered the impact on towns or small cities with limited staff and limited resources. This bill is part of a larger effort to have greater transparency and accountability of government.

SB 169S5 | Olene Walker Housing Loan Fund Amendments

Mar 8, LPC Minutes Mar 7

Sponsor: **Weiler, Todd**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/SB0169.html

ULCT Position: **Oppose until amended**

Legislative Purpose for the Bill:
SB 169 prohibits a city from adopting an ordinance that prohibits a homeless shelter from operating year-round until 2020. The bill also prioritizes certain applications for grants from the Olene Walker Housing Loan Fund and addresses how the Fund money is distributed. The priorities of the fund will be first for projects and activities intended to minimize homeless and second to applications for projects and activities that use existing privately owned housing stock.

Municipal Impact/what you need to do:
The homeless shelter provision of the bill only applies to one city. The Olene Walker Fund changes will result in at least 30% of the Fund being distributed to areas in rural Utah and at least 70% of the money being distributed to persons whose annual income is at or below 50% of the median family income. Consequently, cities who regularly apply for funding from the Olene Walker Housing Loan Fund should be aware of the new allocation rules and fund preferences and thus tailor their applications accordingly.

ULCT Action/Future Trend:
ULCT worked closely with all of the stakeholders and the bill sponsors of the package of bills that are addressing homelessness (HB 328, HB 436, and SB 169). Cities should expect dialogue throughout the 2016 offseason about how we all can do our part to provide a helping hand to the needy among us.

SB 177 | Nighttime Highway Construction Noise Amendments

Mar 7

Sponsor: **Van Tassell, Kevin**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/SB0177.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
SB 177 creates a process by which the Utah Department of Transportation (UDOT) can be exempted from noise ordinances of a local jurisdiction for nighttime construction. SB 177 also authorizes UDOT to create a rule for a local government to appeal the decision to conduct night time highway construction.

Municipal Impact/what you need to do:
In order for UDOT to be exempt from local noise ordinances or regulations for construction on a road with a normal speed limit less than 55 miles per hour, UDOT must provide reasonable notice to each contiguous residential property at least 48 hours in advance, determine a net community benefit, and institute best management noise reduction practices for contiguous property owners. The net community benefit may include public health, project completion time, air quality, traffic, economics, safety, and other local jurisdictional concerns.

Consequently, cities should expect UDOT to demonstrate the net community benefit and the mitigation when UDOT seeks to do night time construction. Likewise, local governments will have the opportunity to appeal (though the appeal procedure has yet to be determined through the UDOT rulemaking process).

ULCT Action/Future Trend:
ULCT cooperated with the Utah Association of Counties and UDOT during the 2015 interim to find consensus on a night time construction process. ULCT will also participate in the rulemaking process about the aforementioned appeal procedure.

SB 181 | Judiciary Amendments

Sponsor: **Hillyard, Lyle**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/SB0181.html

ULCT Position: **Neutral**

Legislative Purpose for the Bill:
SB 181 permits actions involving counties to be transferred to adjacent counties, reduces the jurisdiction of justice courts for certain prosecutions involving 16 and 17 year olds, and amends appeal rights for individuals accused of violating the terms of a plea in abeyance. The bill makes additional changes to judicial procedure, including notices of appeal.

Municipal Impact/what you need to do:
City prosecutors should be aware of the judicial amendments.

ULCT Action/Future Trend:
ULCT monitored the bill and expects additional recommendations from the Administrative Office of the Courts in future legislative sessions. ULCT also expects more dialogue about justice courts in the 2016 interim.

SB 182S2 | Sales and Use Tax Revisions

Feb 24, Feb 29, Mar 1, Mar 7, Mar 8, LPC Agenda Feb 29, LPC Minutes Feb 29, LPC Agenda Mar 7

Sponsor: **Harper, Wayne**

Bill Status: **Failed**

http://le.utah.gov/~2016/bills/static/SB0182.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
This bill was essentially a slightly different version of HB 235 (see above) dealing with expanded nexus definitions. The goal was to facilitate a means of collecting on-line sales tax.

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
The issue is part of an ongoing effort to address the on-line sales tax issue from a tax fairness perspective. Local governments are feeling the pinch of an eroding sales tax base and local brick and mortar businesses are struggling to compete in an unfair tax climate that the lack of tax equity has created. The ULCT will continue to support efforts to resolve this issue.

SB 187S1 | Reclassification of Misdemeanors

LPC Minutes Feb 29

Sponsor: **Thatcher, Daniel**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/SB0187.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
SB 187 reduces the penalties for dozens of offenses in the Utah Criminal Code from misdemeanors to infractions.

Municipal Impact/what you need to do:
Municipal prosecutors need to review the new penalties.

ULCT Action/Future Trend:
SB 187 reflects the continuation of 2015's Justice Reinvestment Initiative and reflects recommendations from the Utah Sentencing Commission. ULCT will engage in JRI implementation efforts during the 2016 interim.

SB 192 | Study on Claims Exceeding Statutory Limit

Sponsor: **Iwamoto, Jani**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/SB0192.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
SB 192 encourages the formation of an informal working group to study how to address statutory limits on individual and aggregate claims for damages for personal injury. The working group will include representation from the Division of Risk Management, the Insurance Department, the Office of the Attorney General, trial lawyers, and local governments.

Municipal Impact/what you need to do:
Cities and towns should provide input to the working group during the 2016 interim.

ULCT Action/Future Trend:
UULCT representatives met with Sen. Iwamoto and other stakeholders and urged an interim discussion instead of statutory changes during the 2016 session. ULCT expects that the working group recommendations could result in changes in the 2017 session. ULCT encourages cities and towns to be aware of the working group and participate in the dialogue.

SB 193S2 | Utah Communications Authority Act Amendments

Feb 23, LPC Minutes Feb 22

Sponsor: **Harper, Wayne**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/SB0193.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
SB 193 requires the UCA to adopt a strategic plan and requires counties and cities receiving 911 revenue to remit money directly to answering points without negotiation.

Municipal Impact/what you need to do:
If your city is a member of UCA, then you need to understand the changes to UCA (both in this bill and in HB 380).

ULCT Action/Future Trend:
ULCT worked closely with the bill sponsors and other stakeholders to find consensus on SB 193 and HB 380. 75% of the UCA membership is local jurisdictions so we advocated to retain sufficient local authority over UCA decisions. As technology evolves, ULCT expects additional legislation and dialogue about the modernization, accountability, and governance of the UCA network.

SB 196S2 | Retail Bag Impact Reduction Program

LPC Minutes Feb 22, LPC Minutes Feb 29

Sponsor: **Iwamoto, Jani**

Bill Status: **Failed**

http://le.utah.gov/~2016/bills/static/SB0196.html

ULCT Position: **Neutral**

Legislative Purpose for the Bill:
SB 196 would have created the Retail Bag Impact Reduction Program and Fund, defined how to administer the fund in order to achieve the purposes of the program (including the promotion of reusable bags, increased awareness of environmental impacts, and promoting recycling) and would have imposed a fee on single-use retail bags. Cities would have been entitled to 40% of the fund revenue.

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
ULCT expects a similar bill to return in 2017.

SB 202 | Pre-trial Release Amendments

Mar 9

Sponsor: **Hillyard, Lyle**

Bill Status: **Failed**

http://le.utah.gov/~2016/bills/static/SB0202.html

ULCT Position: **Support as amended**

Legislative Purpose for the Bill:
SB 202 would have modified provisions of the Utah Code of Criminal Procedure relating to arrests and bail. The bill would have required a peace officer for certain offenses to issue citations rather than arresting individuals, would have modified pre-trial release requirements, and would have changed requirements for an individual to appear in court for a citation..

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
ULCT worked with the bill sponsors and the Administrative Office of the Courts to address concerns about the proposed changes to the arrest procedures. While the bill did not pass, ULCT anticipates a similar bill in the 2017 legislative session. ULCT also expects a conversation with the stakeholders in the offseason about the overlap between the Justice Reinvestment Initiative and the concepts in SB 202.

SB 203 | Immunity Amendments

Sponsor: **Adams, Stuart**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/SB0203.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
SB 203 extends governmental immunity to any facilities used for emergency activities.

Municipal Impact/what you need to do:
SB 203 protects governments from liability in the event of an accident involving an emergency facility.

ULCT Action/Future Trend:
ULCT monitored the bill. Going forward, ULCT committed to discuss government immunity with legislators and stakeholders during the 2016 interim.

SB 208 | Retirement Amendments

Sponsor: **Weiler, Todd**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/SB0208.html

ULCT Position: **Opposed**

Legislative Purpose for the Bill:
SB 208 requires the Utah State Retirement Board to increase certified employer contribution rates to reflect any increased costs from retirement benefit enhancements.

Municipal Impact/what you need to do:
Prior to SB 208, the Retirement Board set an employer contribution rate that is higher than what is necessary to provide retirement benefits. The higher rate helps URS pay down the existing unfunded liability within the URS system. SB 208 now requires local governments to cover in advance the cost of paying down the liability, which will complicate future efforts to modify or enhance postretirement benefits.

ULCT Action/Future Trend:
ULCT opposed the bill because it could prevent any future efforts to enhance postretirement benefits. ULCT worked closely with legislators during the 2015 interim on all of the postretirement bills and ULCT expects postretirement bills to continue to attract interest in the 2016 interim.

SB 210S4 | Unmanned Vehicle Revisions

Sponsor: **Harper, Wayne**
Bill Status: **Failed**
http://le.utah.gov/~2016/bills/static/SB0210.html
ULCT Position: **Support**

Legislative Purpose for the Bill:
SB 210 would have established Utah's first comprehensive statutory statewide framework for unmanned aircraft (drones).

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
ULCT was involved in dialogue about this bill with the bill sponsor and other stakeholders. Ultimately, all parties realized that the bill needed more work. Unmanned aircraft are becoming more and more common and the legal and regulatory framework is trying to catch up. All stakeholders are awaiting pending Federal Aviation Administration rules about unmanned aircraft usage. ULCT will engage with stakeholders about the appropriate role of local government.

SB 212S1 | Wildland Fire Suppression Fund

Feb 25

Sponsor: **Vickers, Evan**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/SB0212.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
SB 212 is a companion bill to SB 112 (see above). SB 212 modifies the structure of the Wildland Fire Suppression Fund, identifies a revenue source for the fund, and appropriates money to the fund.

Municipal Impact/what you need to do:
Municipalities should enter into cooperative agreements (see SB 122) with the Division of Forestry, Fire, and State Lands. The Division can provide municipalities now with the risk assessment and historic fire average of each acre within municipal boundaries. That data will guide the creation of the participation match for which municipalities (or counties and districts) will be accountable.

ULCT Action/Future Trend:
ULCT dedicated countless hours during the 2015 interim to studying the wildland fire issue. Sen. Vickers charged ULCT, UAC, and the Division to find consensus and bring forward a bill that addressed suppression, prevention, and mitigation of wildland fire in Utah. ULCT convened a working group of city officials across Utah that discussed the bill throughout 2015. ULCT thanks Division Director Brian Cottam and his team for their outreach and expertise and thanks all of the members of the working group for their participation. Going forward, ULCT will work with the other stakeholders to assist municipalities in the next step of the participation match and cooperative agreement so that all communities are prepared for the 2017 implementation.

SB 235S1 | Local District Tax Revisions

LPC Minutes Feb 29, LPC Agenda Mar 7, LPC Minutes Mar 7

Sponsor: **Fillmore, Lincoln**

Bill Status: **Failed**

http://le.utah.gov/~2016/bills/static/SB0235.html

ULCT Position: **Oppose**

Legislative Purpose for the Bill:
SB 235 would have modified how local districts can levy property taxes. The objective of SB 235 was to define which local districts can levy or raise property taxes. For districts whose board members are not directly elected to those board positions, the bill's objective was to either require a public vote or a majority vote of the city councils who appointed the board member before the district could raise taxes.

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass.

ULCT Action/Future Trend:
ULCT was concerned about the unintended consequences of SB 235 and the bill arose late in the legislative session. Several legislators expressed concern about the status quo discouraging accountability between districts and taxpayers. ULCT committed to review the concept with the bill sponsor and other stakeholders during the 2016 interim.

SB 236S1 | Utah Communications Authority Governance Amendments

Mar 2, Mar 7, LPC Minutes Mar 7

Sponsor: **Van Tassell, Kevin**

Bill Status: **Failed**

http://le.utah.gov/~2016/bills/static/SB0236.html

ULCT Position: **Oppose**

Legislative Purpose for the Bill:
SB 236 would have modified the membership of the Utah Communications Authority (UCA) Board and the method of appointing the UCA chair in a manner that would have diminished local authority on the board. SB 236 also would have created several technical advisory committees, and required UCA to garner support from the Legislative Executive Appropriations Committee before issuing bonds.

Municipal Impact/what you need to do:
No municipal impact. This bill did not pass..

ULCT Action/Future Trend:
While SB 236 did not pass, ULCT worked closely with the bill sponsors and other stakeholders to find consensus on the aforementioned SB 193 and HB 380. 75% of the UCA membership is local jurisdictions so we advocated to retain sufficient local authority over UCA decisions. As technology evolves, ULCT expects additional legislation and dialogue about the modernization, accountability, and governance of the UCA network.

SB 250 | Alcoholic Beverage Policy Amendments

Sponsor: **Stevenson, Jerry**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/SB0250.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
SB 250 changes the population formula for limited-service restaurant licenses and on-premise banquet licenses. The bill also changes the license and renewal fees. The bill also modifies how to calculate the total gross revenue for certain licensees. The bill also modifies the process for transferring licenses.

Municipal Impact/what you need to do:
SB 250 may facilitate additional limited-service and on-premise banquet licenses.

ULCT Action/Future Trend:
ULCT has consistently supported common sense alcohol policies that facilitate economic development of full-service and limited-service restaurants, promote public safety, and discourage alcohol consumption by minors. ULCT anticipates that the legislature will consider more alcohol bills during the 2016 interim and in future sessions.

SB 251S3 | Water Infrastructure Funding Amendments

Sponsor: **Adams, Stuart**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/SB0251.html

ULCT Position: **Neutral**

Legislative Purpose for the Bill:
SB 251 requires administrative rulemaking and to appropriate $1M in non-lapsing funds to study the potential to develop the state's undeveloped share of the Bear and Colorado Rivers.

Municipal Impact/what you need to do:
The bill emphasized the need for better water supply and consumption data and conservation measures to better establish projected demand and cost for water projects.

ULCT Action/Future Trend:
ULCT expects more scrutiny on current water supply, demand, metering and conservation on both a state and local level.

SB 258 | Distribution of Local Sales Tax Revenue

LPC Minutes Mar 7

Sponsor: **Okerlund, Ralph**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/SB0258.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
SB 258 extends for 5 more years the "hold harmless" sales tax distribution for two cities and one county. The legislation applies only to Alta, Brian Head, and to unincorporated Garfield County.

Municipal Impact/what you need to do:
SB 258 only applies only to Alta and Brian Head.

ULCT Action/Future Trend:
ULCT provided background information to legislators about the unique circumstances in Alta and Brian Head. ULCT expects that SB 258 will be the final modification to the "hold harmless" sales tax distribution.

SCR 001 | Concurrent Resolution Encouraging Universal Metering of Water Systems

Sponsor: **Jenkins, Scott**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/SCR001.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
SCR 1 encourages public water suppliers to implement universal metering on all retail public and private water systems.

Municipal Impact/what you need to do:
The resolution encourages but does not require municipalities to implement metering on water systems.

ULCT Action/Future Trend:
Legislators will want to see water metering and conservation action from local government (cities, towns, districts) during the 2016 interim and beyond.

SCR 002 | Concurrent Resolution in Support of Sales and Use Tax Transactional Equity

Sponsor: **Harper, Wayne**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/SCR002.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
SCR 2 urges the United States Congress to pass the Remote Transactions Parity Act of 2015 (HR 2775) which would be a fair, uniform, simplified, and constitutional collection and remittance of state and local sales and use taxes by both in-state and remote sellers.

Municipal Impact/what you need to do:
SCR 2 does not have a direct municipal impact, but municipalities should consider adopting similar resolutions urging Congress to pass HR 2775.

ULCT Action/Future Trend:
The issue is part of an ongoing effort to address the on-line sales tax issue from a tax fairness perspective. Local governments are feeling the pinch of an eroding sales tax base and local brick and mortar businesses are struggling to compete in an unfair tax climate that the lack of tax equity has created. The ULCT will continue to support efforts to resolve this issue.

SCR 005S2 | Concurrent Resolution in Support of Law Enforcement Officers

Sponsor: **Jackson, Alvin**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/SCR005.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
SCR 5 expresses support for law enforcement officers in the state of Utah and across the United States. The resolution asks law enforcement officers in Utah to turn on their red and blue lights for up to one minute at 11:00 am on the first day of every month of 2016 or perform other appropriate recognition to honor all law enforcement officers lost this year.

Municipal Impact/what you need to do:
Local law enforcement agencies may turn on their red and blue lights for up to one minute at 11:00 am on the first day of every month of 2016 in order to honor their colleagues who have fallen in the line of duty.

ULCT Action/Future Trend:
While there were many bills that were critical of law enforcement actions during the session, SCR 5 was a welcomed and appreciated effort by legislators to demonstrate gratitude to law enforcement officers.

SCR 011 | Concurrent Resolution Urging the Rescheduling of Marijuana

Sponsor: **Shiozawa, Brian**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/SCR011.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
SCR 11 urges Congress to reclassify marijuana as a Schedule II drug so that researches can investigate the benefits of medical marijuana.

Municipal Impact/what you need to do:
SCR 11 has no municipal impact.

ULCT Action/Future Trend:
Both SB 73 and SB 89 did not pass the legislature, in part because of concerns about the federal classification of marijuana. The current classification of marijuana as a Schedule II drug prevents any comprehensive research about the potential benefits of medicinal usage and creates a potential conflict between state authorization and federal prohibition.

SJR 3 | Proposal to Amend Utah Constitution – Property Tax Exemptions

Feb 1, Groundhog Day (Feb 2)

Sponsor: **Harper, Wayne**

Bill Status: **Enrolled**

http://le.utah.gov/~2016/bills/static/SJR003.html

ULCT Position: **Support**

Legislative Purpose for the Bill:
This bill proposes a constitutional amendment to exempt personal property leased to state and local government. If voters adopt the amendment in 2016, then the provisions of SB 68 would govern the administration of the amendment.

Municipal Impact/what you need to do:
Future municipal action depends on the passage of the amendment during 2016 election.

ULCT Action/Future Trend:
ULCT supported the passage of SJR 3 and SB 68 and will monitor the electoral results of the constitutional amendment.

2016 Legislative Session Emails

Monday edition of ULCT Friday Facts with schedule announcements *(Monday, January 4, 2016)*

Hello everyone,
Happy Utah Day everyone! Utah became a state 120 years ago today while 51 cities and towns had already incorporated prior to 1896. We welcome newly elected council members and mayors being sworn in today and want to remind you of the following upcoming ULCT events:

1) Municipal Officials Training on Saturday, January 9 at 8 am:
ULCT staff will be in Logan on Saturday morning for our next training and we will broadcast it to USU facilities in Blanding, Moab, and Vernal. We are excited about this remote training and hope it will set the stage for many more such technological opportunities. We appreciate Utah State University and ULCT alum Neil Abercrombie for their partnership and assistance. We will meet from 8-11:30 am and ULCT will provide breakfast and lunch at each location. Here are the details (online and below):

Logan:
Distance Education Building Room 423
1010 Aggie Blvd (map here, including where to park on campus)
ULCT point person: Your correspondent Cameron Diehl

Blanding:
HSL 211
639 W 100 S #1A
ULCT point person: Blanding City Manager Jeremy Redd

Moab:
Room R
125 W 200 S (USU Moab East Building)
ULCT point person: Moab Mayor Dave Sakrison

Vernal:
Room B108
320 N Aggie Blvd (2000 West)
ULCT point person: Naples Mayor Dean Baker

Please register here now. On Saturday, you can reach your correspondent at 801-910-3912 with questions from any location. We will also have trainings on Saturday, January 23 in Provo and Saturday, February 6 in SLC.

2) Legislative Policy Committee
We will meet on Monday, January 11 at noon at the Zions Bank tower (1 South Main St) in the Founders Room (18th floor). We will have an agenda completely finalized and distributed by Friday. We have invited Rep. Dan McCay and Sen. Dan Thatcher to present to LPC about their bills on body-worn cameras for police officers. We will also discuss Rep. Jack Draxler's transportation proposal (modification to last year's HB 362/Prop 1), retirement bills, and legislative efforts to restrict local authority, zoning, and responsibility. The Jan 11 LPC will be the final LPC prior to the beginning of the session. Click here to attend LPC via webcast. The minutes for the previous LPC will be included in the Friday edition of Friday Facts.

3) Local Officials Day
Finally, remember to register for Local Officials Day on Wednesday, January 27. The youth councils will debate body-worn cameras, you'll dine with legislators at lunch, and we'll hear from Lt. Governor Spencer Cox, House Speaker Greg Hughes, Senate President Wayne Niederhauser, and National Geographic Explorer Dan Buettner. The materials for registration and your youth councils is online here.

Don't fret, Friday Facts will officially return on Friday. Thanks as always for your involvement in ULCT and we look forward to seeing you this month at Municipal Officials Training, LPC, or Local Officials Day.

Welcome to 2016! Let's go!

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Friday Facts for Friday, January 8, 2016

Hello everyone,
Happy New Year! 2016 picks up where 2015 left off: with controversy over Utah-BYU. If only we could all "turn over" a new leaf and #playthegame... just like BYU's offense turned it over in the Vegas Bowl!

Your correspondent and ULCT staff also wants to thank the ULCT Board (see membership here) for their service to the organization. They met today to discuss the League's strategic vision and we are excited about 2016!

This email announces LPC on Monday and recaps this week's meetings on public safety/criminal justice, transportation, and water quality.

1) LPC
The LPC will convene for our legislative preview on Monday, January 11 at noon at Zions Bank in downtown SLC (1 South Main St, 18th floor Founders Room). We have invited Representative Dan McCay and Senator Dan Thatcher to address the LPC about body-worn camera legislation. We have also invited former legislator and Cache County Executive Craig Buttars to discuss Rep. Jack Draxler's proposed modifications to last year's HB 362 (local option sales tax for transportation). We'll talk public safety retirement and pending legislative attacks on local land use authority. You can see the agenda here and the minutes from November's meeting here.

As you'll see, we have a jam-packed agenda with invited guests and we want to finish by 1:30. Please arrive early so that we can start promptly at 12. Click here to attend LPC via the web. Please enter your name and the city or town you are with. Keep in mind that you will be able to interact with us through the chat function if you have questions or comments.

We ask you to check the LPC roster here. We also request that you forward this email to newly elected mayors and council members and send us updated email addresses for your new colleagues.

2) Public safety/criminal justice

a) Body-worn cameras
As mentioned above, Rep. McCay and Sen. Thatcher will present to the LPC on Monday about their different proposals. The Public Safety Home Team--our internal group of city managers, city attorneys, police chiefs, sheriffs, UAC staff, and ULCT staff--has worked diligently on potential GRAMA language and other recommendations for the two bills. The two proposals you'll hear at LPC vary on the key principle of whether standards for body-

worn camera usage should be codified in state law or whether the POST Council should recommend a model policy with minimum standards that local governments could adopt. The two proposals also approach video retention, access, storage, and GRAMA differently. ULCT is concerned about the potential cost and burden of approaches that mandate burdensome ways to classify footage or codifies footage retention schedules. Finally, ULCT is advocating for clarification on how to classify the footage so as to protect personal privacy.

b) Indigent Defense

ULCT's Roger Tew and your correspondent joined Sen. Todd Weiler and Rep. Dan McCay to discuss their proposals to address perceived shortcomings in Utah's indigent defense system. Utah is one of just two states where the legislature has delegated indigent defense to local governments. Currently, counties and cities invest considerable resources in providing public defenders. The recent 6th Amendment report here identified the need for improved training of judges (among other things). Local governments ought to review current flat fee indigent defense contracts. The two aforementioned legislators will likely proceed with the creation of an indigent defense commission at the state level that could provide analysis, research, and resources to local governments. Additionally, they are considering an appropriation that could provide resources to local indigent defense counsel to assist in investigations or in providing expert witness testimonies.

c) Justice Courts

While indigent defense conversations will impact justice courts, we expect other bills as well. Rep. Craig Hall spoke with your correspondent this week about his constitutional amendment proposal to require justice court judges to be attorneys. You can read the Salt Lake Tribune article here and editorial here.

3) Transportation

Your correspondent and ULCT's Roger Tew met with Representatives Jack Draxler and Brad King this week to discuss his potential modifications to last year's HB 362. The final draft is not yet ready but would only affect Cache, Duchesne, Iron, Summit, and Uintah Counties. The bill will likely allow those counties—and only those counties—to modify the allocation between transit, cities/towns, and counties. We will go into more detail about the concept at Monday's LPC.

Speaking of transportation, here is a link to a video from ULCT's Susan Wood about the transportation needs of the "silicon slopes" of the Wasatch Front.

4) Water Quality

It's been far too long since we discussed nutrients so let's start the new year off right! Your correspondent attended a meeting with representatives of the Division of Water Quality, POTWs, cities, and other waste water entities to discuss potential legislation that would provide an avenue for an independent peer review of potential nutrient effluent limits. A challenging party (i.e. a regulated permittee with standing) could initiate a peer review to challenge the technical or scientific basis of the regulatory proposal. We will keep you posted on those developments. Additionally, we urge you to review No. 39981 Amendment to R317-1-3 Requirements for Waste Discharges. The proposed amendment would allow a temporary variance for facilities that exercise "due diligence" in trying to meet the phosphorus limit and a temporary waiver from future nitrogen discharges who voluntarily reduce nitrogen discharges to agreeable levels. The state predicts the proposed variance or waiver could result in statewide cost savings for local government of $13,800,000. You can read more about it here and feedback will be accepted until February 1.

The session ends in 62 days! Have a great weekend, see you on Monday at LPC, and thanks for your involvement in ULCT.

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Friday Facts for Friday, January 15, 2016

Hello folks,
Happy Martin Luther King, Jr. Day weekend! Kudos to BYU for extending their winning streak in Spokane. John Stockton must be disappointed. Kudos to Utah for … well, can we go back to 2015?

This email will provide you with a brief LPC recap, outline ULCT legislative resources (bill tracking, Local Officials Day, local fiscal notes), inform you of State Auditor outreach, and remind you of upcoming Municipal Officials Trainings.

1) Legislative Policy Committee
First, we had record attendance at Monday's LPC meeting with over 130 gathered in person and another 28 remote sites participating from across the state. Thanks to all of you who attended. Rep. Dan McCay and Sen. Dan Thatcher attended to speak on their body-worn camera bills. LPC members asked Rep. McCay questions for 40 minutes and he told me later that he appreciated the opportunity to go into detail about the issue. Your correspondent and several other city representatives met with Rep. McCay for two hours post-LPC to continue body-worn camera negotiations. The LPC also heard from Cache County Executive Craig Buttars about Rep. Jack Draxler's proposal to modify last year's transportation bill (HB 362). ULCT staff also presented on potential tweaks to public safety retirement—particularly post-retirement flexibility—and about upcoming legislative attacks on local land use authority. This week, Team ULCT met with 30+ legislators and attended several legislative breakfasts at cities with their delegations. We are willing to join you at upcoming meetings or provide information to you for your meetings with legislators. Let us know if you have any questions about the status of any of those issues and we'll have more information in future emails.

The upcoming LPC meetings will be in room W030 (House building, state capitol complex) at noon on the following dates:

Mon, Feb 1
Mon, Feb 8
Mon, Feb 22
Mon, Feb 29
Mon, Mar 7

We will provide a webcast for each meeting as well.

2) ULCT legislative resources
ULCT is utilizing bill tracking software again so that you can follow our bill list online. We are frantically uploading bills into the software and it will be updated daily between now and March 10. We will follow 200ish bills and you can organize your own priority list by clicking on the subject tags. Let us know if you have any questions about the software. Starting on Monday, January 25—the first day of the session—we will provide you with daily emails with bills, committee notifications, and other specific issue information.

In addition to the aforementioned LPC meetings, ULCT will host Local Officials Day on Wednesday, January 27 (register here). ULCT staff will present a legislative preview at 11 am in the Salt Palace and we'll hear at lunch from Lt. Governor Spencer Cox, House Speaker Greg Hughes, Senate President Wayne Niederhauser, and National Geographic Explorer Dan Buettner. The materials for registration and your youth councils—the kids will debate body-worn cameras—is online here.

Meanwhile, ULCT's Brandon Smith and South Jordan's Chip Dawson and Nick Geer attended a fiscal note training put on by the Legislative Fiscal Analyst Office (LFA). State law requires local fiscal notes for each bill. The law also states that there are three days to complete a fiscal note. State agencies and local governments are allotted only one of those days. Yes, one day. One. For the bills with a fiscal impact, it is important that we are accurate and timely because the fiscal impacts often steer debate about the bills.

This is where you come in. Due to the 200ish bills the League responds to, it is essential and greatly appreciated to have the support and expertise of League members. We are currently looking to assemble a "go-to" group that represents cities and towns from every class size. If you'd like to participate, please contact Brandon Smith at bsmith@ulct.org.

3) Utah State Auditor

Wednesday, the Office of the Utah State Auditor held a Local Government Roundtable Discussion to go over the training and resources the office has available on their website, and to solicit feedback from the local government employees that interact with the Auditor's office. Representatives from the League, Utah City Management Association, Utah Association of Municipal Clerks, Utah Association of Counties, Utah Association of Counties, Utah Association of Public Treasurers, Utah Association of Special Districts, and Utah Government Finance Officer Association were in attendance. We would particularly like to thank Mark Christensen of Saratoga Springs, Theida Wellman of Layton, Kate Black of Alta, Gary Hill of Bountiful, and Ben Reeves of Santaquin for voicing the opinion of municipal government at the event. ULCT's Nick Jarvis also participated. If you have any questions for the Office of the Utah State Auditor, please contact the Manager of the Local Governments Division, Jeremy Walker, at jeremywalker@utah.gov. You can also see the Auditor's monthly newsletter online here.

4) Municipal Officials Training

Finally, we had a successful Municipal Officials Training at USU last Saturday with nearly 100 people in attendance live in Logan and remotely in Blanding, Moab, and Vernal. Thanks for your attendance. We still have two more

Municipal Official Trainings to go—Sat. Jan 23 at Provo City Hall and Sat. Feb 6 at Salt Lake City Hall from 8-11:30 am—and you can register here. Thanks to Utah State University—particularly Neil Abercrombie and Scott Boyer—for their partnership in helping us provide LPC webcasts and Municipal Official Trainings to our members statewide.

With that, the session ends in 55 days! Thanks for your participation in ULCT and have a great MLK weekend!

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Friday Facts for Friday, January 22, 2016

Hello everyone,
As many of you already know, Unified Police Department Officer Doug Barney was killed in the line of duty while responding to a call in Holladay. UPD Officer Jon Richey was wounded. Team ULCT honors Officers Barney and Richey as well as all of our law enforcement personnel who serve our communities and are willing to make the ultimate sacrifice. Officer Barney's funeral will be on Monday. Previously, the Utah Chiefs of Police Association was going to host a legislative lunch on Monday at the Capitol but now many of the chiefs will instead attend the funeral. Rep. Steve Eliason and the Road Home swiftly arranged to swap dates with the Chiefs for their legislative lunches. We will have some police chiefs at our Local Officials Day on Wednesday and we look forward to thanking them in person for their service.

This email will provide a link to Open and Public Meetings Act training, announce upcoming events (LPC schedule during the session, Municipal Officials Training, and Local Officials Day) and outline ULCT legislative communications.

1) Go to Church… Dave Church
Here is a link to a video of ULCT General Counsel Dave Church's Open and Public Meetings Act training. What is a meeting, what is a quorum—beyond just a bunch of rambunctious teenage boys—and what is appropriate notice?

ULCT also has updated 2016 versions of our Powers and Duties handbook—Dave Church's legal thriller and a handy companion for city officials—which you can order here. Did you know that Dave has attended a council meeting every Tuesday since before your correspondent was born? Dave is truly "Mr. Local Government" and a valuable resource for all of us.

2) Events (LPC schedule, Municipal Officials Training, Local Officials Day)
First, the LPC will not meet on Monday, January 25 and will begin on Monday, February 1. We will meet Mondays, February 1, 8, 22, 29, and March 7, at noon in W030 (House/west building of the capitol complex). We will provide lunches. We webcast the meetings and will have webcast information and agendas available on our website. Thanks again to Utah State University for partnering with ULCT to webcast our LPC meetings. Second, Team ULCT will be in Provo on Saturday morning—8 am at Provo City Hall—for our Municipal Officials Training and you can still register here. Our final training will be on Saturday, February 6 in SLC.

Third, we look forward to hosting you at Local Officials Day on Wednesday, January 27 at the Salt Palace and at the Capitol. 600+ youth council students will debate body-worn cameras at the Capitol in the morning (8-10:30 am; the kids will be divided into two tracks with simultaneous debates), your correspondent will provide a legislative preview to municipal elected and administrative officials at 11 am at the Salt Palace, and then Lt. Governor Spencer Cox, Senate President Wayne Niederhauser, House Speaker Greg Hughes, and National Geographic Explorer Dan Buettner at lunch at the Salt Palace. We also will officially unveil the Land Use Academy of Utah (LUAU), the first statewide and comprehensive online land use website with videos to train and educate municipal officials and the general public about land use law and planning practices. Kudos to ULCT's Meg Ryan—you may remember her from Sleepless in Seattle and her floral leis at Annual—for her work directing LUAU. You can still register here!

3) Legislative communications
Starting on Monday, your correspondent will send you a daily email with an update of that day's activities and a preview of the next day's committee hearings and floor debates. We will also send action alerts when necessary to urge you to contact key legislators on important committee or floor votes. Monday is a ceremonial day with limited floor time. Committees get underway on Tuesday and the House Political Subdivisions, Government Operations, and Revenue and Taxation Committees will convene. We will distribute committee rosters next week.

You can follow ULCT legislative priorities on our bill tracking website here which is accessible at www.ulct.org. We are currently watching 102 bills/resolutions. We tracked 256 bills/resolutions last year and we really, really, really hope that we won't reach that number this year! Really. Each bill/resolution is tagged on the software with a key word (i.e. elections or land use), ULCT staff recommended position, and tracking level. You can search by tracking level, type of bill, key word, or recommended position from the front page. If you have questions about the bill tracking software, let us know.

ULCT has an extraordinary team representing you at the capitol. Ken Bullock, Roger Tew, Jodi Hoffman, Nick Jarvis, Brandon Smith, and your correspondent have over 70 years of ULCT legislative experience. You can reach us via the following email addresses:

kbullock@ulct.org
rtew@ulct.org
jhoffman@xmission.com
njarvis@ulct.org
bsmith@ulct.org
cdiehl@ulct.org

Additionally, thank you to those cities and towns that have sent us updates for the LPC roster. If you have any changes, please send them to Brandon Smith at bsmith@ulct.org. As a reminder, each city is entitled to three (3) voting members, but may have as many on the roster and participating in the LPC as they would like. The updates are in process and will be completed by the first LPC meeting of the session on February 1.

Finally, the Jazz played back to back overtime battles this week so they too are in legislative session mode! Team ULCT is successful at the capitol BECAUSE OF YOU. The #leaguearmy—elected officials, administrators, attorneys, city staff, & lobbyists—is well known and respected on Capitol Hill. We will work diligently to keep you updated on legislative activities so that we speak with a unified voice on the Hill. Thanks for your involvement in ULCT and we are excited to see you at Local Officials Day on Wednesday!

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ULCT Legislative update for Monday, January 25, 2016

Hello folks,
Day 1 of the 2016 session is history and Day 1 of the 2017 session is now less than a year away. Today was largely ceremonial with speeches from legislative and judicial leadership. The House and Senate considered multiple bills that had already received endorsements from interim committees. This email will preview tomorrow's committee hearings and outline the detailed schedule of Wednesday's Local Officials Day.

Tomorrow's committee hearings:
The House Political Subdivisions Committee will consider Rep. Curt Webb's HB 17 which would modify the options for a local entity if an assessment is not paid when due. The Senate Business and Labor Committee will consider Sen. Margaret Dayton's SB 44 which would exempt from the State Construction Code a structure of up to 1,500 square feet used during the harvest season by a producer to sell crops, plants, or other agricultural produce. The current exemption in the law is for a structure of up to 1,000 square feet. You can see the other bills that we'll be watching tomorrow here. You can use our interactive bill tracking software here where we prioritize bills and tag them with keywords.

Local Officials Day on Wednesday:
In the meantime, Team ULCT spent today preparing for Wednesday's Local Officials Day at the Capitol and at the Salt Palace. 600+ youth council students will debate body-worn cameras at the Capitol in the morning. When they arrive for breakfast from 7-8 am in the Hall of Governors (capitol 1st floor below rotunda), we will divide them into Track 1 and Track 2. One group will debate from 8-9 am while the second group can do a self-guided tour of the capitol, visit the Daughters of the Utah Pioneers (DUP) Museum, or attend appropriations committee hearings. The second group will debate from 9:15-10:15 while the first group then tours, visits, or attends the aforementioned events. The debates will occur in the State Office Building (across the plaza to the north from the capitol) or at the DUP Museum southwest of the capitol. We will have that information available at registration.

After the debates, we will all go to the Salt Palace. Your correspondent, ULCT's Roger Tew, and ULCT's Jodi Hoffman will provide a legislative preview to municipal elected and administrative officials at 11 am at the Salt Palace in Ballrooms E-J. while USA Paralympic Champion Mallory Weggemann will address the youth in Room 251. Then Lt. Governor Spencer Cox, Senate President Wayne Niederhauser, House Speaker Greg Hughes, and National

Geographic Explorer Dan Buettner will speak at lunch in the Salt Palace South Ballroom. We also will officially unveil the Land Use Academy of Utah (LUAU), the first statewide and comprehensive online land use website with videos to train and educate municipal officials and the general public about land use law and planning practices. Kudos to ULCT's Meg Ryan—you may remember her from Sleepless in Seattle and her floral leis at Annual—for her work directing LUAU.

One day down, 44 to go. Please contact us with any questions and please stay in communication with your legislator about important issues that affect local government. The #leaguearmy will be successful on Capitol Hill because of you!

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ULCT Legislative update for Tuesday, January 26, 2016

Hello everyone,
Day 2 is history and we had a jam packed day in addition to preparing for tomorrow's Local Officials Day. This email will update you on today's efforts on HB 10 and body-worn cameras as well as provide final details for Local Officials Day.

HB 10
Rep. Brian Greene proposed HB 10 which would have dramatically expanded the quantity of political subdivisions whose legislative acts could be subject to referendum. Team ULCT was concerned about the broad impact of the bill. For example, would the bill make policy decisions by power boards, local districts, or other political subdivisions subject to referendum? ULCT joined with other organizations to express concerns about the bill and the House Government Operations Committee recognized our concerns and moved to the next item on the agenda.

Body-worn Cameras
Your correspondent and South Jordan City Attorney Ryan Loose represented municipal government in negotiations with Rep. Dan McCay with the news

media, ACLU, defense attorneys and other stakeholders. Meanwhile Sen. Dan Thatcher's body-worn camera bill dropped today and you can see the Salt Lake Tribune article here about it.

Local Officials Day on Wednesday:
Speaking of body-worn cameras, The Salt Lake Tribune wrote this preview of Wednesday's Local Officials Day. 600+ youth council students will debate body-worn cameras at the Capitol in the morning. When they arrive for breakfast from 7-8 am in the Hall of Governors (capitol 1st floor below rotunda), we will divide them into Track 1 and Track 2. One group will debate from 8-9 am while the second group can do a self-guided tour of the capitol, visit the Daughters of the Utah Pioneers (DUP) Museum, or attend appropriations committee hearings. The second group will debate from 9:15-10:15 while the first group then tours, visits, or attends the aforementioned events. The debates will occur in the State Office Building (across the plaza to the north from the capitol) or at the DUP Museum southwest of the capitol. We will have that information available at registration.

After the debates, we will all go to the Salt Palace. Your correspondent, ULCT's Roger Tew, and ULCT's Jodi Hoffman will provide a legislative preview to municipal elected and administrative officials at 11 am at the Salt Palace Room 251A-C, while USA Paralympic Champion Mallory Weggemann will address the youth in Room 251D-F. Then Lt. Governor Spencer Cox, Senate President Wayne Niederhauser, House Speaker Greg Hughes, and National Geographic Explorer Dan Buettner will speak at lunch in the Salt Palace Ballroom. We also will officially unveil the Land Use Academy of Utah (LUAU), the first statewide and comprehensive online land use website with videos to train and educate municipal officials and the general public about land use law and planning practices. Kudos to ULCT's Meg Ryan—you may remember her from Sleepless in Seattle and her floral leis at Annual—for her work directing LUAU.

The bill tracking sheet is here and Wednesday's quiet committee schedule is here. Thanks as always for your participation in ULCT!

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ULCT Legislative update for January 27, 2016

Hello everyone,
Local Officials Day 2016 is history after Team ULCT hosted essentially a 3A high school student body for the day. After today, we applaud high school teachers and administrators for their daily patience and parents everywhere for how they feed their teenagers! We also seriously applaud the impressiveness of your youth council membership. This email will recap LOD, the Governor's State of the State address, and preview tomorrow's events.

Local Officials Day:
600+ youth from 30+ youth councils deliberated body-worn cameras in four different debates, met with numerous legislators, and joined their elected officials and legislators for lunch. The kids engaged in lively dialogue with Rep. Dan McCay, Sen. Dan Thatcher, and Rep. Marc Roberts over body-worn cameras and the legislators expressed to us that they too were impressed by the youth. We thank Bountiful Police Chief Tom Ross—the President of the Utah Chiefs of Police Association—for his attendance and participation at Local Officials Day as well as his uniformed colleagues who joined the youth council members all day. Kudos specifically to ULCT's Krysten Olson for organizing and coordinating the role play and youth activities and to ULCT's Ashley Morfin for her organizing efforts.

Meanwhile Lt. Governor Spencer Cox, Senate President Wayne Niederhauser, and Speaker of the House Greg Hughes all addressed Utah's unique quality of life and the need to prepare for the future. They also joined ULCT to unveil the Land Use Academy of Utah, ULCT's statewide and comprehensive online land use website with videos to train and educate municipal officials and the general public about land use law and planning practices. You can check out the website's resources here, thanks to ULCT's own Meg Ryan. Finally, Dan Buettner explained his blue zones research which you can learn more about here.

Thanks to all who attended—from Nibley to St. George, Ephraim to Vernal, North Ogden to South Jordan, with 60+ cities towns in all—and we appreciate your time and effort. Many cities brought 10+ youth council members at a significant investment. So you know, your registration fee covered breakfast, usage of the Auditorium and Hall of Governors, tables, and chairs at the capitol and snacks, tables, chairs, audio/visual equipment, usage of the side ballrooms at 11 am, and lunch in the Grand Ballroom at the Salt Palace. ULCT sponsors, particularly Utah Municipal Power Systems and Zions Bank, help keep ULCT registrations costs low. Thanks to them—and to you—for the support of ULCT.

Governor Herbert:
Governor Gary Herbert just concluded his State of the State address. While he focused on education, health care, and states' rights, he also touched specifically on issues that impact local government. He recommended investing in water infrastructure, reviewing laws and ordinances that are outdated or unnecessary, and examining how to modernize government and regulation for the 21st century. You can read the Tribune's coverage here.

Upcoming events:
While today was a quiet committee day, we will be watching several bills tomorrow. You can see the bill list here and committee list here.

Our ULCT Legislative Policy Committee will meet on Monday, February 1 in W030 at noon. W030 is located in the House Office Building which is the western building on Capitol Hill. Arrive early to stake out parking, car pool, or use the expanded UTA shuttle (Route 500) from downtown SLC. We provide lunch and we will webcast the meeting and will publicize the instructions and agenda on Friday. Rep. Rich Cunningham has also invited ULCT members to join him for a press conference on Monday at 1:30 (after LPC) about his public safety retirement proposals. We will have more information about the proposals for you to consider by Monday.

With that, thanks as always for your participation in ULCT. 3 days down, 42 to go!

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ULCT Legislative update for January 28, 2016

Hello everyone,
Four! Fore! Well, both—Team ULCT felt like we were in the fairway with golf balls flying around us on Day 4 today. This email will update you on SB 26, HB 85, and preview tomorrow's and Monday's agenda.

SB 26
The Senate Gov't Operations & Political Subdivisions Committee considered Sen. Margaret Dayton's SB 26 which would empower an election officer to provide printed notice of a website with election information (date, place, hours, etc.) via mail to each registered voter at least five days before election day. The current requirement only allowed an election officer to publicize an election via a newspaper. ULCT expressed support previously for the bill and the committee recommended it unanimously.

HB 85
Rep. Brian Greene proposed HB 85, which would repeal the 2009 provision that prevents a court from awarding attorney fees under the private attorney general doctrine. ULCT is concerned that local government could be liable for significant fees if the government is sued and loses. The Attorney General's office requested more time to meet with Rep. Greene so the House Judiciary Committee held the bill.

Tomorrow preview
Unfortunately, we will face another form of government bill in committee on Friday afternoon. The House Government Operations Committee will consider Rep. Jake Anderegg's HB 133 which would modify how a council in a 5 or 6-member council form of government can remove authority from the mayor. We are always concerned about bills that would change the carefully crafted balance between mayors and councils. We are also opposing changing state law because of issues that affect one or two communities. We notified Rep. Anderegg of our opposition and will oppose the bill in committee. The committee membership is as follows and we urge you to contact your legislators about the bill:

Rep. Jack Draxler: jdraxler@le.utah.gov
Rep. Brad Daw: bdaw@le.utah.gov
Rep. Patrice Arent: parent@le.utah.gov
Rep. Rebecca Chavez-Houck: rchouck@le.utah.gov
Rep. Fred Cox: fredcox@le.utah.gov
Rep. Keith Grover: keithgrover@le.utah.gov
Rep. Merrill Nelson: mnelson@le.utah.gov
Rep. Lee Perry: leeperry@le.utah.gov
Rep. Val Peterson: vpeterson@le.utah.gov
Rep. Dean Sanpei: dsanpei@le.utah.gov

We've also worked on HB 83 and HB 87 which will both be in committee tomorrow. You can see all of tomorrow's committees here.

Monday preview
In tomorrow's email, we will post an LPC agenda and intend to have data about the potential fiscal impact of the proposed public safety retirement bills that we discussed briefly at Local Officials Day and at the January 11 Legislative Policy Committee meeting. We also intend to have a comparison of the body-worn camera bills ready for Monday. As a reminder, the LPC will convene on Monday, February 1 in W030 at noon. W030 is located in the House Office Building which is the western building on Capitol Hill. Arrive early to stake out parking, car pool, or use the expanded UTA shuttle (Route 500) from downtown SLC. We provide lunch and we will webcast the meeting and will publicize the instructions and agenda on Friday. Rep. Rich Cunningham has also invited ULCT members to join him for a press conference on Monday at 1:30 (after LPC) at the House of Representatives about his public safety retirement proposals.

The bill list is here and they just keep coming! Fore! Thanks as always for your involvement in ULCT.

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ULCT Legislative update for January 29, 2016

Hello folks,
Day 5 and Team ULCT is staying alive. This email will update you on HB 83, HB 133, provide fiscal analysis on retirement bills for LPC, and announce the LPC agenda.

HB 83
The Political Subdivisions Committee considered HB 83 which will now require candidates for municipal elections to file a campaign finance report 7 days prior to the primary election if the city/town is having a primary. Your correspondent and others suggested that Rep Craig Hall narrow the bill so as to only apply if the city/town is having a primary & he agreed. ULCT's Brandon Smith testified in support of the bill.

HB 133
The House Government Operations Committee considered Rep Jake Anderegg's HB 133 which would have altered the voting balance of power between mayors and council members in the 5 and 6 council form of government. The committee voted unanimously to hold the bill. Thanks to all of you who contacted committee members to express concern. The #leaguearmy delivered and we appreciate your efforts.

On a related note, Rep Anderegg indicated to your correspondent and to committee members that he had heard concerns from several city council members. If you have concerns about state law or ULCT representation, we urge you to get involved in the Legislative Policy Committee and engage with us. Team ULCT is always available to you.

LPC
Speaking of LPC, our first LPC of the session will be Monday, February 1 at noon in W030.

Here is the agenda. W030 is located in the House Office Building which is the western building on Capitol Hill. Arrive early to stake out parking, car pool, or use the expanded UTA shuttle (Route 500) from downtown SLC. We provide lunch and we will webcast the meeting and will publicize the instructions and agenda on Friday. Rep. Rich Cunningham has also invited ULCT members to join him for a press conference on Monday at 1:30 (after LPC) at the House of Representatives about his public safety retirement proposals.

To attend LPC via the web click here. Please remember to enter your name and the city you are with. Remember there is a chat feature you can utilize if you have questions or comments as the meeting progresses.

As promised in Thursday's email, here is the information and data on the retirement bills.

HB 47 - POSTRETIREMENT EMPLOYMENT RURAL AND TITLE I
Sponsor: Rich Cunningham
This bill is a postretirement bill that proposes a 60-day waiting period with reemployment in a county with a population less than 45,000, or a city with a population of less than 10,000, or in a school that receives Title I funding.

Fiscal Note - Local Government
Enactment of this legislation would likely increase the actuarially determined contribution rates for URS systems. At present, the URS board certified contribution rates paid by employers are higher than the actuarially determined rates, so employer costs would not immediately increase. However, the por-

tion of retirement contributions designated to reduce the existing unfunded retirement liability would decrease by $804,700 per year for local governments and $1,311,100 per year for schools. Additionally, the presumed incentive for employees to retire earlier would increase in the unfunded actuarial accrued retirement liability by $12,358,600 for local governments and $18,060,000 for schools.

HB 50 - POSTRETIREMENT REEMPLOYMENT AMENDMENTS
Sponsor: Rich Cunningham
This bill increases the amount a reemployed retiree may earn from $15,000 to $20,000 annually.

Fiscal Note - Local Government
Enactment of this legislation would likely increase the actuarially determined contribution rates for URS systems. At present, the URS board certified contribution rates paid by employers are higher than the actuarially determined rates, so employer costs would not immediately increase. However, the portion of retirement contributions designated to reduce the existing unfunded retirement liability would decrease by $102,000 per year for local governments and $593,400 per year for schools. Additionally, the presumed incentive for employees to retire earlier would increase in the unfunded actuarial accrued retirement liability by $1,490,000 for local governments and $6,363,400 for schools.

HB 86 - POSTRETIREMENT EMPLOYMENT RESTRICTIONS
Sponsor: Rep. Rich Cunningham
This bill also allows for rehire after a 60-day period, and the new employer pays contributions to the system as if the employee was in a full-time position. However, the employee does not receive any increase in benefits from the employer's contribution.

Fiscal Note - Local Government
Enactment of this legislation would likely increase the actuarially determined contribution rates for URS systems. At present, the URS board certified contribution rates paid by employers are higher than the actuarially determined rates, so employer costs would not immediately increase. However, the portion of retirement contributions designated to reduce the existing unfunded retirement liability would decrease by $5,657,600 per year for local governments and $5,946,500 per year for schools. Additionally, the presumed incentive for employees to retire earlier would increase in the unfunded actuarial accrued retirement liability by $82,944,800 for local governments and $81,941,800 for schools.

HB 117 - MODIFICATIONS TO POSTRETIREMENT REEMPLOYMENT
Sponsor: Rep. Rich Cunningham
This bill also allows for a retiree to be rehired after the 60-day window, and is employed by "a school that receives funding under Title I of the Elementary and Secondary Education Act" (line 140-41). The employer would again pay the full contribution as if the employee was in an eligible full-time position, but the employee does not receive additional service credit. The employer, however, "is not required to contribute the amortization rate of the office" (line 177).

Fiscal Note - Local Government
Enactment of this legislation would likely increase the actuarially determined contribution rates for URS systems. At present, the URS board certified contribution rates paid by employers are higher than the actuarially determined rates, so employer costs would not immediately increase. However, the portion of retirement contributions designated to reduce the existing unfunded retirement liability would decrease by $0 per year for local governments and $546,900 per year for schools. Additionally, the presumed incentive for employees to retire earlier would increase in the unfunded actuarial accrued retirement liability by $0 for local governments and $7,538,600 for schools.

HB 205 - TIER II RETIREMENT AMENDMENTS
Sponsor: Rep. Rich Cunningham
This bill authorizes an increase to the defined benefit provider. Lines 84-85 increase the contribution of an employer from 10% to 11%, and in line 499, from 12% to 14%. Lines 147 to 149 increase the calculation for service credit from 1.5% to 1.72%. Lines 402 to 405 increase it from 1.5% to 2%.

Fiscal Note - Local Government
The fiscal note is not yet available.

SB 36 - POSTRETIREMENT EMPLOYMENT EXCEPTIONS
Sponsor: Sen. Karen Mayne
This bill allows for a reemployment of a retiree after 60-days if the employee is hired as a public safety service employee, firefighter service employee, or school district employee who is an educator. The employer would need to pay contributions as if the employee were an eligible full-time employee, but the employee would not earn additional service credit.

Fiscal Note - Local Government
Enactment of this legislation would likely increase the actuarially determined contribution rates for URS systems. At present, the URS board certified contribution rates paid by employers are higher than the actuarially determined

rates, so employer costs would not immediately increase. However, the portion of retirement contributions designated to reduce the existing unfunded retirement liability would decrease by $3,266,600 per year for local governments and $3,609,900 per year for schools. Additionally, the presumed incentive for employees to retire earlier would increase in the unfunded actuarial accrued retirement liability by $51,102,800 for local governments and $48,445,700 for schools.

ULCT's Brandon Smith worked diligently to track down the included data about the fiscal impact of the proposed retirement bills so that you will be ready to consider them on Monday. Please take the time to click on the bill links and look at the new language, which is underlined.

Here are the links for ULCT's bill list and Monday's committee agendas.

With that, Team ULCT will have more analysis about bills ready for you on Monday. The last two days, we have been part of dialogue and negotiations on government immunity, justice courts, water conservation, land use, and housing issues. We will have more information for you as bills come out. We appreciate your involvement in ULCT and we hope you all have a great weekend!

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LPC tomorrow, February 1, at noon (January 31, 2016)

Hello folks,
While many of you are likely watching Downton Abbey (your happily married correspondent pleads the fifth), Team ULCT wanted to provide you with the following reminders:

We will have our Legislative Policy Committee meeting on Monday at noon in W030 (House building/west building). The agenda is here, tomorrow's committees are here, and the webcast link is here. Please follow the link and log in using your name and the city/town you are with. Rep. Rich Cunningham will come speak about his retirement bills. On the agenda, we list

"second week challenges." On Monday afternoon, Rep. Jake Anderegg's HB 132 Municipal Business License Amendments—which would restrict municipal authority to license home occupation businesses—and Sen. Lyle Hillyard's SB 100 Traffic Fines Amendments. ULCT opposes both bills, will testify against both bills in committee, and will likely distribute talking points to you on HB 132. Rep. Patrice Arent has also asked for ULCT support of HB 52 which will be in committee later this week. Finally, we expect transportation and public safety bills (on agenda) to be in committee later this week. Yep, it is game time!

See you at LPC when we will dine together and discuss matters of state.

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ULCT legislative update for February 1, 2016

Hello folks,
With today—day 8—in the books, we have just four Mondays to go in the 2016 session! We had a jam packed day with the Legislative Policy Committee, HB 132, and SB 100. This email will also preview tomorrow's committee hearings.

LPC
The LPC met and considered public safety retirement, law enforcement, transportation, and land use bills. Here are the key takeaways:

First, we had over 100 city officials in attendance in person and another 46 sites (a ULCT record) who attended remotely. Thank you for your participation and thanks to USU for facilitating the webcast.

Second, the LPC made a motion to create a retirement subcommittee of volunteers to review Rep. Cunningham's retirement proposals and bring back recommendations to the LPC next Monday. ULCT's Nick Jarvis is coordinating the subcommittee and we appreciate the volunteers who contacted us this afternoon. Rep. Cunningham expects the bills to be in committee next week.

Third, ULCT staff requested that LPC members review the staff recommendations on the ULCT bill list between now and the February 8 LPC so that LPC members can ratify the recommendations then.

We apologize for the technical difficulties and meeting inefficiencies and will improve those issues by next week. Thank you for your participation.

HB 132
Rep. Jake Anderegg presented HB 132 Municipal Business Licensing Amendments to the House Business and Labor. Your correspondent spoke in opposition to the bill and raised concerns about the scope, preemption of local authority, and constitutionality of the bill. Alas, the committee voted to recommend the bill though several committee members urged Rep. Anderegg to work with ULCT to find a solution before a floor vote. Thanks to those of you who contacted committee members. Rep. Curt Webb and Rep. Brad King both voted to preserve local authority.

SB 100
Sen. Lyle Hilyard presented SB 100 to the Senate Transportation Committee. The bill would limit the amount of municipal revenue that could be generated from traffic fines to 25%. While ULCT research shows that only one community would be directly affected by the bill this year, we are always concerned when legislators try to dictate municipal budgets. ULCT's Brandon Smith testified against the bill. Nevertheless, the committee recommended the bill.

Tomorrow, tomorrow, I love ya tomorrow:
Buckle your statutorily required seat belts, because Team ULCT will engage on HB 83 (requirement that justice court judges be law school graduates), SB 68 and SJR 3 (property tax amendments and exceptions), SB 92 (a proposal to restrict municipal authority to require certain types of landscaping), and multiple election bills. Let us know if you have any questions. You can see the full committee schedules here.

The Jazz are in overtime and so are we. Thanks for your participation in ULCT.

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ULCT legislative update for Groundhog Day 2016 (February 2, 2016)

Hello folks,
Happy Groundhog Day! It's going to be cold, it's going to be grey, and it's going to last you for the rest… of the session. In actuality, today wasn't grey at all for local government as we had positive results with legislators on SB 68, SJR 3, and SB 92. ULCT also reminds you of Saturday's Municipal Officials Training, the last of five that we will offer this winter.

SB 68/SJR 3
Sen. Wayne Harper had two bills that dealt with property tax on equipment that is leased to governmental entities. Under current law, governments utilizing leased equipment were required to make property tax payments even though some leases were forms of deferred ownership. SB 68 would clarify that such leases were tax exempt. However, this statutory change would also require a constitutional amendment (SJR 3) allowing such an exemption. Sen. Harper's original proposal was much broader than the limited approach limited outlined in his proposed statute. ULCT's Roger Tew reached out to Sen. Harper to raise concerns about the previous language. Sen. Harper amended his proposed amendment to apply only to tangible personal property which was the focus of his statutory implementing legislation. ULCT appreciates Sen. Harper for his efforts.

SB 92
Sen. (and former mayor) Scott Jenkins proposed SB 92 Municipal Landscape Amendments which would modify the types of landscaping that cities and counties could require. ULCT's Ken Bullock and Jodi Hoffman raised some concerns with the senator/mayor and he agreed to hold the bill to give us some time to find consensus on the bill. ULCT appreciated Senator/Mayor Jenkins for his flexibility. As such, the bill was not heard in committee today. The bill is re-scheduled for a committee hearing on Wednesday afternoon.

Team ULCT continued discussions on body-worn cameras, land use issues, justice court judges, homelessness initiatives, and business license regulation. You can see the full bill list here and committee agendas here.

As a reminder, the LPC will meet next on Monday, February 8 and the agenda will be available by Friday. ULCT staff requests that you review the bill list and come prepared on Monday to ratify staff recommended positions. Life moves quickly on the Hill so staff must react swiftly. Please let us know if you have any questions or concerns and make sure to discuss key local government issues with your legislators.

Municipal Officials Training
After spending weekends training in Cedar City, Ephraim, Logan, and Provo, Team ULCT will host our final Municipal Officials Training of the winter on Saturday at 8 am at the City-County building in Salt Lake City. We will meet with newly elected municipal officials as well as others who wish to get a refresher on local government powers and duties from our legal guru Dave Church, learn about the Land Use Academy of Utah from ULCT's Meg Ryan, and get an update on the legislative session from the ULCT legislative team. You can register here and you'll go home with a door prize: our 2016-2017 edition of our Powers and Duties handbook for local officials! If that doesn't get you to a Saturday morning meeting at 8 am, then we don't know what will!

I got you babe. Thanks for your involvement in ULCT!

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ULCT legislative update for February 3, 2016

Hello folks,
Today was primarily a behind-the-scenes day. This email will update you on SB 92, HB 30, which high school football players signed to play for the Utes, and preview a busy Thursday (transportation, medicinal marijuana, and wildland fire) and Saturday's Municipal Officials Training.

SB 92
ULCT again applauds Senator/former Mayor Scott Jenkins for his willingness to pull SB 92 from committee consideration today so we could work on an alternative with him. The alternative will not impact LUDMA but would accomplish the Senator's objective to promote and improve water conservation. Kudos to ULCT's Ken Bullock and Jodi Hoffman—and to the former mayor—for their efforts.

HB 30
Rep. Gage Froerer presented HB 30 Good Landlord Program Amendments to the Senate Gov't Operations Committee. The bill reflects some necessary

and consensus administrative updates to the good landlord program. Team ULCT and your correspondent led conversations throughout the summer about the good landlord program. Team ULCT is still involved in developing a pilot program between CCJJ, Adult Probation & Parole, and the Department of Corrections and appreciates the collective efforts of all parties and of Rep. Gage Froerer and Brian King.

National letter of intent day: (your correspondent will spare you, but feel free to ask!)

Thursday:
The House Revenue and Taxation Committee will consider Rep. Draxler's HB 183 which would modify last year's HB 362 transit allocation for only Cache, Duchesne, Iron, Summit, and Uintah Counties. The Senate Health and Human Services and Judiciary Committees will both deliberate on medicinal marijuana. At LPC, ULCT staff outlined the key land use distinctions between the senate bills. Senator Madsen's SB 73 would preempt all local ordinances and land use zoning. Senator Vickers' SB 89 would respect local authority, ordinances, and zoning. Finally, Senator Vickers' will also present SB 122 Wildland Fire Policy Updates which is the result of months of dialogue between city leaders and the Division of Forestry, Fire, and State Lands. Yep—it will be a busy day! The bill list is here and agendas is here.

Municipal Officials Training:
After spending weekends training in Cedar City, Ephraim, Logan, and Provo, Team ULCT will host our final Municipal Officials Training of the winter on Saturday at 8 am at the City-County building in Salt Lake City. We will meet with newly elected municipal officials as well as others who wish to get a refresher on local government powers and duties from our legal guru Dave Church, learn about the Land Use Academy of Utah from ULCT's Meg Ryan, and get an update on the legislative session from the ULCT legislative team. You can register here. ULCT also chatted with Utah State Auditor John Dougall and invited his staff to join us at the training.

That's all folks. Thanks for your participation in ULCT!

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ULCT legislative update for February 4, 2016 (take 2)

Hello folks,
Today was super productive for local government on the Hill. Grab some popcorn, relax, and enjoy today's recap about HB 183, HB 52, HB 224, SB 110, SB 122, SB 73, and SB 89.

HB 183
Rep. Jack Draxler presented HB 183 to the House Revenue and Taxation Committee. Rep. Draxler's bill modifies the .10 transit portion of last year's HB 362 quarter cent local option in just five counties: Cache, Duchesne, Iron, Summit, and Uintah. At least .025 must stay with the transit system, and the county governing body—in conjunction with city/town leaders and transit leaders—would determine how much of the remaining .075 would also stay with the transit system. The remaining amount within the .075 that does not stay with the transit system would then be divided 50/50 between the county and cities/towns. As discussed at LPC, ULCT stands by last year's HB 362 compromise bill. Your correspondent testified and provided data about the consequences from last year's HB 362 on the five affected counties. The committee recommended the bill unanimously and you can read the Tribune article here.

HB 52
Rep. Patrice Arent presented HB 52 to the House Economic Development Committee. The LPC endorsed HB 52 with the caveat that we would ensure that the grant money would not come with excessive strings attached. Rep Scott Sandall raised some concerns and the committee decided to hold the bill until next Wednesday. Representatives from Moab, Ogden, and Kanab attended and Ogden, Kanab, and ULCT's Brandon Smith spoke in support.

HB 224
Rep. Paul Ray was initially scheduled to present HB 224 Impact Fee Revisions to the House Business and Labor Committee. Team ULCT, led by ULCT's Jodi Hoffman and ULCT champion Gary Crane (Layton City Attorney), and the Property Rights Coalition approached Rep. Ray and urged him to utilize the Land Use Task Force process and send the bill to interim. Rep. Ray agreed. Thanks to the PRC for their collaboration and their support of the Land Use Task Force process.

SB 110
Sen. David Hinkins presented SB 110 Water Quality Amendments to the Senate Natural Resources Committee. The bill's genesis is the longstanding conversations about nutrient standards. For the record (ahem, Mayor

Curtis), your correspondent warned you about nutrients! The bill creates an independent peer review process of proposals from the Division of Water Quality. The bill empowers a challenging party who would be substantially impacted by the DWQ proposal to seek an independent peer review. The independent peer review must determine whether the proposal is scientifically defensible, not scientifically defensible, or is scientifically defensible with conditions developed by the panel. If the proposal is found to not be scientifically necessary to protect a downstream water body, the challenging party shall receive a variance from DWQ.

SB 122

Sen. Evan Vickers presented SB 122 Wildland Fire Policy Updates. The bill is the result of two years of hard work by the ULCT Wildland Fire working group, UAC working group, and the Division of Forestry, Fire, and State Lands. You can read more about the ULCT working group's efforts here. You can also see ULCT's Susan Wood's wildland fire video here. Your correspondent testified—in just 12 words—and the committee endorsed the bill unanimously. The bill will be substituted soon to reflect some necessary language changes as suggested by your correspondent and Herriman's John Brems. Kudos to Senator Vickers and to Division Director Brian Cottam for their leadership on this issue.

SB 73/SB 89

The "high" light of the day and most popular committees were the two Senate committees which recommended both medicinal marijuana bills. As we discussed at LPC, ULCT opposes SB 73 because it preempts local authority and zoning. SB 89 preserves local authority and zoning. You can read the Tribune's coverage here.

The only team that rivals local government's success today is BYU! The bill list is here and tomorrow's committees are here. Don't forget about our final Municipal Officials Training in SLC on Saturday. You can register here. Tomorrow's email will have Monday's LPC agenda.
Thanks for your participation in ULCT.

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ULCT legislative update for February 5, 2016

Hello folks,
TGIF! 12 angry men, er, days down. The legislature graciously cancelled all but one 4:00 pm committee, allowing your correspondent to actually see the sun! It was a productive day for local government with progress on HB 17 & HB 160 as well as an interview with Speaker Greg Hughes. We also announce the LPC agenda for Monday, February 8 and remind you of tomorrow's Municipal Officials Training in SLC (we've been to Cedar, Ephraim, Provo, Logan, and remotely to Vernal, Moab, and Blanding). You can register here.

Speaker Hughes interview
First things first: House Speaker Greg Hughes joined ULCT's Susan Wood for an exclusive conversation about Utah's unique budgetary situation—a surplus and shortfall in the same year—and how the session will affect Utah's cities and towns. You can watch the video at www.ulct.org (along with our other legislative videos) or precisely here.

HB 17
Rep. Curt Webb presented HB 17 Assessment Area Foreclosure Amendments to the Senate Political Subdivisions Committee which amends foreclosure provisions in the Assessment Area Act. Rep. Webb worked on this issue throughout the interim and with the Land Use Task Force. He made some adjustments last week at the request of ULCT, UAC, bond counsel, and other stakeholders and the Senate Committee endorsed the bill unanimously. Your correspondent briefly testified in support. We appreciate his leadership and willingness to work with us throughout the offseason and with the LUTF.

HB 160
Rep. Craig Hall presented HB 160 Justice Court Judge Qualifications Amendments to the House Judiciary Committee. ULCT's Roger Tew helped draft the initial justice court law decades ago and led the ULCT effort on HB 160. The original proposal was to require all justice court judges to be members of the state bar. Your correspondent researched the number of justice courts that would be affected by the proposal and Roger and I cooperated with UAC and Rep. Hall to grandfather current judges and ensure local and rural flexibility to fill justice court judgeships. Ultimately Rep. Hall accepted amendments - that will likely be added on the floor - that limited the bill to counties of the 1st, 2nd, and 3rd classes and go into effect after current judges retire. We appreciate Rep. Hall's efforts to address rural needs and improve access to justice.

Back to Table of Contents

LPC agenda
The LPC agenda is here, the bill list is here, and Monday's committees are here. Last Monday, the LPC authorized a retirement subgroup to review Rep. Rich Cunningham's bills and the subgroup will offer recommendations on Monday. Additionally, we will update you on the medicinal marijuana bills—both of which (SB 73, SB 89) passed out of committee yesterday—and the body-worn camera bills for police officers (SB 94, HB 300). Rep. Tim Hawkes will address the LPC about water research and conservation efforts. Finally, Team ULCT reminds you to review the bill list by Monday and be prepared to ratify staff recommended positions. The LPC will not meet again until Monday, February 22 and things move quickly on Capitol Hill.

With that, this former Colorado resident declares "GO BRONCOS!!!" After all, the networks think that Utah is a suburb of Denver. Thanks as always for your involvement in ULCT.

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LPC Reminder (February 7, 2016)

Hey folks,
America's Super Bowl party is over and Utah's super session resumes tomorrow.

As a reminder, the Legislative Policy Committee meets at noon in W030 (House office building) on Monday. You can participate via the webcast here. You can see the LPC agenda here and we will also discuss bills in committee (agendas here). Last Monday, the LPC authorized a retirement subgroup to review Rep. Rich Cunningham's bills and the subgroup will offer recommendations on Monday. We will also hear from Rep. Tim Hawkes about the USU Extension Water Initiative. Finally, Team ULCT reminds you to review the bill list (here) and be prepared to ratify staff recommended positions. The LPC will not meet again until Monday, February 22 and things move quickly on Capitol Hill.

Thanks for your involvement in ULCT and how 'bout that Bronco D!

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ULCT legislative update for February 8, 2016

Hey folks,
Three Mondays down, three to go! If the voters of Utah don't count next Monday (Presidents Day) as a legislative day, then neither does your correspondent. This email will recap today's Legislative Policy Committee, HB 96, and conversations about short term rentals.

Legislative Policy Committee
Over 120 in person—and another 35 remotely around the state—participated in today's LPC meeting. We appreciate your time, participation, and willingness to search for parking spots within a mile radius of the capitol. We will have minutes available for your review by the end of the week. In the meantime, here are the key takeaways:

First, the LPC ratified staff recommendations for the nearly 200 bills that ULCT is currently tracking. You can see the bill list here. The LPC may always re-visit positions at future meetings or contact your correspondent or other members of Team ULCT. We anticipate dozens of bills to still come.

Second, Rep. Tim Hawkes addressed the LPC and the LPC endorsed his (and Rep. Lee Perry's) appropriations request for the Utah State University Extension water initiative. The request will be before its appropriations subcommittee on Tuesday morning.

Third, the LPC endorsed Rep. Rich Cunningham's HB 47, HB 50, HB 86, and HB 117 (post-retirement bills) based on the recommendation by the LPC public safety retirement subgroup. Thanks to West Valley City Mayor Ron Bigelow, Ogden's Mark Johnson, South Jordan's Paul Cunningham, South Salt Lake's Kyle Kershaw, and Richfield's Matt Creamer for participating in the subgroup. Your correspondent relayed the information about the four bills (as well as HB 205) to Rep. Cunningham.

Fourth, the LPC took a neutral position on Rep. Dan McCay's HB 300 (body-worn cameras) and urged Team ULCT to continue working with him and with Senator Thatcher—whose SB 94 the LPC endorsed last week—to find consensus on body-worn cameras.

Because of the aforementioned holiday next Monday, the LPC will next meet on Monday, February 22 at noon. If you come up on the 15th accidentally, you'll likely get a prime parking spot!

HB 96

Rep. Bruce Cutler presented HB 96 Single Sign-on Business Database to the House Business and Labor Committee today. The bill is the first step in creating a single point of registration for businesses in the state. The bill authorizes a study of what the database should look like and how to create a system where a business can register its basic identifying information for multiple state agencies, and potentially cities, towns, or counties (if they choose to participate). The aim of the database is to make things easier and more secure for business owners, state agencies, and other participating entities. The bill includes ULCT as one of the groups that will be consulted in the process of designing the database, allowing us an opportunity to have great input on what we would find most helpful in the design of the database. Rep. Cutler contacted Team ULCT during the interim about the proposal. Consequently, ULCT's Brandon Smith testified in support of the bill which passed out unanimously.

Short term rentals

Rep. John Knotwell met this morning with a collection of mayors, council members, and city administrators from across the state to discuss the issue of short term rentals. ULCT's Ken Bullock, Jodi Hoffman, Roger Tew, and your correspondent also attended. The city officials shared concerns about short term rentals that have arisen in their communities. Rep. Knotwell has met with Team ULCT several times since the beginning of the session to discuss short term rentals and today he again repeated his willingness to work with city leaders to find consensus. ULCT's Jodi Hoffman has done extensive legal research about short term rental ordinances and legislation both in Utah and around the country. There is not yet a bill before the legislature.

With that, we are officially 1/3 of the way through the 2016 session! Tomorrow's committees are here and the bill list is here. Thanks as always for your involvement in ULCT.

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ULCT legislative update for February 9, 2016

Hey folks,
Today's biggest local government success was on the hardwood in the annual lobbyist-legislator basketball game. ULCT's Ken Bullock and your correspondent put the meaning into "local control!" In non-basketball news, Team ULCT had productive meetings with Senate President Wayne Niederhauser as well as multiple other legislators and successfully worked on SB 92 and HB 232 today as well.

SB 92
After considerable dialogue with Team ULCT and other stakeholders, Sen. Jenkins substituted SB 92 in the Senate Government Operations Committee. The bill now modifies the required contents of a water conservation plan. As part of the dialogue, the Division of Water Quality will modify their water conservation requirements. Additionally, ULCT will both create a link to the state website with Water Conservation Plans and conservation best practices, and ULCT will produce materials and videos about water conservation requirements. The committee recommended the bill.

HB 232
Rep. Mike Noel presented HB 232 Scenic Byway Amendments to the House Natural Resources Committee. The bill allows a county, city, or town governing body to segment a state scenic byway, National Scenic Byway, or All-American Road and allows a property owner of a non-scenic area adjacent to a state scenic byway, National Scenic Byway, or All-American Road to petition for a segmentation. This bill is similar to last year's HB 407 which just barely missed the midnight deadline on Day 45. Last year, Layton's Gary Crane, Woods Cross' Gary Uresk, and ULCT's Jodi Hoffman worked with Rep. Noel

to find consensus on the bill. This year, the trio plus ULCT's Brandon Smith reviewed HB 232 to ensure it is consistent with last year's discussions. The committee endorsed HB 232 unanimously.

Tomorrow will be jam packed in committees—you can see the agendas here—and you can see the bill list here. As a reminder, we will NOT have a Legislative Policy Committee meeting until Monday, February 22. Thanks as always for your involvement in ULCT.

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ULCT legislative update for February 10, 2016 Hey folks,
With Iowa and New Hampshire behind us, does that mean the presidential race is over? Wait, we still have 271 days to go?!? Meanwhile, the session ends just 4 weeks from tomorrow and today Team ULCT engaged on public safety retirement, HB 215, HB 178, HB 187, and SB 122, plus tomorrow's agenda (HB 145).

Public safety retirement:
The House Revenue and Taxation Committee will consider all of Rep. Rich Cunningham's retirement bills (HB 47, HB 50, HB 86, HB 117, HB 205) on Tuesday morning at 8 am. The committee had an hour long retirement primer today to prepare for Tuesday's discussion with presentations from Legislative Research and General Counsel and the Legislative Fiscal Analyst. You can listen to the audio here. The committee members asked questions about actuarial rates, stability of the retirement system, the Tier I/Tier II system, and the rationale and consequences of the 2010 retirement reforms. The Legislative Policy Committee voted on Monday to support Rep. Cunningham's post-retirement bills (47, 50, 86, 117) and declined to support the Tier II changes unless and until a funding source is identified and included. Tuesday morning's committee hearing promises to be interesting.

HB 215
Rep. Brian Greene presented HB 215 which would modify the allocation formula from the quarter cent local option for transportation that was part of

last year's HB 362. On Feb 1, a majority of the LPC voted to stand in solidarity with last year's HB 362. At the request of the committee chair, your correspondent explained to the committee that ULCT honors our commitment to the entire HB 362 compromise, including the allocation formula. Pleasant Grove Mayor Mike Daniels spoke in favor of the bill and the Utah Transportation Coalition's Abby Albrecht spoke against the bill. The committee did not recommend the bill.

HB 178

The House Political Subdivisions Committee considered Rep. Scott Chew's HB 178 – Legal Notice Amendments. The bill's intent is to change standards to make it easier to find a print outlet for legal notices. ULCT monitored the bill because of the potential impact on notices and the committee ultimately held it after considerable dialogue and questions.

HB 187

The House Political Subdivisions Committee next considered Rep. Johnny Anderson's HB 187 Animal Shelter Amendments. ULCT's Brandon Smith was lucky to find a spot in the room as the committee room was overflowing into the hall. The bill sets timelines to end the use of gas euthanasia on domestic and wild animals. Several cities (and counties) currently operate gas facilities and ULCT and those communities worked with Rep. Anderson and other stakeholders on both the timelines and to delete provisions that would have required expensive structural dismantling and removal. The committee recommended the bill, accompanied by cheers by the many animal advocates in attendance.

SB 122

As previously reported herein, Senator Evan Vickers is sponsoring SB 122 which is the culmination of our year long efforts to address wildland fire policy. Senator Vickers is holding the bill on the Senate floor and awaiting a substitute bill. Your correspondent, UAC staff, and the Division of Forestry, Fire and State lands staff spent significant time today modifying language to ensure that the bill reflects the big picture policy consensus. We expect the substitute bill soon and will let you know.

HB 145

Finally, the House Public Utilities Committee will consider Rep. Steve Handy's HB 145 which would shift the municipal energy tax from a 6% rate on all users to a complicated formula which would shift the tax burden from high energy users to low energy users. Rep. Handy addressed the LPC on Monday, February 8 about the proposal. Team ULCT will oppose the bill and we will keep you posted.

With that, it's on to South Carolina and Oklahoma and Arizona ... and Washington, DC to take back the White House! Yeah!!! Ok, the scream loses something in print. Tomorrow's committees are here and the bill list is here. Thanks for your involvement in ULCT!

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ULCT legislative update for February 11, 2016

Hey folks,
Day 18 is behind us, which means we are 40% of the way home! Today, ULCT's Roger Tew directed ULCT efforts on HB 145 and honorary ULCT captain (and Layton City Attorney) Gary Crane led ULCT efforts on HB 316.

HB 145
The House Public Utilities and Technology Committee considered Rep. Steve Handy's HB 145 - Municipal Energy Tax Rate Amendments. This bill would have changed the energy tax rate from a flat rate of up to 6% paid by everyone to a complicated formula that would have given a price break to heavy energy consumers (businesses, churches, non-profits, schools, etc.). The rationale for the bill was an effort to assist heavy energy consumers to deal with variable energy costs in their budgets. However, the impact would either shift costs onto other low energy users (one draft) or cuts in overall municipal energy tax (MET) revenue for cities and towns. ULCT's Roger Tew and your correspondent—along with Kory Holdaway, Rob Jolley, Jodi Hart, and Dave Stewart—met with most committee members. Roger Tew then testified to the committee that this was an unacceptable change, and that there were other options available to help large energy consumers in dealing with variable energy costs. The committee ultimately decided it would be best to recommend the bill to be considered in the interim.

HB 316
Rep. Brad Wilson presented HB 316 Building Code Review and Amendments to the House Business and Labor Committee. Rep. Wilson is a tremendous ally of local government and met with honorary ULCT captain/Layton City Attorney Gary Crane as well as other city officials. Rep. Wilson substituted his bill and made some changes to the electric and plumbing codes (6 years to 3 years) as well as some accommodations for fire officials. The committee held the bill to give all stakeholders time to make additional changes.

Upcoming schedule
Thanks to the good voters of Utah, we all take a break on Presidents Day from the Capitol to renew acquaintances with loved ones. The Presidents Day Holiday also means that we will not have a LPC meeting on Monday! On Tuesday, the session will resume with committee hearings kicking off at 8 am. At this point, we know that the House Revenue and Taxation Committee will consider Rep. Rich Cunningham's public safety retirement bills. By tomorrow morning, we will know the other agendas and will notify you ASAP about potential action alerts. You can see tomorrow's quiet committee agendas here and the bill list here.

Thanks as always for your involvement in ULCT!

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ULCT legislative update for February 12, 2016

Hello folks,
Thanks to the voters of the great state of Utah who modified the state constitution to give legislators, lobbyists, and Team ULCT a welcomed day off on Presidents Day. We went into the long weekend with a busy Friday behind the scenes, including (but not limited to) efforts on HB 159 and public safety retirement.

HB 159
Rep. Mike McKell is sponsoring HB 159 which makes modifications to the benefits for surviving spouses and family members whose spouses/parents die in the line of duty. Last year, ULCT participated with 2015 bill sponsor Paul Ray to create the fund. We also ensured that ULCT had a representative on the governing board and that the financial risk was spread across all participating entities. In the past year, ULCT Board representative and Bountiful City Manager Gary Hill has identified some necessary tweaks to the structure of the program. Gary and your correspondent approached Rep McKell today and he graciously agreed to circle the bill to give us all time to consider the potential changes.

Public Safety Retirement
Per the LPC instructions from Monday on HB 47, HB 50, HB 86, and HB 117, Team ULCT reached out to committee members on the House Revenue and Taxation Committee to explain ULCT support for the post retirement modifications. We anticipate a tight vote on Tuesday morning at 8 am.

Consider this your final reminder about Valentine's Day this weekend! Your correspondent and the rest of Team ULCT will be available via email this weekend and will continue to review bills and update the bill list. Thanks for all of you who have provided feedback, alerted us about concerns, and offered support.

Tuesday's committees go from 8 am to 4 pm and are here and the bill list is here.

Thanks for your participation in ULCT and have a great Valentines & Presidents Day weekend!

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ULCT legislative update for February 16, 2016

Hey folks,
ULCT hopes you enjoyed Washington and Lincoln Day—fun fact, W&L Day does not count toward the 45-day session but we sure appreciated the day off—so Day 22 is now over. Team ULCT worked on public safety retirement, HB 318, HB 22, and government immunity.

Public safety retirement:
The House Revenue and Taxation Committee considered Rep. Rich Cunningham's 5 retirement bills (HB 47, HB 50, HB 86, HB 117, HB 205). Rep. Cunningham presented on the need for the post retirement bills. Two ULCT representatives who served on the ULCT LPC retirement subgroup-- South Jordan City Finance Director Paul Cunningham (no relation) and Ogden Chief Administrative Office Mark Johnson-- joined the presentation. The committee asked a range of questions about job shortages, actuarial risks, potential costs, breadth of compensation, and the consequences of the 2010 retirement reform. Former State Senator Dan Liljenquist also presented in opposition to the bills. The dialogue could have continued all day so the committee decided to postpone action until Wednesday's committee hearing at 2 pm. On Wednesday, the committee will just consider HB 50, HB 86, and HB 205. ULCT supports HB 50 & HB 86. Please contact committee members on House Revenue and Taxation to express support for HB 50 and HB 86.

Thanks to Rep. Cunningham for his work throughout the 2015 interim and the 2016 session to raise the level of awareness about post retirement concerns and the broader issues surrounding the Utah Retirement System.

HB 318
The House Economic Development Committee considered Rep. Brad Wilson's HB 318 the Point of the Mountain Development Commission Act. The bill creates a commission—including two ULCT appointees, the Mayor of Draper (or designee), and the Mayor of Lehi (or designee)—to evaluate and recommend the future planning of the Point of the Mountain area, including public feedback, infrastructure investment, transportation needs, population growth, and economic development. Mayor Troy Walker from Draper was there to speak in support of the bill and shared his appreciation for the collaborative approach being taken. ULCT President Lynn Pace, and Robert Ranc, Assistant City Administrator of Lehi, testified as well. They too were appreciative for the collaborative approach being taken, but also expressed concern about local government taxing authority. Rep. Wilson said that since the bill creates a commission, such language would be unnecessary, but expressed that he was open to further discussion on that point. The bill was passed out favorably.

HB 22
The Senate Judiciary, Law Enforcement, and Criminal Justice Committee met this afternoon and heard strong debate on Representative Brian Greene's HB22 Civil Asset Forfeiture Procedural Reforms. The bill would change the process by which civil asset forfeiture currently takes place, and would shift any funds received from that process to the uniform school fund instead of to funds for law enforcement. The committee discussion and public comment was robust and covered why the bill is being put forward, and what the bill would ultimately accomplish. Police Chief Lee Russo of West Valley testified in opposition to the bill on behalf of the Chiefs of Police Association and ULCT. He shared that what West Valley receives in civil asset forfeiture doesn't come close to covering the costs associated with the number of officers who are assigned to deal with drug related issues in the city. The bill was ultimately tabled, and may be placed on the next committee agenda.

Government immunity:
Senators Jani Iwamoto and Howard Stephenson convened a group of state and county risk managers and lawyers, plaintiffs' attorneys, and Team ULCT (your correspondent and Lynn Pace) to discuss potential changes to government immunity caps. This was our second meeting of the session. Collectively, we agreed that the conversation would be more productive in the interim and we agreed to participate in a task force to discuss the potential modifications. We anticipate a bill that will outline the task force's broad objectives and participants and then we will start studying in the spring. March 11, anyone?

Finally, tomorrow morning will be insanely busy. From body-worn cameras to the RDA re-write, we will be on our toes. You can see the agendas here and the bill list here.

Thanks for your involvement in ULCT!

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ULCT legislative update for February 17, 2016

Hey folks,
We have officially crossed the halfway point of the 2016 session! Give me five… and by that I mean the following five bills: HB 300 (body-worn cameras), HB 86 (public safety retirement), HB 115 (bees), SB 114 (non-binding vote), SB 151 (RDAs).

HB 300
The House Law Enforcement Committee got the first crack at Rep. Dan McCay's HB 300 Body-worn Cameras for Law Enforcement Officers. The committee had vigorous discussion about the policy and GRAMA portions of the bill and both Bountiful Police Chief (and Utah Chiefs of Police Association President) Tom Ross and your correspondent testified. Rep. Jeremy Peterson suggested a one-word modification to the GRAMA language that the committee adopted and Rep. McCay pledged to continue working with Team ULCT and other stakeholders to find consensus on the GRAMA provisions. ULCT applauds Rep. McCay for his perseverance and leadership on the bill. What did the committee do on the bill? Well, your correspondent witnessed a procedural first. The committee was running long and the House Speaker called the House into a committee of the whole. As such, the Law Enforcement Committee could not take action and will re-consider the bill on Friday morning.

HB 86
The House Revenue and Taxation Committee re-considered Rep. Rich Cunningham's HB 86 Postretirement Employment Restrictions. They deliberated about all five of Rep. Cunningham's retirement bills yesterday but the public comment went long so they carried over the topic to today. Blanding City Manager Jeremy Redd testified in support—Blanding Council Member Taylor Harrison was also in attendance—and ULCT greatly appreciates their willingness to attend and participate. Meanwhile, your correspondent testified, referenced letters of support from Manti, Mayfield, Richfield, and Vernal, and explained the law enforcement personnel shortfall statewide that ULCT's Nick Jarvis gathered via our comprehensive law enforcement survey. After vibrant debate, the committee voted 7-6 to recommend HB 86. The committee did not consider the other bills yet. ULCT applauds Rep. Cunningham for his leadership and appreciates Reps. Joel Briscoe, Eric Hutchings, Brian King, Mike McKell, Jeremy Peterson, Doug Sagers for supporting the bill.

HB 115
The House Natural Resources Committee considered Rep. Marc Roberts' HB 115 Beekeeping Amendments. Rep. Roberts reached out to Team ULCT

about the bill during the interim and we discussed the potential impact of the bill on local authority. Team ULCT committed to work with Rep. Roberts, the Wasatch Beekeeping Association, and other experts to facilitate local ordinances about beekeeping. ULCT's Krysten Olson attended the committee and ultimately the committee held the bill.

SB 114
Senator Jerry Stevenson's SB 114 Municipal Utilities Amendments was heard today in Senate Government Operations and Political Subdivisions Committee. The bill provides the opportunity for the 11 cities participating in UTOPIA to have a non-binding opinion question on the ballot about whether the municipality should provide public telecommunications service facilities. There was a spirited discussion on both sides of the issue with many city officials present and participating. ULCT's Roger Tew testified in support of the bill, which ultimately passed three to one.

SB 151
The Senate Economic Development and Workforce Services Committee considered Senator Wayne Harper's SB 151 Community Development and Renewal Agencies Act Revisions. The bill aims to make a number of changes, including taking the current three tracks of redevelopment and consolidates them into one, and thus may make the process easier. The bill also provides for a mandatory housing participation of 10% in all project areas as well as defining a process for extending project areas. The bill has been supported by all stakeholders, including counties, school districts, the housing coalition, and ULCT. The bill does not affect any existing project areas, or those in the process of being created, and will only apply to those created after May of 2016. The bill was passed unanimously.

Like I said, a busy hump day! Tomorrow should be quieter—the legislature graciously will not have committee hearings—and you can see the morning's agendas here. Thanks to all of you who participated with Team ULCT today. You can see the bill list here. Thanks for your involvement in ULCT! It is all downhill from here!

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ULCT legislative update for February 18, 2016

Hello everyone,
Day 24 is no more and Team ULCT had a productive day behind the scenes preparing for upcoming bills. This email will update you on SB 155, HB 330, HB 223 and preview Friday's floor debates and committees. Remember: the LPC meets again on Monday, February 22 and ULCT 1st Vice President and Kaysville Mayor arranged for Congressman Rob Bishop to join us.

SB 155
The Senate Judiciary and Law Enforcement Standing Committee considered Senator Todd Weiler's SB 155 Indigent Defense Commission. The proposed commission, which would have representation from Counties, Cities, defense counsel and others, would be tasked initially to gather state-wide data on the operations, caseloads, contracts and other information regarding how government complies with the constitutional obligations of the 6th Amendment of the U.S. Constitution (Right to Counsel). More importantly the legislation requests an initial appropriation of $3 million in state funds that could be used to assist local governments in complying with their indigent defense obligations. The ULCT supports this legislation which results from a multi-year study under the direction of the Utah Judicial Council. As discussed at previous LPC meetings, ULCT's Roger Tew has represented cities and towns in the Utah Judicial Council task force. The Committee recommended the bill and ULCT looks forward to working with the legislature, counties, and other stakeholders.

HB 330
The House Business and Labor Committee considered Representative Schultz's HB 330- State Fire Code Revisions. Representative Schultz explained that the bill incorporates the 2015 edition of the International Fire Code, and that when the state goes through the process of adopting the updated fire code, they make Utah specific amendments as needed. The Home Builders Association, fire marshals, fire chiefs, and ULCT have all been part of the process and were supportive of the bill. The bill passed unanimously.

HB 223
The House Business and Labor Committee also considered Representative Brad Wilson's HB 223 Local Historic District Amendments. The bill modifies the current process by which historic districts are created. ULCT President Lynn Pace spoke against the bill in its present form and Team ULCT is working with the sponsor to try to resolve issues arising with local historic districts.

SB 73 and SB 89 (medicinal marijuana)
The Senate will consider Sen. Vickers' SB 89 Medical Cannabidiol Amendments and Sen. Madsen's SB 73 Medical Cannabis Act at 10:15 and again at 11 am. At our last LPC meeting, the LPC voted to support SB 89 and oppose SB 73 because of the impact on local land use authority. Senator Vickers' SB 89 respects local land use authority while Senator Madsen's SB 73 current draft preempts local land use authority. There may be some amendments to the SB 73 land use provisions. Nevertheless, we will keep an eye on both bills.

Tomorrow's committee agendas are relatively quiet for team ULCT and you can see them here and our bill list here. Tomorrow we will send you the LPC agenda and webcast instructions for Monday—we will convene at noon in W030 in the House Office Building and online—and you can review the February 8 minutes here. We look forward to chatting with now Congressman and former Utah House Speaker Rob Bishop.

Thanks for your participation in ULCT!

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ULCT legislative update for February 19, 2016

Hello folks,
Only two more Fridays to go! Yes, we still have three weeks to go but the session ends on a Thursday. Today's email will preview LPC, give a short note on medical marijuana (SB 73 and SB 89), and update you on police body-worn cameras (HB 300 and SB 94), as well as provide an interview with Speaker of the House Greg Hughes about residential treatment facilities.

Legislative Policy Committee
The Legislative Policy Committee will convene on Monday, February 22 at noon in W030 (House office building). The minutes from the February 8 LPC are here and the agenda for Monday's LPC is here. You can log onto the web-

cast here. The URL address is - https://connect.usu.edu/ulct2016lpc/. Thanks again to House Minority Leader Brian King for reserving W030 for ULCT to meet and to Utah State University for facilitating the webcast.

Before proceeding, your correspondent wishes to thank the unsung heroes of Team ULCT. You know the ULCT legislative staff—Ken Bullock, Roger Tew, Jodi Hoffman, Nick Jarvis, Brandon Smith, Krysten Olson, and your correspondent—but we are also successful because of the cadre of city employees who join us regularly. Thank you to the following (from north to south):

Ogden City's Gary Williams, Mark Johnson, and Gregg Buxton
Layton City's Gary Crane
Bountiful Police Chief Tom Ross
Salt Lake City/Holladay's Lynn Pace
South Salt Lake/Tooele's Randy Sant
West Valley City's Nicole Cottle and Brandon Hill
Murray City's Kory Holdaway and John Rock
Sandy's John Hiskey and Nicole Martin
South Jordan's Chip Dawson and Ryan Loose
St. George's Shawn Guzman

Thanks to the cities who loan us the time, energy, and expertise of the aforementioned city officials. Thanks to the countless others who come to the capitol to offer expertise and assistance. Our full Team ULCT monitors 200ish bills—almost 1/3 of all bills at the Capitol to date—and serves as an active and persuasive voice for local government.

SB 73 and SB 89
The Senate dedicated their entire floor time this morning to debate SB 73 and SB 89 (medicinal marijuana). As a reminder, the LPC voted to oppose Senator Madsen's SB 73 because of the land use preemption and to support Senator Vickers' SB 89 because it upheld local land use authority. Today in response to concerns raised by many Senators, Senator Madsen amended SB 73 to remove the language that preempted local land use authority. The Senate ultimately circled SB 73 and moved SB 89 from the 2nd reading calendar to the 3rd reading calendar.

HB 300
As mentioned two days ago, the House Law Enforcement Committee did not take action on Rep. Dan McCay's HB 300 Body-worn Cameras for Law Enforcement Officers so they re-considered the bill today. South Jordan City Attorney Ryan Loose, Ogden City Attorney Gary Williams, Salt Lake City Asst. City Attorney, and your correspondent met with county attorneys, media

representatives, and the ACLU to continue our GRAMA discussions. The current version of HB 300 will continue to evolve but Rep. McCay publicly reiterated his desire today to reach consensus on GRAMA. ULCT appreciates Rep. McCay's hard work and diligence on this issue and his willingness to patiently bring stakeholders together. The committee offered another amendment to address a concern from local governments and the police chiefs. The committee ultimately recommended the bill and it is off to the House floor.

SB 94
Speaking of body-worn cameras, Sen. Dan Thatcher's SB 94 will be in the Senate Judiciary Committee on Monday. SB 94 requires DPS, via Peace Officer Standards and Training, to develop a body-worn camera policy. ULCT will be there and appreciates Sen. Thatcher's hard work and support. We will keep you posted about the progress of both bills.

Residential drug treatment centers
In light of the tragic shooting of Unified Police Department Officer Doug Barney and the subsequent escape of another fugitive in treatment at a halfway house, the public attention has turned to residential drug treatment centers. The centers, which are protected under the American's with Disabilities Act, are emerging in neighborhoods throughout Utah and municipalities have little authority to regulate their location. House Speaker Greg Hughes says there is a troubling rate of fraud and mismanagement in some of these treatment centers. Recently, ULCT's Susan Wood spoke with Speaker Hughes about a potential approach on the issue. Hear how his idea may affect your city or town here.

With that folks, ULCT wishes you a happy weekend of bill reading (the bill list is here and Monday's committees are here) and thanks you for your involvement in ULCT.

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LPC Reminder for Monday, February 22, 2016

Hey folks,
Consider this your friendly reminder about Monday's Legislative Policy Committee meeting at the capitol at noon (W030, House building). You can watch the webcast here, or go to this web address: *https://connect.usu.edu/ulct2016lpc/*. Fair warning: the webcast does not come with lunch. Fairer warning: attending in person comes with parking issues.

The agenda is here, the bill list is here, and tomorrow's committees are here. The minutes for both the February 1 and the February 8 meetings are here.

Thanks again to Congressman Rob Bishop for joining us for LPC. See you all on Monday.

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ULCT legislative update for February 22, 2016

Hey folks,
28 days down and just two Mondays to go! With three weeks to go, we don't yet have the session in the (reusable) bag. Today's email will cover HB 132, SB 94, SB 73, and the Legislative Policy Committee. The email will also include an invitation to you from the Salt Lake Chamber for their legislative reception on Tuesday, February 23.

HB 132
Rep. Anderegg presented a substituted version of HB 132 Municipal Business Licensing Amendments to the full House today. The substitute would have eliminated municipal authority to license and charge a fee for low impact home occupation businesses, especially for occasional businesses operated by minors. ULCT worked closely with Rep. Anderegg on the substitute and appreciates his efforts to find consensus. However, the substitute still needed work. Rep. Curt Webb—the chair of the House Political Subdivisions Committee and a long-time partner of local government—offered an amend-

ment to the bill that preserves the municipal authority to require a business license for all home occupation businesses. The House supported Rep. Webb's amendment and then passed the amended bill. ULCT thanks Rep. Webb for his persuasive floor speech and his willingness to run the amendment to preserve local authority.

After the session, ULCT travels the state and produces an annual online booklet that recaps every bill that passed, organizes every daily email, and explains the local impact of the bills. You can see last year's book here. If HB 132 passes the Senate, then we will provide assistance to cities and towns for how to implement the changes.

SB 94

Sen. Dan Thatcher presented SB 94 Law Enforcement Use of Body Cameras to the Senate Judiciary Committee today. Your correspondent and Bountiful Police Chief Tom Ross both testified in support of the bill and we appreciate Sen. Thatcher's efforts on the issue. The bill would require the Department of Public Safety to authorize the Peace Officers Standards and Training (POST) to create a model policy for the use of body-worn cameras by local law enforcement. Media, ACLU, and Libertas representatives raised concerns about the POST approach and the existing GRAMA language in SB 94. Sen. Thatcher explained that the stakeholders are still negotiating GRAMA language and the committee agreed to move the bill forward with the assurance that it will be modified on the Senate floor. As reported last week, Rep. McCay's HB 300 passed a House committee. Now both body-worn camera bills are moving through the process while we continue our dialogue with the bill sponsors, legislators, and other stakeholders. Stay tuned!

SB 73

The Senate continued its debate from Friday about Sen. Mark Madsen's SB 73 Medical Cannabis Act. As previously reported, Sen. Madsen amended SB 73 to remove the language that would have preempted local land use authority. The Senate passed SB 73 from the 2nd reading calendar to the 3rd reading calendar today.

LPC recap

Over 130 municipal officials attended LPC in person with another 41 attending remotely. Congressman Rob Bishop spoke about the Public Lands Initiative, the Remote Transactions Parity Act, and the 2016 election. Thanks to all of you who attended and participated and thanks to again to Utah State University for facilitating the webcast. We will have the minutes and video available soon. We will next meet on Monday, February 29, 2016 in W030 at noon.

Prior to the session, ULCT staff warned you about the potential of a "death by a thousand cuts" approach to local authority. We successfully supported changes to many bills to date—including HB 132 and SB 73—to preserve local authority. We will need your participation as the LPC during the final 3 weeks. The bill list is here and the committee bills for Tuesday are here.

Last but not least, our good friends at the Salt Lake Chamber asked us to forward the following invitation to you for Tuesday evening (note the appropriately named ULCT invitees!):

Lane Beattie, president and CEO of the Salt Lake Chamber and Lori Chillingworth of Zions Bank and chairman of the Chamber's board, have cordially invited members of the League Army and Friends at UAC, and a guest, to join the Chamber at this year's Legislative Reception at the Little America Hotel & Towers, 500 S Main Street from 5:30 - 7:30 PM. Visit and network with legislators, policy committee members and circle level members.

The full reception will be in the Ballroom C starting at 5:30 p.m. and running till 7:30 p.m. and hope you'll stay as long as your schedule permits. We have most the legislature, over 200 business leaders, as well as representatives from 20 local Chambers of Commerce from across the state, registered.

You can learn more about the event and register here and the Chamber's 2016 priorities here.

Thanks for your participation in ULCT!

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ULCT legislative update for February 23, 2016

Hello folks,
Day 29 is over and today marks the 180th anniversary of the beginning of the 13-day siege of the Alamo (no, that is not symbolic of local government at the capitol, it is merely a fun fact from a life-long Alamo nerd). This email will update you on SB 122, SB 100, HB 380/SB 193, and HB 242.

SB 122

The Senate considered Sen. Evan Vickers' SB 122 Wildland Fire Policy Updates. The bill is the culmination of a yearlong effort to refocus wildland fire suppression policy. Going forward, cities (or designated eligible entities such as fire districts) would be responsible for prevention, mitigation, or preparation efforts. In exchange, the state would assume the costs for wildland fire suppression. The bill outlines the framework of the arrangement. Upon passage, ULCT will work with the Division on administrative rules and to craft cooperative agreements between cities and the state. You can read about last summer's conversations between the ULCT wildland fire working group and the Division of Forestry, Fire, and State Lands here. ULCT's Jodi Hoffman, your correspondent, Herriman's John Brems, Enoch's Rob Dotson, Cottonwood Heights' John Park, and other attorneys and working group members have reviewed the bill and we anticipate another substitute bill with some final language tweaks. The Senate passed the bill unanimously from 2nd reading to 3rd reading and ULCT will continue to support the bill through the process.

SB 100

The full Senate also considered Sen. Lyle Hillyard's SB 100 Traffic Fines Amendments. The bill would restrict the ability of local governments to receive funds from traffic fines that exceed 25% of the total general fund revenues. Any traffic fine revenue exceeding 25% would be remitted to the state. ULCT opposed the bill publicly in committee. As a principle, the state should not dictate the breakdown of local government budgets. Specifically, the city targeted by the bill is enforcing the speed limit on a state road and the speed limit stays constant through town. There is no "speed trap." ULCT applauds Senator Pete Knudson—a former mayor and former President of the Utah League of Cities and Towns—and Senator Scott Jenkins (another former mayor) for their passionate floor speeches in defense of local authority. Nevertheless, the Senate passed the bill from 2nd reading to 3rd reading.

HB 380/SB 193

The Senate Transportation and Public Utilities Committee considered Sen. Wayne Harper's SB 193 Utah Communications Authority Act Amendments today. Sen. Harper worked closely with local government officials on the bill. The bill modified some definitions and ensures integration and effectiveness of emergency call operations. The bill is a step towards a larger effort that will continue in the offseason. Your correspondent testified in support of the bill and the committee recommended it unanimously. Likewise, Rep. Brad Dee is sponsoring HB 380 Utah Communication Authority Amendments and he reached out today to your correspondent, Layton's Gary Crane, your

correspondent's political father (UAC's Lincoln Shurtz), and your correspondent's political grandfather (Dave Spatafore) to resolve concerns within his bill. We expect that bill to go to committee in the House soon.

HB 242
ULCT's Roger Tew reached out to Rep. Steve Handy—the sponsor of SB 242 Alternative Energy Tax Development—to discuss the potential impact of the bill prior to its scheduled hearing in the House Revenue and Taxation Committee on Wednesday afternoon. As originally proposed this bill would have had a significant fiscal impact on cities with the primary impact on the Municipal Energy Tax. Rep. Handy has agreed to remove the MET from the bill (See the proposed 2nd Substitute bill). However, there is still a significant impact on both state and local sales tax.

The day was also filled with discussions about other bills such as affordable housing in transit oriented developments, water conservation, reusable bags, and enhanced intergovernmental coordination between cities, counties, and UDOT. Your correspondent also thanks the Salt Lake Chamber for their terrific legislative reception and for inviting ULCT members.

Tomorrow's busy committee agendas are here and the bill list is here. Thanks for your participation in ULCT and Remember the Alamo!

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ULCT legislative update for February 24, 2016

Hello folks,
30 days down and we are 2/3 of the way home. Today's email will recap HB 235, SB 182—Team ULCT started and ended our day with those two online sales tax bills---and SB 99.

Prior to recapping HB 235 and SB 182, ULCT is a long-time advocate for the collection and remittance of online sales tax. The ULCT general membership has passed multiple league-wide resolutions—most recently in 2014—urging congressional action to equalize the playing field between "brick and mortar" stores and online merchants. Likewise, ULCT recognizes that the lack of

a mechanism to collect and remit sales tax results in an erosion of the sales tax base. Utah's cities and towns rely on sales tax for approximately 45% of our revenues to fund public services and infrastructure.

HB 235

The House Revenue and Taxation Committee considered Rep. Mike McKell's HB 235 Remote Transactions Parity Act. It was a full house for the 2-hour deliberation about the bill. Rep. McKell expertly and persuasively explained that HB 235 would require the collection and remittance of a tax already owed. He spoke about the competitive inequality between brick and mortar stores that collect and remit sales tax and online merchants and sellers who do not collect and remit. He bemoaned the inability of Congress to act—though ULCT appreciates Congressman Jason Chaffetz for sponsoring HR 2775 Remote Transactions Parity Act in Congress this year—and urged Utah to lead. The Salt Lake Chamber, Utah Retail Merchants Association, and the Utah Association of Realtors spoke in support of the bill and ULCT's Ken Bullock gave the closing argument during public comment in favor of the bill. The committee recommended the bill 8-5 and ULCT appreciates Rep. McKell's leadership and expertise.

SB 182

Meanwhile, the Senate Revenue and Taxation Committee considered Sen. Wayne Harper's SB 182 Sales and Use Tax Revisions. The bill is similar to the aforementioned HB 235 and many of the same speakers addressed the committee. ULCT's Roger Tew testified in support and the committee recommended the bill 5-0. Thanks to Sen. Harper as well for his leadership and diligence on this issue.

SB 99

The House Political Subdivision Committee heard Sen. Deidre Henderson's SB 99 Transparency for Political Subdivisions. The bill addresses financial transparency of political subdivisions and originally would have required all cities and towns to report their finances on the state's transparency website if they weren't already doing so. Most cities already report their finances and ULCT is supportive of transparency and accountability in government. However, ULCT is always concerned about the ability of our towns to comply. Per the recommendation of the Utah Municipal Clerks Association and in conjunction with the Utah Association of Special Service Districts, ULCT's Brandon Smith worked closely with Senator Henderson to provide a phase in period for towns with a budget of less than $100,000. Thus towns (and other small political subdivisions) must comply by January 1, 2017. We appreciate

the Senator in working with us. The bill passed out unanimously and was put on the House consent calendar.

Behind the scenes, Team ULCT worked on sales tax, land use, body-cams, criminal code, reusable bags, and property tax issues today. The days feel like weeks but the weeks feel like days! You can see the bill list here and tomorrow's agenda here. Remember that the ULCT Legislative Policy Committee will convene anew on Monday, February 29 and we will distribute an agenda on Friday.

Thanks as always for your participation in ULCT!

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ULCT legislative update for February 25, 2016

Hello folks,
The 2016 session ends in a fortnight! Today's Team ULCT efforts were primarily behind the scenes with dialogue on body-worn cameras, short term rentals, sales tax, and municipal energy tax. Additionally, this email will update you on wildland fire (SB 122 & SB 212), HB 52 and HB 86.

SB 122/SB 212
The Senate passed Sen. Evan Vickers' SB 122 Wildland Fire Policy Updates unanimously today. Senator Vickers substituted the bill on the floor and it now moves to the House. Meanwhile the Senate Natural Resources Committee recommended Senator Vickers' companion bill, SB 212 Wildland Fire Suppression Fund, which appropriates money to the Wildland Fire Suppression Fund. As is the story of the wildland fire bills to date, the Committee vote was unanimous. Team ULCT thanks Senator Vickers for his leadership on the issue and has already been discussing the rulemaking and cooperative agreement processes—assuming the bills pass—with the Division of Forestry, Fire, and State Lands.

HB 52
The Senate Natural Resources Committee also considered Rep. Patrice Arent's HB 52 Office of Outdoor Recreation Amendments. ULCT's Brandon Smith testified in support of the bill. HB 52 sets up a process for cities, towns, and others to apply for matching grant funds to create or improve outdoor recreation facilities such as trails, camping facilities, and parks. The bill passed out unanimously and will be a great opportunity for cities and towns.

HB 86
ULCT expects that the House will debate Rep. Rich Cunningham HB 86 Post-retirement Employment Restrictions. The ULCT retirement working group on February 8 recommended a position of support on HB 86 and Team ULCT met with multiple representatives today to explain ULCT's support. We appreciate Rep. Cunningham's passion and expertise on the issue and we'll let you know what happens tomorrow.

Speaking of tomorrow, here are the committee bills and here is the current bill list. 229 and counting! We will also notify you tomorrow of Monday's Legislative Policy Committee agenda and hope you can join us either in W030 or via the webcast.

Finally, it is never too early to plan for the Midyear Convention in St. George on April 6-8. We will recap the 2016 legislative happenings, set the stage for the ULCT summer research agenda and outreach, and enjoy some St. George sunshine. Mayor Pike, we are counting on you! You can register for Midyear here.

Thanks as always for your participation in ULCT!

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ULCT legislative update for February 26, 2016

Hello folks,
Only one Friday to go! Senators and Representatives are spending more time on the floor and less in committee this time of year, so today's email will cover HB 360 in committee and floor updates on HB 86, HB 316. The email will also preview Monday's LPC and share a video of the youth council debate about body-worn cameras at Local Officials Day.

Legislative Policy Committee
The LPC re-convenes on Monday, February 29 at W030 in the House building at noon. You can attend in person or via the webcast. The instructions and link for the webcast are here. Senator Curt Bramble, current President of the National Conference of State Legislatures, as well as Senator Wayne Harper and Rep. Mike McKell will speak about the national and state efforts to enact legislation to collect and remit online sales tax. Team ULCT will also provide an update on short term rentals, body-worn cameras, and other legislation. You can see the February 29 agenda here and the February 22 minutes here.

HB 360
The House Natural Resources Committee heard the presentation of Rep. Mel Brown's HB 360 - Land Use Amendments. The bill requires notice of a meeting if a city or town has proposed a land use ordinance that enacts stricter requirements then what the state law requires. The bill would also require public notice of the stricter requirements with a citation to the section of applicable state law. ULCT and the Utah Association of Counties had concerns about the initial draft of the bill. Rep. Brown substituted the bill twice to address some local government concerns. The committee passed it out unanimously and ultimately placed it on the consent calendar.

HB 86
As mentioned yesterday, the House considered Rep. Rich Cunningham's HB 86 Postretirement Employment Restrictions. Team ULCT explained ULCT support to many representatives and the House members debated the bill, recessed for lunch, and debated the bill some more. The House ultimately passed the bill 45-28 and it is off to the Senate. ULCT congratulates Rep. Cunningham for his work on HB 86 and appreciates the representatives who supported it.

HB 316
Speaking of the House, Rep. Brad Wilson presented the 6th substitute of HB 316 for full House consideration. After significant debate, the House supported the current substitute. Layton City Attorney Gary Crane has led the

ULCT negotiations on HB 316 and ULCT appreciates Gary's hard work and Rep. Wilson's willingness to work with local government.

Youth council mock debate on body-worn cameras
Just one short month ago, ULCT hosted our annual Local Officials Day at the Legislature. We were still so legislatively young then! Hundreds of youth council members from across the state debated a mock bill about body-worn camera usage, storage, and privacy. The ULCT produced video unfolds through the lens of a body-worn camera with real footage from one Utah city. The video also includes interviews with the youth council members, Rep. Dan McCay, and Bountiful Police Chief (and President of the Chiefs of Police Association) Tom Ross. Watch the video here.

Monday's committees are here and the bill list is here. Please notify Team ULCT at any time with any questions or concerns, EXCEPT for during tomorrow's Arizona-Utah basketball game. GO UTES!!! Your correspondent also wishes Weber State and BYU well in their clashes with their traditional conference powers Montana and Gonzaga. It should be a great weekend of basketball and bill reading!

Thanks for your participation in ULCT.

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ULCT legislative update for February 29, 2016

Hello folks,
There is no better way to spend Leap Day than at the Legislative Policy Committee meeting! You can attend in person at the capitol (W030, House building) at noon or log in via the webcast here. You can see the LPC agenda here. Tomorrow's committees are here and the ULCT bill list is here.

Nine business days to go in the 2016 session! Thanks for your participation in ULCT.

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ULCT Legislative update for February 29, 2016 and ACTION ALERT

Hey folks,
Happy Leap Day! ULCT hopes that March was worth the wait. Today's email will update you on HB 235, SB 182, and HB 436. The email also includes an ACTION ALERT for HB 235 on the House floor and SB 182 on the Senate floor! Read on, League Army.

HB 235/SB 182
At the Legislative Policy Committee meeting, Senator Curt Bramble, Senator Wayne Harper, and Representative Mike McKell presented on the two bills that will address the collection and remittance of sales tax from online purchases. Senator Curt Bramble, the current President of the National Conference of State Legislatures (NCSL), explained that he met last week with the Chair of the House Judiciary Committee Bob Goodlatte about HR 2775 Remote Transactions Parity Act (sponsored by Congressman Jason Chaffetz). Senator Bramble explained that while states prefer a federal solution, states are also ready to act. As such, 18 states have introduced legislation this winter that expands a state's definition of nexus in order to capture more businesses that would be required to collect and remit applicable sales taxes, expand collection requirements, expand a state's reporting requirements, or enact legislation with the intent of reversing the 1992 Supreme Court Quill decision.

Senator Wayne Harper presented SB 182 Sales and Use Tax Revisions and Representative Mike McKell presented HB 235 Remote Transactions Parity Act to the LPC. HB 235 would expand the definition of affiliate nexus and SB 182 would expand the definition of a retailer's physical presence. All three legislators requested assistance from the League Army to support the bills on the House and Senate floors.

ACTION ALERT
ULCT has a longstanding position to support the collection and remittance of online sales tax—most recently with a unanimous League resolution at

the 2014 Annual Convention—and ULCT realizes that the online sales tax is already owed. Additionally, the [impact of HB 235] and SB 182 on the local option 1% sales tax is tens of millions of dollars. Consequently, please contact your Representative to urge his/her support on the House floor for HB 235. Please also contact your Senator to urge his/her support on the Senate floor for SB 182. You can see the talking points here (HB 235) and here (HB 235 and SB 182)

After you contact your Representative or Senator, please circle back with your correspondent at cdiehl@ulct.org or Brandon Smith at bsmith@ulct.org. We will contact many Representatives and Senators on Tuesday too. We expect the House and Senate to debate the bills this week.

HB 436

The House Economic Development Committee considered Rep. Francis Gibson's HB 436 Housing and Homeless Reform Initiative. Salt Lake City Mayor Jackie Biskupski, civic leaders Pamela Atkinson and Gail Miller, and many service providers testified in support of the bill. Team ULCT was there to support the bill as well. The bill would create the Homeless to Housing Reform Account with state financing—combined with private sector dollars—to build or renovate facilities and create grants for service providers around the state. Future grant recipients would need to demonstrate progress toward measurables. The overall effort is to pursue "collective impact" and approach homelessness from a statewide perspective. The Committee endorsed the bill unanimously. At our April conference in St. George, ULCT will host a discussion about the homelessness initiatives, identify services currently provided in cities across Utah, and arrange a tour of homeless facilities in St. George.

With that, only eight business days to go! Thanks to the 140 or so people who attended LPC and the 30 or so who attended online. Additionally, thanks to Utah State University for facilitating the webcast. You can see tomorrow's committee agendas here, and the bill tracking list here. Thanks for your involvement in ULCT!

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ULCT Legislative update for March 1, 2016 and ACTION ALERT

Hello folks,
It was a Super Tuesday on Capitol Hill for ULCT. This email will update you HB 300, HB 180, HB 399, and SB 110. ULCT also continues our Action Alert on SB 182 and HB 235.

SB 182/HB 235 ACTION ALERT
Yesterday, ULCT called the League Army to action on SB 182 and HB 235 which would facilitate the collection and remittance of online sales tax. You can see the ULCT talking points here and presentation here. The bill sponsors, Senator Wayne Harper and Representative Mike McKell—as well as Senator Curt Bramble—presented to LPC yesterday and requested ULCT efforts to support the bills. The Senate passed SB 182 unanimously today. The House, meanwhile, circled HB 235 at 8:45 pm tonight and Rep. McKell is finalizing a substitute bill. Please contact your representative immediately to explain your city's support for HB 235 and notify us.

HB 300
Rep. Dan McCay presented HB 300 Body-worn Cameras on the House floor. As discussed at LPC yesterday, your correspondent led negotiations to address the policy and GRAMA components of the bill. After months of exhaustive research, study, and negotiations, we brought the bill to the LPC yesterday for final consideration. The LPC voted to support HB 300 with an additional amendment and Rep. McCay graciously accepted the amendment. During his House speech tonight, Rep. McCay publicly praised ULCT, the Chiefs of Police Association, and all of the stakeholders. Your correspondent particularly thanks Rep. McCay, South Jordan City Attorney Ryan Loose, Ogden City Attorney Gary Williams, Chiefs of Police Association President and Bountiful Chief Tom Ross, ACLU attorney Marina Lowe, Media Coalition attorney Jeff Hunt, the members of the ULCT public safety home team (including ULCT's Nick Jarvis for the law enforcement survey), Sen. Dan Thatcher (who will be the Senate sponsor), and other stakeholders for their efforts on the bill. The House passed the bill 64-5.

HB 180
The Senate Revenue and Taxation Committee considered Rep. Brad Wilson's HB 180 Sales and Use Tax Exemptions. ULCT has opposed the bill all session long and for each of the past few years because of the impact on local sales tax revenues. The bill passed the House—it passed the Senate last year—and the legislature has not yet identified how to fund the bill. As he has done in previous years, ULCT's Roger Tew testified against the bill because of the impact on cities and towns. The Committee held the bill and ULCT will continue to monitor it.

HB 399
The House Judiciary Committee considered Rep. LaVar Christensen's HB 399 Victims Rights Amendments. At LPC, your correspondent asked how many cities had Victim Advocates and over 20 cities responded to the call. Sandy's John Hiskey helped organize the effort and nearly 50 people attended the committee to voice concerns. Rep. Christensen requested that we meet with him in another committee room to discuss his bill. After a lengthy and occasionally heated discussion, Rep. Christensen agreed to hold HB 399 in committee. Thanks to all of the cities who replied and participated today.

SB 110
The House Natural Resources Committee considered Sen. David Hinkins' SB 110 Water Quality Amendments. Your correspondent represents ULCT on the DWQ nutrient stakeholder group (yes, nutrients) and this bill is an outgrowth of discussions with DWQ, Publicly Owned Treatment Works, and other stakeholders. The bill allows a permittee to seek an independent peer review from a three-person panel to examine a DWQ technology based nutrient effluent limit proposal. The peer review ultimately determines whether the proposal is scientifically defensible, not scientifically defensible, or scientifically defensible with conditions developed by the panel. Your correspondent testified in support of the bill and the committee recommended the bill.

As you see, ULCT's day "Trumped" expectations and ULCT appreciates that local government voices are "trus-Ted" on the Hill. We hope to not "feel the Bern" for the final 7 days of the session! The bill list is here and tomorrow's committees are here. Committees are scheduled through next Tuesday and the show ends next Thursday.

Thanks as always for your participation in ULCT!

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ACTION ALERT on HB 235 (March 2, 2016)

Hello League Army,
We expect that the House of Representatives will consider Rep. Mike McKell's HB 235 Remote Transactions Parity Act (online sales tax) soon and possibly today. Please contact your Representative immediately to explain your city's support of HB 235. You can see the ULCT talking points on our website here and the LPC presentation here. Let us know what you hear back from your Representative.

Thanks!

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ULCT Legislative update for March 2, 2016

Hello folks,
Day 37 is history and HB 235 has not yet come up for a vote. Team ULCT worked on HB 115, HB 180, HB 380 and SB 236—both about the Utah Communications Authority—and continued our efforts on HB 235. This email will also urge you to contact legislators on the House Revenue and Taxation Committee about HB 333 (E-cigarettes) which will be considered tomorrow.

HB 235 action alert update
Thanks to all of you who contacted representatives about Rep. Mike McKell's HB 235. The ULCT talking points are here. The House has not yet considered it but we expect a vote at any time. The League Army contacted most of the House and we appreciate your efforts. Please continue to contact representatives to urge support on HB 235.

HB 115
The House Natural Resources Committee considered Rep. Marc Roberts' HB 115 Beekeeping Modifications. ULCT's primary concern was with the initial language that would have prohibited cities from regulating apiaries. ULCT's Jodi Hoffman worked with Rep. Roberts to amend the bill. The amended version would have preserved local authority while it also would have promoted a property owner's right to establish a bee colony. ULCT appreciates Rep.

Roberts' willingness to work with us. While the committee declined to recommend the bill, ULCT has already reached out to the Wasatch Beekeepers Association to discuss collaborating on model ordinances.

HB 180
The Senate Revenue and Taxation Committee considered Rep. Brad Wilson's HB 180 Sales and Use Tax Exemption Amendments. ULCT's Roger Tew voiced ULCT concerns about the potential consequences on the local sales tax base. The Committee recommended the bill though the legislature has not yet identified a funding source.

HB 380/SB 236
The House Public Utilities Committee considered Rep. Brad Dee's HB 380 Utah Communications Authority (UCA) Amendments. ULCT, UAC, the Chiefs of Police Association, the Governor's office, and other stakeholders have worked tirelessly with Rep. Dee to create consensus language on HB 380. ULCT supports the bill as drafted without amendments. The bill addresses governance at UCA, promotes a comprehensive and statewide strategic plan, and makes recommendations to improve the state's 911 emergency response system. Rep. Dee successfully thwarted three attempts in committee to amend HB 380 and the committee ultimately recommended the bill without any amendments.

Meanwhile, the Senate Transportation and Public Utilities Committee considered Sen. Kevin Van Tassell's SB 236 Utah Communications Authority Governance Amendments. ULCT has concerns about the current draft of the bill because it would mandate the creation of a technical advisory committee and expand state influence over UCA governance and bonding authority. Local entities own 75% of the radios within the UCA. Cities, counties, and the state are partners in UCA but UCA is an independent entity. Sen. Van Tassell expressed a willingness to work with ULCT and other entities and the committee recommended the bill.

The two bills are in conflict with each other and ULCT will continue to work with both sponsors to ensure local authority and general autonomy within UCA.

HB 333
As discussed at the February 29 Legislative Policy Committee (as well as at the Davis County Conference of Mayors) ULCT supports Rep. Paul Ray's HB 333 Electronic Cigarette Amendments which will be in the House Revenue and Taxation committee on Thursday morning at 8 am. To see the committee membership so you can contact them click here, then click the "Members"

tab. About 11% of Utah's teenagers are regular users of e-cigarettes and research shows that increased e-cigarette prices lead to a decrease in youth e-cig use. HB 333 would assess a tax of 86% of wholesale value on e-cigarettes which is the same tax rate on other tobacco products except cigarettes.

You can see the rest of tomorrow's committee bills here and the ULCT bill list here. Thanks for your participation in ULCT!

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ULCT Legislative update for March 3, 2016

Hello folks,
One week from tonight, the state constitution mandates that the legislature adjourn and that we all go home. Check for yourself: Article VI, Section 16. In the meantime, Team ULCT had a busy day today and we anticipate a busier day tomorrow. We will follow 26 bills in committee—including major opposition to SB 100 (see below)—as well as continue our efforts to support Rep. McKell's HB 235 Remote Transactions Parity Act in the House. Please continue contacting House members on HB 235! This email will update you on HB 428 and HB 360 today and preview tomorrow's busy committee agendas.

HB 428
The House Revenue and Taxation Committee considered Rep. Doug Sagers' HB 428 Local Government Bonding Amendments. The bill authorizes political subdivisions to issue bonds for paying all or part of the cost of a claim, settlement, or judgment that exceeds $3,000,000. ULCT strongly supported the bill and appreciates Tooele's Randy Sant and former Tooele Mayor/Rep. Doug Sagers for their efforts. The committee unanimously recommended the bill and placed it on the consent calendar.

HB 360
The Senate Natural Resources Committee considered Rep. Mel Brown's HB 360 Land Use Amendments. ULCT and the Utah Association of Counties oppose the bill because it may result in needless litigation and uncertainty in land use law by amending public notice requirements for a vague category

of land use ordinances. State law already requires extensive notice for land use ordinances. Nevertheless, the committee recommended the bill though ULCT appreciates Sen. Brian Shiozawa for his vote against the bill.

Tomorrow:
Team ULCT will magically be in multiple committees at once. Team ULCT will support HB 86 and SB 122 (among other bills) and oppose SB 100.

HB 86/SB 122
The Senate Government Operations Committee will consider Rep. Rich Cunningham's HB 86 Postretirement Employment Restrictions at 8:29 am on Friday. The Legislative Policy Committee retirement subgroup recommended LPC support of HB 86. The bill now includes a 5-year sunset review and a 5-year maximum employment window for post-retired employees. Team ULCT will also speak in support of Sen. Evan Vickers' SB 122 Wildland Fire Policy Updates in House Natural Resources.

SB 100
Team ULCT will oppose Sen. Lyle Hillyard's SB 100 Traffic Fines Amendments in the House Transportation Committee. The bill would mandate that cities could only use traffic fines for up to 25% of their budgets. The bill is specifically targeted at one town. ULCT opposes the legislature dictating the make-up of local budgets. ULCT is also frustrated that the legislature is confronting one town for enforcing the law on a state road with a state designed speed limit. If the bill passes committee, then the League Army will need to rise up.

With that, you can see the other 20+ committee bills tomorrow here and the ULCT bill list here.

Thanks as always for your participation in ULCT.

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ULCT Legislative update for March 4, 2016

Hello folks,
TGIF! Team ULCT—and our families—are pleased that the final Friday of the 2016 session is history! ULCT had a productive day today and this email will update you on HB 473, HB 132, and SB 100. The email will also provide you with the LPC agenda on Monday.

LPC
The Legislative Policy Committee will reconvene for a final time on Monday during the 2016 session. We will meet at noon in W030 with the USU webcast. The agenda is here and the webcast instructions are here. The minutes for March 29 are here. Our next meeting? April in sunny St. George!

HB 473
The House Political Subdivisions committee considered Rep. John Knotwell's HB 473 Local Government Revisions. The bill is the result of constructive dialogue between the Utah State Auditor, the Municipal Clerks Association, and ULCT prior to the session. Team ULCT appreciates Rep. Knotwell's willingness to make an amendment in committee that improved the bill for towns. Your correspondent spoke in support, the Committee recommended the bill unanimously, and the bill is on the consent calendar.

HB 132
The Senate Government Operations and Political Subdivisions Committee considered Rep. Jake Anderegg's HB 132 Local Government Licensing Amendments. ULCT worked closely with Rep. Anderegg on a compromise version of the bill. ULCT believes the bill balances local authority with a reduced burden on low impact home occupation businesses. Rep. Anderegg praised ULCT for finding a compromise and your correspondent testified on the bill. The Senate committee recommended the bill unanimously.

SB 100
The House Transportation Committee considered Sen. Lyle Hillyard's SB 100 Traffic Fines Amendments. Team ULCT had general concerns about the state dictating the makeup of local budgets and specific concerns about the legislature targeting one small community with unique geographic and safety issues. Mantua Mayor Mike Johnson and several Mantua officials, Box Elder County Commissioner Jeff Scott, and your correspondent attended the committee. The committee and witnesses raised concerns that the bill would discourage law enforcement and set a bad precedent of the state trumping local authority. The committee decided to send the bill back to Rules.

With that folks, we head down the stretch run with just four days to go. Monday is the deadline for bills to pass the chamber from which they originate. Committee hearings are scheduled for Monday and Tuesday and floor time could go until midnight on each day. Team ULCT will set up cots in the capitol basement.

The bill list is here and Monday's committees are here. Thanks as always for your participation in ULCT!

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LPC reminder for Monday, March 7, 2016 (March 6, 2016)

Hello folks,
Four score… er, days to go! Monday brings our final Legislative Policy Committee meeting of the session at noon in W030 (House building). You can attend the webcast via the instructions here. The agenda is here and the minutes for February 29 are here. By rule, House bills must pass the House and Senate bills must pass the Senate by Monday evening. As such, Monday will be fast-paced as sponsors guide their bills through their respective chambers with the clock ticking. Tomorrow's committee agendas are here and the ULCT bill list is here.

Team ULCT appreciates your involvement and participation throughout the session. We look forward to seeing you on Monday. The LPC will next meet as part of the business session at our Midyear Conference in April in sunny St. George!

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ULCT Legislative update for March 7, 2016

And then there were three (days left)…

Day 42 was busy because today was the final day that the House could consider House bills and the Senate could consider Senate bills.

Thanks to everyone who attended LPC today. We requested League Army assistance on five bills on the House or Senate floor: a post retirement bill (SB 36), HB 360 (no movement yet), HB 235 (online sales tax), and SB 236 and HB 380 (Utah Communications Authority). Team ULCT also engaged on several bills in committee (HB 300, SB 177, HB 413).

Committees:

HB 300
The Senate Judiciary Committee considered Rep. Dan McCay's and Sen. Dan Thatcher's HB 300 Body-worn Cameras for Law Enforcement Officers. You can't spell "camera" without "C-a-m" and the bill is now a consensus bill between local government, law enforcement, ACLU, and the media. The committee quickly recommended it and sent it to the Senate floor.

SB 177
The House Transportation Committee considered Sen. Kevin Van Tassell's SB 177 Nighttime Highway Construction Noise Amendments. Team ULCT met with UDOT staff during the summer and came to consensus legislation. The bill creates a process for UDOT to notify neighbors and determine that a net benefit exists for the community. UDOT shall also coordinate, to the extent practical, with the local government during the pre-construction phase to address noise and UDOT will provide an appeal process. Your correspondent testified in support of the bill and the committee unanimously recommended it.

HB 413
The House Natural Resources Committee considered Rep. Jeremy Peterson's HB 413 Falconry Amendments. Many committee members spoke in defense of local authority before they ultimately returned the bill to Rules. Thanks to the LPC members who contacted committee members and notified ULCT of their feedback.

Senate floor

SB 36
The Senate considered Sen. Karen Mayne's SB 36 Postretirement Employment Exceptions. SB 36 parallels Rep. Rich Cunningham's postretirement

bills in the House but the Senate defeated the bill. Senator Ralph Okerlund, among others, spoke in support of the bill because of the impact on rural Utah. Team ULCT is still optimistic that Rep. Cunningham's HB 86 will get debated on the Senate floor before Thursday.

SB 236
The Senate also considered Sen. Kevin Van Tassell's SB 236 Utah Communications Authority (UCA) Governance Amendments. Team ULCT and other UCA members have concerns about the governance structure, legislative oversight of UCA bonding authority, and the required technical advisory committee membership in SB 236. Nevertheless, the Senate passed the bill though ULCT applauds Sen. Dan Thatcher and Sen. Brian Shiozawa for their opposition votes.

House floor

HB 380
Speaking of UCA, the House considered Rep. Brad Dee's HB 380 Utah Communications Authority Amendments. This bill has more favorable language about governance, though the House amended it to insert some problematic language legislative oversight of UCA bonding authority. The bill also does not create a technical advisory committee that could consist of potential vendors like in SB 236. The House passed HB 380. Team ULCT will meet with stakeholders on Tuesday morning to try and find a path forward with the two bills.

HB 235
As of 10:25 pm, the House has not yet considered Rep. Mike McKell's HB 235 Remote Transactions Parity Act. Alas, Team ULCT received word tonight that the House will not consider the bill. While we are disappointed, we appreciate all of your outreach to House members. Between the Salt Lake Chamber, retailers, and Team ULCT, we contacted most House members. Senator Harper's SB 182 Sales and Use Tax Revisions will be in the House Revenue and Taxation Committee tomorrow and will be the last chance for any online sales tax bill in 2016.

With that, it's time to let you watch the rest of the Gonzaga-BYU game in peace. Tomorrow is the final day of committees with some meetings scheduled to begin at 7 pm. No word yet on whether the House Revenue and Taxation committee will provide pizza along with the 12 bills on the agenda. The agendas can be found here and the bill list can be found here. Thanks for your participation in ULCT!

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ULCT Legislative update for March 8, 2016

Hello folks,
49 hours and change until the session ends! Today was the final day for committee hearings—your correspondent just finished at House Revenue and Taxation—and this email will update you on HB 409, SB 155, SB 182, SB 169, and SB 157. We also urge you to contact your Senator to oppose HB 360 Land Use Amendments on the Senate floor. We are concerned about the vagueness and potential litigation that could arise from the bill. You can see the ULCT talking points on our blog here.

HB 409
The House Business and Labor Committee considered Rep. John Knotwell's HB 409 Short-term Rental Amendments. Rep. Knotwell spoke about the need to work on the issue in the interim to seek a balance of property rights and community impacts. Your correspondent echoed the sentiment and referenced ULCT's track record of tackling complicated issues during the interim. During the last two Legislative Policy Committees, ULCT members discussed self-policing ourselves on short-term rental ordinances while we examine all of the issues surrounding short-term rentals, the booming "sharing economy," and the wave of disruptive innovation. ULCT's Jodi Hoffman has done tremendous research during the past few weeks on the current status of short term rental ordinances around the state and nation and Team ULCT applauds her for her efforts. Both Rep. Knotwell and your correspondent testified today that there are no pre-determined outcomes and requested that the committee send the bill to interim study. The committee complied. ULCT is committed to work collaboratively on this issue with Rep. Knotwell, other stakeholders, the general public, and all municipalities during the legislative offseason.

SB 155
The House Judiciary Committee considered Sen. Todd Weiler's SB 155 Indigent Defense. As a reminder, ULCT's Roger Tew has spent countless hours

participating in the Judicial Council task force on indigent defense. As a result of that dialogue—consisting of judges, prosecutors, defense attorneys, county officials, and city officials—Sen. Weiler proposed SB 155 which would create the Indigent Defense Commission. The Commission would have authority to collect data from local indigent criminal defense authorities, study the indigent defense system statewide, assist local jurisdictions to meet minimum standards on representation (including caseload and contracts), and provide grant money for indigent defense. The bill also appropriates $2 million to start the commission and the process. ULCT supports the bill and will appoint two members to the commission. The Committee unanimously supported the bill and Team ULCT applauds Roger Tew for his leadership and advocacy on the issue.

SB 182

The House Revenue and Taxation Committee considered Sen. Wayne Harper's SB 182 Sales and Use Tax Amendments. Sen. Harper is a long-time advocate for the collection and remittance of online sales tax. Despite the late hour (9 pm), many people testified for and against the bill. ULCT President Lynn Pace expressed ULCT's strong and years-long support for the effort. Rep. Mike McKell amended the bill to change the effective date of the bill to 2017 instead of 2016 but ultimately the committee voted to hold the bill. With that, the legislature closes the door on both online sales tax bills for 2016. ULCT is still concerned about the inequality between brick and mortar stores in our communities and online retailers that do not collect and remit sales tax. Keep in mind, the online sales tax is already owed under current law but states do not have the mechanism to effectively collect it. ULCT will continue our advocacy on the issue during the interim and at a federal level via Congressman Jason Chaffetz's HR 2775 Remote Transactions Parity Act.

SB 169

The House Revenue and Taxation Committee also considered Sen. Todd Weiler's SB 169 Olene Walker Housing Loan Fund Amendments. The ULCT LPC discussed SB 169 on Monday, March 7 and raised concerns about the general impact on the land use code and specific impact on Midvale City. Sen. Weiler indicated there is ongoing dialogue with stakeholders, and the committee recommended the bill. Thanks to Rep. Ken Ivory for raising concerns in the committee about local land use authority. ULCT will host a dialogue on homelessness at our Midyear Convention in St. George in April (you can register here) Se. Gail Miller—philanthropist and advocate on homelessness solutions—will speak at Midyear along with Lieutenant Governor Spencer Cox. All communities in Utah have a responsibility to help and lift the least

among us. ULCT looks forward to working with Gail Miller, civic leaders, legislators, the Lieutenant Governor, and the general public to seek solutions for homelessness.

SB 157
The House Law Enforcement and Criminal Justice Committee considered Sen. Dan Thatcher's SB 157 - Pawnshop Amendments. The bill makes it easier for those who have had their property stolen and pawned, to get that property back. ULCT's Brandon Smith spoke in favor of the bill. The bill passed out unanimously and moves to the House 3rd Reading Calendar to await a final vote.

With that, we no longer have committee agendas but the House and Senate will be on the floor for 27 of the next 49 hours. Team ULCT will be monitoring bills, watching the clock, and keeping you posted.

Thanks to you all for your participation in ULCT!

PS: Sorry BYU fans, but the Jazz could never stop Sabonis either.

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ULCT Legislative update for March 9, 2016

Hello folks,
One more dawn! One more day! One day more!

The legislative session wraps up in about 25 hours and today was a busy day for Team ULCT. This email will update you on HB 297, SB 80, and SB 122. This email will also remind you to contact your Senator to urge him/her to vote against HB 360 if it appears in the Senate on Thursday.

HB 297
Team ULCT met with Rep. Eric Hutchings to discuss Sen. Lyle Hillyard's substitute to HB 297 in the Senate. The substituted language includes recommendations from the Utah Judicial Council that was previously located in SB 202. Some prosecutors and law enforcement officials contacted ULCT

and UAC about concerns. Bountiful Police Chief Tom Ross (and President of the Chiefs of Police Association), Sandy's John Hiskey, ULCT's Brandon Smith, Utah Association of Counties staff, and your correspondent met with the Administrative Office of the Courts and reached consensus on some improvements to the bill. We expect the language to be incorporated into a new substitute tomorrow. During the conversation between Rep. Eric Hutchings, ULCT's Ken Bullock, and your correspondent, ULCT committed to continue partnering with the state to implement last year's HB 348 (Justice Reinvestment Initiative).

SB 80

The House of Representatives considered Sen. Stuart Adams' SB 80 Infrastructure Funding Amendments. Rep. Dean Sanpei offered a substitute to SB 80 that reduces the level of funding—approximately $70 million in current dollars over five years—from state sales tax revenues currently allocated for transportation capacity projects. The bill transfers that portion of sales tax revenues to water infrastructure, public education, and other general needs. The bill does not impact last year's HB 362 motor fuel tax modifications. UDOT also publicly explained that the substitute would not delay or negatively impact any currently programmed projects funded through the Transportation Investment Fund (which is programmed through 2022). After an hour of floor debate, the House passed the bill. You can read the Salt Lake Tribune article here.

SB 122

Rep. Joel Briscoe presented Sen. Evan Vickers' SB 122 Wildland Fire Policy Updates on the House floor today. SB 122 is the culmination of a yearlong effort to refocus the state and local approach to wildland fire. ULCT's working group spent countless hours discussing the wildland fire changes and ULCT appreciates the participation of dozens of city officials from across the state. You can read more about last year's efforts here. The bill has a delayed effective date of January 1, 2017 to give ULCT, UAC, and the Division of Forestry, Fire, and State Lands sufficient time to prepare cities, districts, and counties to implement the bill. Thanks to Division Director Brian Cottam and his staff as well as to Sen. Vickers and Rep. Briscoe for their efforts.

With that, tomorrow the House and Senate will deliberate on the floor from 8 am until midnight. In the evening, your correspondent will keep an eye on the House and Senate reading calendars and on Utah's Mozart--the Pac 12 player of the year and native Austrian Jakob Poeltl—in the Pac 12 tourney.

Team ULCT hopes for a successful night in Vegas and in Salt Lake!

Thanks to you all for your involvement in ULCT and we'll wrap everything up tomorrow night!

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ULCT Legislative update for March 10, 2016

"And that's the way it is."

The 2016 session is history and it was productive for local government. Many bills passed today such as HB 300 (body cams) and HB 428 (Local Government Bonding Amendments) and many did not pass such as HB 180 (Sales and Use Tax Exemptions-- great work Roger) and HB 360 (Land Use Amendments--great work Jodi). HB 428 in particular will be a useful tool for cities to bond in order to pay a judgment. Thanks to Randy Sant for his work on HB 428.

ULCT will provide our annual legislative wrap up (you can see last year's version here) and we look forward to our convention in April (register here; as well as conferences for the municipal clerks, attorneys, managers, and police chiefs) to explain what happened during the session and what cities and towns must do.

Your correspondent also misstated the impact of SB 80 last night--sleep deprivation, maybe? --and it will move at full implementation in 2023 about $70 million from transportation funds to the general fund with some dedicated to water infrastructure. In 2017, the bill will move $9 million and escalate annually.

For now, your correspondent wishes to express gratitude for the full Team ULCT effort. Thanks to Ken Bullock for his leadership, Roger Tew for his tax and judicial expertise, Jodi Hoffman for her land use expertise, Brandon Smith for the countless hours computing local government fiscal notes, Nick Jarvis for his police research, and Krysten Olson for tracking committees and keeping minutes.

Thanks also to city officials who joined us regularly at the Capitol to advocate, including:

Ogden: Gary Williams, Gregg Buxton, Mark Johnson
Layton: Gary Crane
Bountiful: Police Chief Tom Ross (President of Chiefs of Police Association)
Salt Lake/Holladay: Lynn Pace
Murray: John Rock
South Salt Lake/Tooele: Randy Sant
Sandy: John Hiskey
South Jordan: Chip Dawson and Ryan Loose (President of Utah Municipal Attorneys Association)

Thanks also to other excellent organizations--like the Association of Counties, Association of Special Service Districts, and the Salt Lake Chamber--who partnered with ULCT on key local issues. Thanks also to lobbyists who regularly assisted ULCT on top priorities. Dave Spatafore, Dave Stewart, Justin Stewart, Brian Allen, Chantel Nate, Rob Jolley, Jodi Hart, and Kory Holdaway--among others--were tremendous allies for ULCT.

The session is over but our 2016 work has just begun.

ULCT and Local government have credibility on Capitol Hill but with "great power comes great responsibility." Legislators and the general public expect local government to facilitate economic development, provide quality services, and have updated ordinances and reasonable regulations. ULCT committed to work with legislators on several key issues during the interim. From short term rentals to impact fees, and town financial compliance to police body-worn camera policies and much more, we have plenty of work to do this offseason.

With an election year upon us, we will likely see new faces this fall. We know of several retiring members of the legislature and we appreciate their service. In particular, thanks to Sen. Steve Urquhart (a champion for local government in the House and Senate), Sen. Scott Jenkins (former mayor), Rep. Jack Draxler (former mayor), and Rep. Johnny Anderson (House Transportation Chair and 2015's HB 362 sponsor). We thank them for their service and thank the entire legislature for their responsiveness and dedication.

Finally, thanks to you ULCT members for your support of Team ULCT and participation in our process. We are successful because of your engagement and efforts. Friday Facts will resume next week. See you in St George!

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Legislative Policy Committee Meeting Agendas & Minutes

Utah League of Cities and Towns Legislative Policy Committee
Monday, February 1, 2016, 12:00 pm
House building W030, Utah State Capitol Complex, Salt Lake City

1. Welcome, logistics, & adoption of minutes
(ULCT 1st Vice President Steve Hiatt)

2. ULCT communications/bill tracking/staff recommendations
(ULCT's Cameron Diehl & Brandon Smith)

3. First week successes/Second week challenges
(ULCT's Cameron Diehl)

3. Law enforcement issues
(Rep. Rich Cunningham, ULCT's Cameron Diehl)

- Public safety retirement bills (HB 47, HB 50, HB 86, HB 117, HB 205, and others)
- Body-worn camera legislation (SB 94, Rep. McCay bill)
- Medicinal marijuana (SB 89, SB 73)

4. Transportation (Cameron Diehl, Roger Tew)

- HB 183, Rep. Draxler
- HB 215, Rep. Greene

5. Land use/local responsibility
(Jodi Hoffman, Ken Bullock, Cameron Diehl)

6. Other legislative issues from LPC membership

7. Adjourn

Next meeting: Monday, February 8 at noon at the Capitol Complex W030 (House building)

Legislative Policy Committee Minutes
February 1, 2016
The State Capitol, W030
Approx. attendance: 130 in person and 46 online

Steve Hiatt brought the meeting to order and the meeting began with introductions throughout the
room.

Cameron Diehl and Brandon Smith with the League: Welcome and discussion on daily leg updates as well as bill tracking and how to find this information. Tracking 157 bills, many have a league staff recommendation. Representative Cunningham has 5 retirement bills this session (4 post retirement and 1 a tier II). He has amendments on them for a 5-year sunset. Here is a breakdown of each bill.

- HB 47 Postretirement Employment Rural and Title 1
- HB 50 Postretirement Reemployment Amendments
- HB 86 Postretirement Employment Restrictions
- HB 117 Modifications to postretirement reemployment
- HB 205 Tier II Retirement Amendments

Fiscally what does this mean for cities and towns? 3.2 million for cities and towns which is lower than they expected. Incentive of who will be retiring? How do we know how this will effect behavior? Any questions on this?

Steve Thacker with Centerville question: 3 bills combined into 1 and please explain graph better please. Orange is reduction in a cities payments and the blue is what would be paid in long term (more). HB 117 is neutral, on HB 47 and HB 86 that reduction would result in paying more.

Mark from Saratoga Springs-How long is the mortgage? These are costs per year.

Next up on agenda from Cameron: We had successes in the first week and they were; defeating a form of government bill and a referendum bill.

Rep. Cunningham arrived and spoke. The biggest question is why 5 bills? HB 86 is similar to HB 77 last year which would have reversed many of the 2010 reforms. URS provides conflicting data about the "double dippers" out there. There was a working group this summer going through data and looked at Senate bills passed previously. One thing that happened is that promises were made that raises would come and that did not happen and as a result when we look to hire public employees, we now have severe problems. With teachers in rural areas, for example, the teachers were hired who were not qualified to teach in urban areas. Retirement reasons and competitive pay are the reasons. HB 47 1st substitute is specifically for rural Utah. Rep. Cunningham also offered a 5-year sunset for all bills. Released fiscal note this morning and that will be in committee next week on HB 205 on tier II. Questions?

Additionally, URS has been charging more in contribution rates, they are up 81% and he knows that cities are feeling that. Every dept. he talked to is feeling that fiscal impact. Unfunded liability will be increased by numerous situations (lots of factors change that number). Why have these been raised? Unfunded liability chart explanation? The new HB 47 will take out title 1 schools and he changed the population portion because of a couple cities. If URS has better returns, then the unfunded liability will go down. The unfunded liability will go up no matter what bill passes or doesn't pass.

We need to monitor if this incentive makes employees retire early. Hence, the 5-year sunset to keep track of data. Retirement is the 2nd largest budget crisis in Utah. People double dip from 62-65 years old until they can collect social security and Medicare.

No recommendation from staff yet on these, what does the body want to do?

Gary Hill bountiful-explain tier II: HB 205

Cameron: HB 205 changes not the number of years but changes the multiplier to 50%, not years served (stays at 25 years).

Midvale Mayor JoAnn Seghini: how is it different than before? HB 50 would increase amount to $20,000 and the city who would be rehiring

would not pay retirement on new job and a post-retired employee could return to new job in 60 days.

Mark Johnson from Ogden: Ogden is in favor of supporting this. He also urges using the next year to find funding source. Support him and help him find a way to fund this extra cost. Skeptical of URS numbers.

Holladay's Lynn Pace: the fiscal impact is scary and Rep. Cunningham is good to work with so he suggests a working committee of 5-6 who know what they are talking about on retirement and made the motion to do so.

Bear River's Gil Miller 2nd that motion and passed. Those interested please talk to Cameron to join committee.

Cameron: Law enforcement issues. BWC bills McCay vs Thatcher bills. McCay's bill has moved considerably from last year's bill (HB 386) and we have come a long way. The biggest sticking point is the minimum of when to use camera and how to wear camera and submitting report. GRAMA policy still being negotiated at this point. The two bills will likely have similar GRAMA points. Questions?

Question about the difference between 2 bills regarding failure of camera and when it is not supposed to be activated? -McCay's bill states officer has duty to report and does not provide a punishment to officer or agency if the camera fails.

Thatcher's bill says let DPS make standard policy. POST has done a model pursuit policy but not required to adopt. The bill (McCay) will be made public this afternoon so we can't vote on it yet. Are we comfortable with POST or the state in code making the rules?

Question from Herriman Mayor Carmen Freeman: What happens when officer forgets to turn on camera? -Thatcher's is no he is not in trouble. Ditto with McCay.

Question from Holladay Mayor Rob Dahle: Where is law enforcement on this Bill?

ULCT's Nick Jarvis: - the LELC voted to support Thatcher's bill (police chiefs).

Mark Christensen from Saratoga Springs: I'm leaning towards POST standard because technology is constantly changing and they can be better addressed with POST other than the legislators.

Motion made from John Park from Cottonwood Heights to support Thatcher's bill and a 2nd made (unknown). Passed the body.

Medicinal Marijuana from Cameron: Madsen's bill (SB 73) preempts local ordinances regulating an establishment, preempts local zoning that prohibits an establishment from operating on the sole basis that it is an establishment and local government shall allow establishment as a permitted use in industrial, manufacturing or ag zone. Sen Vickers and Rep Daw specifically say it does not preempt local zoning and regulation (SB 89). Questions? LELC opposed Madsen's and supported Vickers' with drafting changes needed.

Transportation: Cameron presented slides about HB 183 and HB 215. Last year's HB 362 allocation would be changed with Draxler's bill (HB 183) from .10 to transit to .025 to transit with the county and city agreeing upon the remaining .075 which could go to county, city, or transit. What doesn't go to transit is divided 50/50 between county and cities. The bill only would apply to Cache, Duchesne, Iron, Summit and Uintah where they have small transit systems.

HB 215 (Greene) would affect every county in Utah and would change to .20 to cities and towns and exclude a direct allocation to transit.

These bill sponsors have approached key players to ask for support. We made a deal last year and voted on HB 362 and other stakeholders are standing by last year's HB 362 and not supporting HB 215. Questions?

Sandy Mayor Tom Dolan said that we should not throw UTA under the bus and made a motion to not support any changes to the HB 362 compromise. Holladay's Lynn Pace 2nd the motion.

Syracuse Council Member Karianne Lisonbee said this might be a good move to wait.

Substitute motion made: Don Shelton from South Jordan to hold off until we see how these bills play out. 2nd by Matt Jensen from North Salt Lake. The motion failed.

Back to the original motion to support the HB 362 commitment-Passed.

Audio Visual Problems.

ULCT's Jodi Hoffman: SB 92 Municipal Landscape bill would prohibit requirements for landscaping with grass. Is that acceptable? Storm water requirements, this would prohibit that as well. The bill would prevent landscape requirements for businesses if they are hidden behind a fence. The staff recommendations are to not support these changes. Motion made and 2nd made to not support these bills. Millheim: amendment to motion is because they haven't been worked out by those that know land use-oppose bills which haven't been through the land use task force (LUTF). 2nd made. Passed.

Cameron: 2nd week challenges - HB 132 addresses how we license home based businesses. Expecting the bill to be out of committee and have floor fight because it's an attack on local government. We have opposed it the last 3 years. HB 52 wants a league endorsement that cities can access funds for trails, playgrounds, sidewalks-an appropriation. Handout provided to the LPC.

HB 52 position? Mayor Dave Sakrison from Moab to support this bill, 2nd motion made. Passed.

Adjourn.

Utah League of Cities and Towns Legislative Policy Committee
Monday, February 8, 2016, 12:00 pm
House building W030, Utah State Capitol Complex, Salt Lake City

1. Welcome, logistics, & adoption of minutes
   (ULCT 1st Vice President Steve Hiatt)

2. ULCT logistics/bill tracking/staff recommendations *(Cameron Diehl)*

3. Water conservation/USU extension water initiative
   (Neil Abercrombie, USU Director of Government Relations; Eagle Mountain Mayor Chris Pengra; Rep. Tim Hawkes)

4. Justice Court Judges *(Roger Tew)*
   - HB 160

5. Law enforcement issues *(Cameron Diehl)*
   - LPC subcommittee recommendations on public safety retirement bills (HB 47, HB 50, HB 86, HB 117, HB 205)
   - Body-worn camera legislation & Local government public safety home team (SB 94, HB 300)
   - Medicinal marijuana (SB 89, SB 73)

6. Land use/local responsibility
   (Jodi Hoffman, Ken Bullock, Cameron Diehl)

7. Other legislative issues from ULCT staff or LPC membership

8. Ratification of staff recommended positions

9. Adjourn

Next meeting: Monday, February 22 at noon at the Capitol Complex W030 (House building)

Legislative Policy Committee
February 8, 2016 Minutes
State Capitol

Mayor Steve Hiatt called the meeting and the minutes for January 11, 2016 were approved. Mayor Lewis from Bountiful and Dama Barbour of Taylorsville made motions to approve those. Approved by body.

Cameron Diehl and Mayor Hiatt welcomed everyone to the meeting.

Neil Abercrombie with USU presented the Utah Water conservation initiative. This initiative addresses a quickly growing population and the water needs associated with that growth. Chris Pengra, Eagle Mountain's Mayor, spoke on the importance of water conservation now, the need for infrastructure and how to problem solve this issue. He asked for everyone to contact their legislators and let them know you support it.

Karianne Lisonbee from Syracuse asked if required water metering would be in the proposal and Neil answered no.

Tom Hansen from Washington Terrace made a motion to support the appropriation and Mayor JoAnn Seghini from Midvale made a second of that motion. Approved by the body.

Roger Tew with the League discussed HB 160 Justice Court Judge Requirements. The bill is out of committee and has changed significantly. New Judges are to be law trained, existing Judges are grandfathered in and cities of the 2nd and 3rd class counties are exempt.

Mayor Sonja Norton from Vernal asked if County clerks were part of this bill and Roger Tew answered that any city using a justice court judge would be affected by this bill.

Mark Christensen from Saratoga Springs supports the grandfather portion because of past experiences with great judges who were not law trained.
Staff recommendation is to support as amended (Brent Kelly of Hyde Park asked to amend bill that when a vacancy arises for a judge that the

pool is law trained). South Weber city Manager Duncan Murray made a motion to support the bill and Beth Holbrook of Bountiful made a 2nd. Approved by the body.

Representative Tim Hawkes then addressed the body about the USU water conservation initiative. He spoke about the need for funding this initiative and the need for a supportive committee.

Lynn Pace of Holladay supports the new bill with a clearer population growth rate formula. Gil Miller of Mantua made a motion to support the bill and Gary Crane of Bountiful made a 2nd motion which was then approved by the body.

Representative Handy discussed HB 145 Municipal Energy Tax Rate Amendments. Large energy users feel disadvantaged and they feel they pay larger rates for the same service as low energy users. Concern is who pays the difference when the energy use is down. Large energy users are mostly located in unincorporated areas. Proposal to move to a volume usage fee with a complicated formula.

Rich Anderson from Logan asked how do we make up lost revenue. Roger Tew answered with “that is the issue, either we lose money or pay up.”

Nick Jarvis now discussed retirement sub-committee and the bills they reviewed. These bills were HB 47 Postretirement Employment Rural and Title I School Exceptions, HB 50 Postretirement Reemployment Amendments, HB 86 Postretirement Employment Restrictions, HB 117 Modifications to Postretirement Reemployment Restrictions and HB 205 Tier II Retirement Amendments. The committee reached the conclusion that we would support the first four “post-retirement” bills (HB 47, HB 50, HB 86, and HB 117), but couldn’t support HB 205 as currently written.

Mark Johnson from Ogden said we support the time Representative Cunningham put into these bills and for including the League body. We will help look at tier II retirement and funding source. Mayor Ron Bigelow from West Valley City cautioned everyone to think for a long while before proceeding on any retirement bills because of the immediate effect it has on employees. Chip Dawson from South Jordan asked the body to please support their recommendations.

Mark Johnson from Ogden made motion to support the committee's recommendations and Karianne Lisonbee made a 2nd. Lynn Pace from Holladay asked about the fiscal impact with HB 86 and Mark Johnson from Ogden answered no, not unless you rehire a retiree back. Karianne Lisonbee asked what the global picture is with our choice we made. Cameron answered that all these bills will continue to be discussed this summer. John Hiskey from Sandy asked for HB 50 clarification on total annual earnings, Nick answered $20,000 with part time employees.

Mark Johnson again clarifies his motion to support 4 of the bills and to have further discussion on tier II Amendments. Cameron Diehl discussed how Senator Weiler and Senator Mayne's bills parallel each other and that we are only discussing Cunningham's bills. Voted on and passed by the body.

Cameron Diehl with the League discussed 2 body worn camera bills, Senator Thatcher's SB 94 and Representative McCay's HB 300. McCay's body camera bill last year was concerning and would have been costly to smaller cities and towns. The League has been working with the Representative as well as Police Chiefs to make it a better bill. If McCay's bill were passed today, 90% police fleets would be in compliance with the law. Representative McCay has sent Cameron a new draft; however, he has not had time to review it before LPC and there is a meeting scheduled with McCay, Police Chief Ross and Cameron Diehl following LPC.

Chief Ross of Bountiful now addressed the body. He thanked staff and the League members for working together on this issue with the Police Chief's Association. His wish is to continue working with Representative McCay and Senator Thatcher on their bills and that this is a great opportunity to work so closely with them on legislation. Police chiefs are local experts on these issues and it's a great opportunity to be included in the bill process.
Cameron's staff recommendation on the issue is to remain neutral and allow for negotiations.

Dennis Cluff of Clinton commented that he feels better with SB 94 because we trust POST to do their job. John Park of Cottonwood Heights asked Chief Ross about reasonable notice when entering a residence. Chief Ross replied police officers would prefer not to ask permission with body camera use when entering a home for a warrant or court action. McCay was open to this discussion.

Karianne Lisonbee of Syracuse had concerns with body camera use left to the discretion of police officers when they should be protecting the interest of the public as well. Motion made by her to support HB 300. Cameron responded he wants the home team to work on the bill more before making that decision. Corinne from Syracuse made a 2nd to that motion. Gary Crane from Bountiful urged the LPC to stay neutral allowing for more work and negotiations to take place on the bills. Ron Bigelow of

West Valley City reiterated what Gary Crane said and Sally Orr also commented (online) she would like to stay neutral on the topic. This passed by a vote from the body.

Cameron spoke on Senator Madsen's bill on marijuana (SB 73) and that the local land use component not lost.

Jodi Hoffman with the League now spoke to the body about land use issues. Jodi would be meeting at 2 pm this afternoon to oppose Senator Jenkins landscape amendments bill SB 92. We have compromised on scenic byways. Paul Ray pulled his bill on impact fees and will work with the land use task force this summer. Gary Crane of Bountiful asked about Anderegg's HB 132. Jodi and Cameron will be meeting with him to discuss the bill and the need to maintain home business licensing because his bill is too broad and it has already passed in committee 10-2 due to misinformation given to the committee members. Corrinne Bolduc of Syracuse asked about bee keepers paying twice for bee keeping permits/licensing. Jodi answered Representative Roberts was working with licensing at a state level and local land use control would stay the same. It does not take away your land use authority.
Tom Hansen from Washington Terrace then asked about the Utah Division of Water Quality and new rules for storm water permits. The state wants retention of water or to detain it and Jodi replied she would weigh in on this with legislators.

Gary Crane asked about lateral sewer lines and insurance companies. Cameron said SB 34 amended to annual notification instead of monthly and this has passed the Senate. Tom Hansen from Washington Terrace asked why is it important to mess with concern for insurance companies selling this protection, ratification of staff recommended.

Lynn Pace of Holladay asked a few questions of Jodi Hoffman. Is scenic byway language in bill acceptable to cities? Jodi answered yes. HB 78 can we change this on the bill tracking portion on ulct.org from TBD to oppose? HB 248 why are we listed as supporting this bill? SB 92 we should oppose with no amendments. Greg Smith addressed HB 248 question. Karianne Lisonbee of Syracuse is in opposition for HB 22 and would like to support it then made motion to do so. Dave Spatafore, who represents the police chiefs, oppose HB 22. In the State of Utah asset forfeiture doesn't go back to the city. On a federal level they go back to the entity. The feds refuse to share those assets and the police chiefs strongly oppose this bill. A 2nd motion was made by Corinne from Syracuse. Voted by the body and not passed. Motion made by City Manager Duncan from South Weber to oppose the bill and Don Christensen made a 2nd of that motion. Voted and passed by body.

Motion made to adjourn meeting by Shellie Baertsch and a 2nd made by Bren Bybee of Orem. Meeting adjourned.

Utah League of Cities and Towns Legislative Policy Committee
Monday, February 22, 2016, 12:00 pm
House building W030, Utah State Capitol Complex, Salt Lake City
(and webcast)

1. Welcome, logistics, & adoption of minutes
(ULCT 1st Vice President Steve Hiatt)

2. Congressman Rob Bishop

3. 1st Half Successes (ULCT staff)

- Team ULCT/League Army appreciation
- HB 22
- SB 122
- Public safety retirement
- Other efforts

4. Short Term Rentals (STRs) (Jodi Hoffman, Cameron Diehl)

5. Body-worn camera legislation (SB 94, HB 300) (Cameron Diehl)

6. Other pending Issues (ULCT staff)

- HB 132
- Retail Bag Impact Reduction Program
- HB 318
- Medicinal marijuana update (SB 89, SB 73)
- SB 100

7. Other legislative issues from ULCT staff or LPC membership and League Army requests

8. Adjourn

Next meeting: Monday, February 29 at noon at the Capitol Complex W030 (House building)

Legislative Policy Committee
February 22, 2016
The State Capitol

Mayor Steve Hiatt of Kaysville opened the meeting and welcomed everyone. Adoption of minutes for February 1st and 8th. Motion made Mayor from North Ogden and Jan Wells from Murray for 2nd motion.

Congressman Rob Bishop now addressed the body. Praised the body on the impact they make on local government. Items to talk about: (Public Lands Initiative, the Remote Transactions Parity Act, and the 2016 election), budget: stopped cutting military infrastructure, support for Hill Air Force base in Utah is the highest in the nation and that makes sure the base is secure, have to have adequate funding for workers and their infrastructure there; public lands initiative, knowledge on both sides of where companies can bring business into Utah-zoning; market place fairness: no idea where it is on this, Chaffetz's bill may go through? A short session because of the presidential election and we probably won't be done by October.

Lynn Pace: Chaffetz's market place, do you support it when it gets to the house floor? Enough compromises that it will pass.

Ted Eyre from Murray: Supreme Court victory with coal industry, what else is being done to protect? Passed several bills and put in place house standards, admin is saying they have to meet CO2 levels. Some species are destroyed, ESA violated when they came up with rules, issue not decided.

1st half successes and bills by Cameron Diehl from the league:

HB 132: Anderegg's business license bill, ULCT have been working with him and Rep Curt Webb pushed an amendment to the substitute: offered an amendment to the bill that preserves the municipal authority to require a business license for all home occupation businesses. The House supported Rep. Webb's amendment and then passed the amended bill. There were multiple legislators that stood and supported the amendment.
13 more business days to go. Successes listed below:

HB 22: asset forfeiture, defeated the bill in senate committee

SB 122: wildland fire bill, substitute made and this is available online; please take a look at it, particularly if your city doesn't have an in house fire dept.

Acknowledged the league crew on the hill every day.

Public Safety Retirement: 3 committee hearings on this, 1st of 3 provided general overview and 2nd went into detail about all 5 bills, 3rd focused on HB 86 Postretirement Employment Restrictions: bill passed. Other bills still in committee. Opposition to HB 205: Tier II Retirement Amendments.

Short term rentals by Cameron Diehl and Jodi Hoffman from the League:

It doesn't immediately affect the majority of you but affects deeply in long term, LUTF could have discussed this and there is too much misinformation. Rep. Knotwell is a proponent to eliminate local land use authority. He is not interested in our approach. We are in constant threat over land use authority. We have to be in this together, it affects all of you. Jodi has looked over many cities and towns codes and your codes allow these things to go on and most of you don't know about it. You are entitled to revenue, please talk to me about your codes. HB 368: Short-term Rental Tax Amendments, no attack on land use but still difficult. Thoughts on what you hear out there and where we need to reach out? We should assemble committee to discuss these attacks on land use authority.

Mayor St. George, Jon Pike: local land use authority in threat and we support what Jodi just stated.

Rob Wall from Sandy: reiterated what Jodi said and discussed couch surfing-renting a couch for a couple days and how anyone can locate these homes via the web.

Body Cameras by Cameron Diehl: (SB 94, HB 300)
Both bills passed out of committees. McCay's GRAMA portion (made amendment to change the AND to OR)-private in home or footage

anywhere with nudity or minors. Thatcher's bill use POST that then could be adopted by cities, GRAMA portion too broad. In both committees where these bills were heard, both sponsors said GRAMA language will not be final until we all work it out. Now to the floor and we don't know what will happen.

Chief Ross on LELC (Law Enforcement Legislative Committee) meeting update:

We need balance with intrusion and liability, privacy needs protected. We will include our conversation with other interested parties so they have insight into POST policy, need flexibility if problems arise. Cons and pros for both ways. We are not trying to exclude public comment or concerns.

Debate is all under privacy, some records are private and some protected: we are concerned with privacy.

SB 196: retail bag impact reduction, bill authorizes 10 cents on paper or plastic bag, 6 cents to tax commission, 2 cents to city, 2 cents to DEQ. Sen Iwamoto: cost is high on land use for waste land areas, water quality; 25 % of revenue would go to cities and towns to be used towards promotion, education, encouragement, access to recycling, etc.

Melinda Greenwood Pleasant View: most people use plastic bags for trash and dog poop, they are reusing the bags for something.

West Valley City mayor: these are not recyclable bags

Beth Holbrook Bountiful city council: facilities who recycle, these bags get caught up in machines and cause problems, how can we encourage long term recycling.

Dave from Moab: total 10 cents to business? Tax commission first then to cities and DEQ

Dama Barbour Taylorsville: Where are retailers on this? - willing to go along with it because it's optional plan and the 10 cents is a negotiated price

Dave Millheim Farmington: 2 cents to counties rational? Unincorporated areas receive 4 cents; I don't know?

Point of the Mountain committee being put together (referring to HB 318 Point of the Mountain Development Commission Act).

St. George Mayor-if a business is in unincorporated it goes to county if not it goes to city period.

Coralee Moser Herriman: what is optional? Consumer and whether or not they will bring their own bag

Mark Christensen Saratoga springs: have some flexibility on where we could use funding and not that list provided only.

Rodger Worthen Riverdale: retailers question again and 2 cents to landfill? - plastic manufactures involved and retailers involved, land fill districts: we could take these issues to her and have conversation

Michele Weeks Draper: LPC decides on this? Yes

Dennis Cluff Clinton: why on just plastic and not paper? I will take this back to the Senator

Matt Dixon South Ogden: small group work with points and bring back to body

Val Shupe Washington Terrace: research from other cities? - Cameron will look into that

Gary Hill Bountiful: Washington DC has 5 cents bag tax, revenue from this is higher but it doesn't change behavior

Dave Maughan Syracuse: put the tax on business and not consumer, this might change behavior

Lisonbee from Saratoga Springs: remain neutral on bill, 2nd made from Tom Dolan Mayor of Sandy

St. George Mayor substitute motion, 2nd from Tom Dolan to oppose bill. Lynn pace concurred with maker of first motion from Lisonbee. Substitute motion fails

Voted on original motion, vote passed for neutral.

Short term marijuana: floor debate led to the removal of local land use preemption

SB 100 Traffic Fines Amendments: League opposed to bill, how much revenue goes to city from traffic fines, small number of cities affected by this. It will pass the senate and we will put up effort in house to oppose this.

Any other issues?

Jodi: short term rental HB 409 Knotwell's bill just came out, unfortunate that it came out, request to make motion to oppose this.

Gary Hill made motion and Andy Beerman from Park City 2nd the motion.

Make it clear that they should work with us and the LUTF. Voted and passed the body.

John Hiskey from Sandy: HB 389 Sanctuary City Liability Amendments. Victim rights not met with this bill. Rob Wall: victims need advocacy.

Chief Ross: talked about this bill in LELC and we oppose this bill.

Rob Dahle Mayor of Holladay: Video of Speaker Hughes was in concerning local solutions to sober living facilities, Hughes is looking at a different approach other than land use: Medicaid fraud taking place with some of these locations.

Victim advocacy (HB 389) from JoAnn Seghini, they get no voice and I oppose anything that would take away (motion) and 2nd from Mayor Pike. Gary Crane HB 381 sister bill to this: both bills deserve to be opposed (substitute motion) and 2nd from JoAnn Seghini.
Shawn Guzman St George: mentioned 2 bills St George is watching concerning 911 dispatch cities who run their own, HB 380 Utah Communications Authority Amendments and SB 193 Utah Communications Authority Act Amendments.

Adjourn Don Christianson made motion and Mayor Taylor North Ogden 2nd the motion.

Utah League of Cities and Towns Legislative Policy Committee
Monday, February 29, 2016, 12:00 pm
House building W030, Utah State Capitol Complex, Salt Lake City
(and webcast)

1. Welcome, logistics, & adoption of minutes
(ULCT 1st Vice President Steve Hiatt)

2. Body-worn camera legislation (SB 94, HB 300) *(Cameron Diehl)*

3. HB 235 Remote Transactions Parity Act/SB 182 Sales and Use Tax Revisions *(Sen. Curt Bramble, Sen. Wayne Harper, Rep. Mike McKell)*

4. Short Term Rentals (STRs) (Jodi Hoffman, Ken Bullock)

5. HB 180 and other taxation and judicial issues *(Roger Tew)*

6. Other land use issues *(Jodi Hoffman)*

7. Other legislative issues from ULCT staff or LPC membership and League Army requests

8. Adjourn

Next meeting: Monday, March 7 at noon at the Capitol Complex W030 (if necessary)

Legislative Policy Committee Minutes
February 29, 2016
The State Capitol

Mayor Steve Hiatt of Kaysville opened the meeting and welcomed everyone. Paul from Riverton made the motion to approve February 22 minutes and Don Christiansen from West Valley City 2nd that motion. Minutes approved.

Cameron Diehl with the League and Police Chief Ross talked about body worn cameras. HB 300 and SB 94

Two things we have negotiated: policy (codified minimum standards) for when the camera is in use or POST (model policy) and the 2nd is the GRAMA piece. Language on screen reflects attempted compromise. Biggest accomplishment is that the substitute bill would presume privacy in the home. We have been lobbying for public interest and your citizens. Presumption does not apply for the following (private):

- Depicts commission of a crime
- An encounter between an officer and person that results in death or bodily injury (including when officer fires a weapon)
- An encounter that is the subject of a complaint against an officer
- Contains an officer involved critical incident (defined in state law)
- Has been requested to be classified

These were compromised between ULCT, UAC, Chiefs of Police Association, Sheriffs Association, ACLU and the media coalition.

Some push back from LELC on this framework. Chief Ross: body cameras are the answer for the public to show we are doing the right thing. If you want the truth, body cameras are the answer. Transparency and privacy have been huge throughout this. We think we have something unprecedented here with privacy. That's important. Everyone on all sides can still be protected under the protected records side. Chief Ross stated he doesn't like the POST option anymore because administrative rules committee (we can make recommendations but that's all) can change POST at any time and this is an area that should be in statute. Most chiefs and those working closely on this issue, as of lately, feel the same way. POST has some risks.

Outline by Cameron Diehl of HB 300 Body-worn cameras for Law Enforcement Officers: Minimum Standards:

- Officer should not jeopardize his/her safety or safety of others in order to activate/de-activate body-worn camera
- Officer shall activate the camera prior to any law enforcement encounter or as soon as reasonably possible:
    - enforcement stops
    - dispatched calls
    - field interviews
    - use of force
    - warrants
    - traffic stops
    - other contact that becomes adversarial
- Officer shall verify that camera is functioning properly
- Officer shall wear camera so that it is "clearly visible"
- Office shall record his/her name on footage
- Officer shall document that camera was present during encounter
- Officer shall record in an uninterrupted manner except
    - to consult with another officer
    - during period of inactivity
    - during conversation with a sensitive crime victim, witness or informant if the individual requests de-activation and the officer believes the value of the potential information to outweigh the value of the recording
- Officer shall document the reason for deactivating
- Officer shall give notice (if reasonable) upon entering a home and "clearly visible" camera qualifies as notice
- Officer may not use cameras for personal use

As long as officers are wearing the camera, and it can be seen, that qualifies as notice. Well over 90% of agencies that responded to our survey show they are compliant with these requirements, only a few departments that would have to make slight changes to comply with HB 300.

POST vs codified approach. Within SB 94, POST develops a model policy that must include:

- When to activate camera (HB 300)
- When to de-activate camera (HB 300)
- Who may review the record (HB 300 GRAMA partially covers)
- How the video may be released (HB 300 GRAMA partially covers)
- When to wear (not in HB 300)
- Retention schedule (not in HB 300)
- Who is authorized to access the record (not in HB 300)
- Disciplinary procedures for failing to record (not in HB 300)

POST would set the policy via administrative rule subject to the Admin. Rules Review Comm.

Back to GRAMA piece, 1 piece some LELC members had problems with: from sheriffs, DPS and attorney general. These groups have concerns about classifying the body-worn footage as public. Every public record has potential to become public unless specifically listed as private. From political perspective: Body-worn camera footage would be public line in the substitute bill is a deal breaker for some. From League staff position: we feel comfortable with language in bill, it is circled on the floor.

Jon Brems from Herriman: What's the argument to have it not be public? Public record why are police chiefs concerned? It gives increased ability to make something public. We disagree from attorney general standpoints. By having this spelled out in GRAMA it gives an increase in footage becoming public. This might be deal breaker for McCay. We disagree with attorney general office's view.

Adam Cowie from Lindon: Negotiated out the retention schedule? Yes, we have reached out to archives and Cindi Mansell (our voice for the archives), she will work with archives on the retention issue separate from the state law.

Gary Williams from Ogden: It's worth explaining their point of view; GRAMA statute says everything is public unless it's something else. Then

they have a category that has 5 different things that say these things are almost always public unless you can show specifics that it's not. They are putting body cams into that category of group of 5 expressly public things-these will almost always be public. Somehow that won't be as strong as other things that are private, that's their point of view and it's something we need to decide on.

Discussion put on hold to hear from 3 legislators listed below:

Senator Bramble, Senator Harper, Representative McKell: HB 235 Remote Transactions Parity Act and SB 182 Sales and Use Tax Revisions. HB 235 would expand the definition of affiliate nexus and SB 182 would expand the definition of a retailer's physical presence.

Map of states of what's happening nationally. National Conference of State Legislators, this is their top priority. Two years ago, we encouraged states across the country to try and collect online sales tax. Unanimous position to (38 states) strategize is to add legislation and the 2nd is to challenge state statute-it's a bad law and questionable. Nationally now: states across country are moving on legislation. We are winning court cases on this. Talked about case in Colorado. Senator Bramble spoke with the Chair of the House Judiciary Committee Bob Goodlatte about HR 2775 Remote Transactions Parity Act (sponsored by Congressman Jason Chaffetz) The Chairman said he doesn't want to make it public yet because it would get push back from the public. In the absence of congressional action states are doing something. 18 states have introduced legislation this winter that expands a state's definition of nexus in order to capture more businesses that would be required to collect and remit applicable sales taxes, expand collection requirements, expand a state's reporting requirements, or enact legislation with the intent of reversing the 1992 Supreme Court Quill decision.

Trent from Riverton city council: any transaction made online charged sales tax? Yes, and no. Rep. McKell said it depends on where transaction takes place.

Overstock.com collects sales tax for Utah because they reside in Utah. A company's partner affiliate of company in Utah we will collect for

the state (affiliate nexus). It's time for cities to get involved. If you buy tangible personal property that tax is owed. We need a federal solution but Utah needs to take charge. It will be a nasty fight on the floor.

Senator Harper: bill (SB 182) a little different than Rep. McKell's. Economic nexus: business relationship with outside entity that doesn't have a physical address in Utah. Tax that we are obligated to remit. Creating tools to create due taxes. Also creates expedited challenge process, if you want to challenge bill it goes directly to the Utah Supreme Court and doesn't have to go through all the courts in the system. Congressman Womack and Congressman Chaffetz bills have not had hearings. They need to deal with the bill and not let it sit there. Get Congress to act; Federal solution is much better.

McKell on software: if you use certified software, you are exempt from audit. Amazon collects in 22 states already; these are big states they collect for. Make sure the facts are out there for the public and represent the State in a correct way. My bill affects sales tax rate. Additional revenue to cities? Yes, it will. Want all transactions to be equal for all businesses. Software tracks by zip codes to distribute the tax revenue.

Question?

Lynn pace Holladay: are these the 2 bills on our radar screen? Yes.

This is a top priority for the League and we support this. Motion to support these bills made by Lynn Pace. 2nd by Joann Seghini of Midvale.

Cameron: The League supports the bill and we have spoken in committees in support for these bills. We are engaged with retailers as well.

McKell: it was unanimous in the Senate but we will have a fight in the House and I need your help. Please get the League Army engaged.

Brody Bovero from Syracuse: Is tax on purchaser's zip or vendors? On the Purchaser.

Trent from Riverton: If you can identify zip code your revenue stays the exact same, if not its distributed across the board? Yes.

Clearfield: affiliate side? McKell: how does it affect bloggers? You have to make a sale. It wouldn't apply on my bill. The commissions are extremely low for bloggers, and they are not selling directly.

Software collects and distributes where it gets distributes.

Lynn Pace: we are already supporting it, requests elected officials to contact their legislators and send a message to create a mechanism to collect tax out there that's not already collected. Not a new tax and send this message to the public.

Back to body camera debate:

Neutral right now and do we want to support bill with the amendments?

Steve Fairbanks from Sandy: officer failed to turn on camera because enacting it could make it hard for him if a weapon is pulled. Cameron answered: shall not injure himself/herself or others just to turn on camera (this is how the bill opens). Is no rebuttable presumption in this bill, different from last year's bill? LELC supports this bill with amendments.

Ogden Mark Johnson: same position as LELC and 2nd by Jon Pike of St. George. Voted on and

Mayor Centerville: Difference between police chiefs and LELC. Within LELC there are Chiefs of Police, Sherriff's association, DPS, Attorney General, DNR; its broader than just chiefs. Police chiefs are supportive of 300, LELC supportive with amendments (1 line of GRAMA).

Mayor Sonja Norton from Vernal: supported SB 94 too, supporting both bills? Cameron-1 bill in Senate and 1 in House. HB 300 has GRAMA language with privacy, Senate bill doesn't have that language in the bill but it could. From league staff perspective, if supportive of both bills it

forces Legislators to debate these and chose which one without using us. Matt Jensen North SL: Why are we throwing out POST approach? Because GRAMA wording is better? Cameron-we support both bills and legislature will need to engage on this. POST has defined 2 policies for search warrants and pursuit. Only way to accomplish consistency, it needs to go through Admin. Rules process (committee of 10 legislators) but it can still be tweaked by them. HB 300 are now to where most departments are compliant. Only the 3rd time POST has been called on to create a model policy. Both bills have legislative oversight.

Mayor Ron Bigelow from WVC: we as a group voted to be neutral on HB 300 and our recommendation was to find language that is acceptable to us. If Sen. Thatcher's bill passes we can live with it. Staff has done just what we have asked them to do. We should step up and support bill HB 300. Motion to support HB 300? Yes. Unanimously passed.

Short term rentals by Jodi Hoffman and Ken Bullock from the League:

Jodi and myself, with numerous others, have had many conversations with Representative Knotwell and he has agreed, with our support, to send his bill to interims and study it this summer. I encourage you to do so. I find the Representative to be a man of his word. It will be incumbent upon us to do a lot of work. As we have talked about the last 3 issues (body cameras, online sales tax, short term rentals, Airbnb, we will talk about autonomous vehicles in the not too far future). The way we look at governance in your community will change dramatically and this is a particular issue to show the legislature that they can and should work with us.

Jodi: fairly dramatic shift in legislature approach, it would have put us out in front of international curve. Disturbing trends in preemption local land use 6 bills are HB 115 going to interim, HB 132 business licensing, HB 409, SB 73, HB 413, HB 223, HB 161. 32 land use bills this year, only 4 have been over looked by the Land Use Task Force.
Other trend is to mandate changes without LUTF review: HB 360 will lead to so many different interpretations, HB 414, SB 187, municipal historic land use amendments, HB 10 and SB 44.

Please have dialogue with legislators about how your citizens feel about land use and local zoning. We see need to use interim process to give committees more insight into why we care and what is important.

Looking for motion to support Knotwell on his decision to hold the bill: Jon Pike from St. George and 2nd by Gil Miller.

John Hiskey from Sandy: pleased to hear that there will be ongoing dialogue so thank you to the staff.

Voted on motion and passed unanimously.

HB 180 by Roger Tew from the League:

Tax base the same for everything but food right now. Tax final output of item. Pressure to move line: where do we come up with money to pay for this (the enormous fiscal note drives this bill to keep coming up year after year). We oppose these bills because not enough money. Why do they want to do this? Bring new economic activity to Utah if passed. We are aware of this and watching it, spoke against it and it's always there, it will come back next year. If it starts to move, we will be engaged in dialogue.

Cameron: SB 196 reusable bag bill

It passed out of Senate committee.

Steve Fairbanks from Sandy: UAC supports Bill-Yes, ULCT is neutral on this.

Melinda Greenwood of Pleasant View: include produce bags? No it does not include those.

Thanks to Scott from USU for the ability for us to broadcast LPCs.

Gary Crane from Bountiful: bill in committee tomorrow HB 399, victims' advocates. Incredibly valuable systems. This bill seeks to take that away. It's a bad bill, HB 381 bad as well. Put a call into committee members if you know them. Those who have victim advocate groups raise hands and

there were quite a few. Email Cameron and he will get it to John Hiskey who is collecting arguments for the committee hearing.

HB 333 e-cigarette tax: support bill if you can individually.

Time to engage the league army. Working closely on the vote counts. Most effective vote count is directly from city to legislator. HB 235 and SB 182 need work from us.

SB 235 Local district Tax Revisions: if you have a special service district it will change how they handle property tax. This bill requires you to go back to council to get approval before any property tax increase could take effect. As staff we have concerns about the bill.

Vice president from special districts: please oppose the bill.

Lynn Pace: it is late in session and significant shift in policy but it probably won't pass and this representative wants to initiate dialogue. He intends to return governing authority to elected officials. Please monitor bill. Unelected boards to have right to increase property tax? It's a great discussion topic.

Meet next Monday? From Steve Hiatt. Yes, meet.

Ken Bullock talked about being on our team and trusting us to have your best interest in heart and mind. We have to make decisions on our own sometimes without your approval and you have to trust us. Also discussed not contacting legislators because you have questions for us.

Please ask us and call us with questions you have.
Adjourn motion by Gil Miller and 2nd by Melinda Greenwood.

Utah League of Cities and Towns Legislative Policy Committee
Monday, March 7, 2016, 12:00 pm
House building W030, Utah State Capitol Complex, Salt Lake City
(and webcast)

1. Welcome, logistics, & adoption of minutes
(ULCT 1st Vice President Steve Hiatt)

2. HB 235 Remote Transactions Parity Act/SB 182 Sales and Use Tax Revisions (Roger Tew and Cameron Diehl)

3. HB 180 Sales and Use Tax Exemption Amendments (Roger Tew)

4. SB 235 Local District Tax Revisions (Roger Tew)

5. HB 409 Short-term Rental Amendments (Jodi Hoffman, Cameron Diehl)

6. HB 360 Land Use Amendments (Jodi Hoffman)

7. HB 300 Body-worn Cameras for Law Enforcement (Cameron Diehl)

8. Recap on ULCT priorities (Cameron Diehl)

9. Other legislative issues from ULCT staff or LPC membership

10. Adjourn

Next meeting: Thursday, April 7 at ULCT Midyear Convention at 8:00 am
in sunny St. George

Legislative Policy Meeting
March 7, 2016
The State Capitol

Mayor Steve Hiatt welcomed everyone out and began the meeting.

Cameron Diehl and Roger Tew spoke on **HB 235** Remote Transactions Parity Act. Why is it revenue neutral? Only applies to state portion, reason is political, earn enough support. From stand point of locals it's better than old bill. As far as money we get our money. Action alert is to contact your legislators and urge them to vote yes on this bill.

Roger Tew on **HB 180** Sales and Use Tax Exemption Amendments. No effort seen to push this through because no money to do so. There will be discussion during interims for creative ways to deal with this. Gary Crane: Representative Wilson will work with the League and Counties during interims. He would like to take it to interim to determine a way of accomplishing it, remedy revenue neutrality and implement over 10 years.

SB 235 Local District Tax Revisions by Roger Tew: The bill was circled to be held for interims.

Cameron Diehl announced to the body that the power point presentations will be on the blog and you will be able to access it on your electric device.

Short term Rentals **HB 409** by Cameron Diehl: We will work collaboratively with Representative Knotwell during interims this summer on short term rental issue. While we have this dialogue over the summer please don't pass resolutions concerning short term rentals. Jodi Hoffman: We know the interim process works and everyone is happier during the process (self-police). There could be other transparency options available concerning short term rentals. We will be using the Land Use Task Force. Transparency solutions we can offer, coordinate with tax commission and other rental groups. Knotwell will present at Midyear Conference. Mayor from Provo working with Lt. Governor for Midyear. It was tabled and it will come up tomorrow, the bill is likely

dead. Thanked cities for short term rental compromise so thank you.

HB 360 by Jodi: will undermine every single land use bill we have passed. It's an enabling act. A way to have higher standard than the state code. Just makes it easy for someone to challenge us.

Support the bill (from LPC) **HB 300** passed out of Senate committee and will go to the floor in the next 2 days. Thatcher is now the floor sponsor of HB 300.

John Hiskey: applauded Cameron and the League and Chief Ross on their work on body cameras.

Cameron on anything else. Go to the blog for the presentation and bills discussed. Color coded. Questions about bills from the website or previous bills discussed.

HB 360 is a hot bill. Lynn Pace **SB 258** (in committee this afternoon) Niederhauser has concerns about when the state discussed to change the 50/50 distribution. 16 entities who were affected. All but 5 have grown out. Pres wanted to know where those cities were, five remaining will go off. Two of them have imposed authorized tax now three left whose deadlines have passed. Brian Head, Alta and unincorporated Garfield County extended them for five more years. All small resort located areas. It dies after five years.

Hiatt asked for any other questions: Gary Crane Bountiful: express appreciation to staff, keep us informed and up to date and thank you.

Kane loader Midvale manager: like Mantua we are singled out in legislator with homeless shelter that's been here since 1998, road home came to us to use shelter for homeless men. Old warehouse. Since then they have changed use of property and conditional use permit. When they met with city council and planning commission. Gave 6-month use to build facility. Completed last year and opened in November, it's a family shelter but not in a good location. No good roads, no sidewalks, no transportation. Two weeks into session we were told there were plans the city had to open shelter year round, Midvale not singled out. Council doesn't agree with this legislation. It's a priority bill in senate

and house and funding a lot of money into this piece of property, there are conditions not acceptable to us. These conditions need changed and improved, we need a food service and bus service, and we gave them 8 conditions. They are willing to fund a few like the road condition (UDOT) and also to provide a sidewalk to 7200 South. Railroad and trucking company by them. If used year round kids will be outside wanting to play and it's dangerous. Please oppose bill because they haven't come to us to talk about it and work it out with us so please oppose **SB 169**. Cam: homelessness has reached a point in Utah that there is a problem with it. Salt Lake County has had scattered site models for homeless. Not all homeless are created equal. Multiple reasons why there are homeless. Push back from legislature. They want to invest money in facilities but why when there is one that needs to be used year round in Midvale. They are trying to trump local land use authority. Lynn pace: awkward issue for SLC, how best to restructure homelessness. Two studies: neither report had any location specifics. We asked for states help. Legislative leadership supportive but on their own they want to use infrastructure that's available and they add it on their own. Any facility needs to be operated year round, if another one isn't opened nearby then there are consequences. The state will help but they look to us as productive partners. If you resist it's risky then the state says "no, never mind. We will pick site for you or we will put it on state property." All have problems for us. Sympathetic to Midvale's concerns. Find a way to make it a better environment. Midvale opened a facility to help out. A need that has to addressed, authorize league to get Midvale's requests.

Do any bills require cities to open homeless shelter? No-doesn't say in Midvale but it's only applicable to Midvale.

HB 436 is asking for money

4-year sunset is part of SB 169, if no other city opens in a jurisdiction then this land use sunset expires. Need for more sites and facilities. Future facilities will be targeted to needs of community and smaller. Collect and analyze needs, what's met and what's needed.

Can we be forced to allow a homeless shelter? No only where there is a homeless shelter opened not full time.

Current position on funding, we support this bill. SB 169 opposed to Midvale position. (Kane spoke on)

Midvale's position would like to see the leg work with us closer and look at their recommendations. It's not a bill we will be able to kill. Our position would be our land use ability and not taking it away.

Cameron: if you do talk to your Senator about this bill, our concern is land use portion but we are not opposed to helping the needy. We intend to be partners on this.

Jodi: bill in house natural resources **HB 413**, falconry amendments and local land use preemption. We would like you to reach out to committee members to oppose.

Cameron on bills to activate league army. House floor HB 235 sales tax online and **HB 380** Utah comm. Senate floor, HB 360, **SB 236** oppose, **SB 36** post retirement for public safety. HB 413 from Jodi. Five action alerts.

John Hiskey: overview for next few days. Committees end today, senate will only consider house and vice versa. Tuesday night they are on the floor through Thursday at midnight. Transportation last year passed at 11:47. Bills could turn into offensive bills later. Thanks to some of the staff for support and thank you. League convention in St. George next time for meeting. Lynn Pace motioned for adjournment and 2nd by Kelvyn Cullimore Cottonwood Heights.

Interim Study List

- Alcohol Service - to study alcoholic beverage service requirements.
- Barrier Required for Dispensing and Serving Alcoholic Product - to study issues related to the current statutory requirement that a solid, translucent, permanent barrier be placed between locations where an alcoholic product is dispensed and locations where the alcoholic product is served to a patron (S.B. 141).
- Building Code - to study amendments to the Utah Building Code.
- Clean Energy Financing - to study residential property assessed clean energy (R-PACE) financing, which is similar to the voluntary commercial property assessed clean energy (C-PACE) financing in current Utah law.
- Department of Alcoholic Beverage Control Retail Stores - to study and discuss better management of the state's alcoholic beverage control retail stores.
- Living Wage - to study increases to the minimum wage (H.B. 195).
- Rental Application Fees - to study issues related to rental application fees.
- Revised Nonprofit Corporation Act - to study modifications to the Utah Revised Nonprofit Corporation Act that would allow for the transfer of water shares in a mutual benefit corporation and clarify the property rights of a member of a nonprofit corporation (H.B. 218).
- Short-Term Rental Ordinances - to study short-term rental ordinances as they relate to private property, municipal zoning, and taxation
- Substandard Housing - to study solutions to problems associated with substandard housing.
- Zion Curtain Impacts - to study the impact of the Zion Curtain on businesses and tourism.
- Enterprise Zone Amendments - to study amendments to the Enterprise Zone Act, including adding nonprofit corporations to the act (H.B. 31).

- Housing and Economic Revitalization Funds - to study options for a permanent revenue stream for the Olene Walker Housing Loan Fund and the Economic Revitalization and Investment Fund provided in H.B. 474, 2016 General Session.
- Low-Income Housing Loans - to study the use of Community Development Block Grants to assist in matching Fair Isaac Company (FICO) approvals of Federal Housing Administration loans.
- Candidate Financial Disclosure - to study whether to amend penalties for failure of a candidate to timely file certain financial disclosure reports (H.B. 278).
- County Election Administration - to study a county's constitutional and statutory obligations related to administering an election, including who should bear the cost of the election.
- Election Day Voter Registration Pilot Project - to study and evaluate the data gathered from the three-year Election Day Voter Registration Pilot Project (1st Sub. H.B. 156, 2014 General Session).
- Elections - to study financial reports, deadlines, and penalties related to elections.
- Governmental Nonprofit Entity Compliance - to study whether the Open and Public Meetings Act and the Government Records Access and Management Act should apply to a governmental nonprofit corporation and to study the state auditor's authority to audit the accounts of a governmental nonprofit corporation (H.B. 432).
- Private Use of Drones - to study the regulation and use of unmanned aircraft (S.B. 211).
- Voter Eligibility - to study whether to allow an individual 17 years of age to register to vote in a primary election if the individual will be 18 years of age by the general election (H.B. 70).
- E-Cigarette Use - to study issues related to e-cigarettes, including teen use, and whether to revoke a teen's driver license for violations of rules governing e-cigarette use.

- Homelessness in Salt Lake City - to study and comprehensively review homelessness in Salt Lake City, including reasons for its growth, personal circumstances leading to homelessness, and other issues.
- Opioid Replacement Treatment Centers - to study the operation and efficacy of opioid replacement treatment centers (H.B. 400).
- Tobacco Age Limit - to study issues related to the age limit for tobacco use.
- Court Fee Refund - to study a requirement that a court or administrative tribunal refund all fees incurred by citizens who fight a parking ticket and win.
- Drunk Driving Penalty - to study whether to make drunk driving a felony.
- Enhanced Penalties Related to Marketing and Distribution of Vaping Products to Underage Users - to study ways to increase the severity of penalties for the marketing or distribution of vaping products to minors, facilitating the use of vaping products by minors, and the use of vaping products by minors.
- Interest Rates - to study statutory pre-judgement and post-judgement interest rates.
- Marijuana Impairment and Penalties - to study marijuana impairment standards and possession penalties.
- Rural Lawyer Cooperative - to study the creation of a rural lawyer cooperative to meet the legal needs of small to medium-sized communities away from the Wasatch Front.
- 911 Liability Review - to study, review, and assess the liability provisions associated with 911 emergency telecommunications services and any necessary enhancements to ensure all interests are appropriately managed and protected.
- Inciting Violence Against a Peace Officer or Firefighter - to study a penalty for inciting violence against a peace officer or firefighter.

- Law Enforcement, Chaplain, and Peer Counselor Confidentiality - to study law enforcement, chaplain, and peer counselor issues relating to confidentiality of information shared in crisis situations.
- Line-of-Duty Death Benefit - to study whether to provide a line-of-duty death benefit for volunteer or emergency responders.
- Private Security Amendments - to study modifications to requirements regarding the employment of an off-duty police officer by a security company (H.B. 427).
- Beekeeping - to study whether to amend provisions relating to the Utah Bee Inspection Act (H.B. 115).
- Beekeeping Amendments - to study whether to modify and rename the Utah Bee Inspection Act (H.B. 315).
- Division of Waste Management and Radiation Control Study - to study recommendations of the Division of Waste Management and Radiation Control regarding:

  1. whether waste facilities are regulated the same regardless of whether they are publicly or private owned;
  2. whether charging disparate fees for municipal solid waste facilities based on private or public ownership serves a regulatory interest;
  3. if similar waste facilities were treated the same for fees, what the recommended fee would be;
  4. what an equitable fee structure would be for industrial wastes (tainted soils), construction waste, and coal ash, regardless of entity ownership or location of receiving facilities or generator location; and
  5. whether facilities that treat, recycle, or restore industrial wastes should have a permit and pay regulatory fees.
- Food Freedom - to study laws and regulations related to food producers and food products (1st Sub. H.B. 144).
- Improving Air Quality - to study ways to improve air quality because of the impact on health, economic development, and tourism.

- Long-Term Financing for Outdoor Infrastructure - to study a method to provide long-term financing for the Office of Outdoor Recreation infrastructure grants.
- Falconry Amendments - to study and determine whether to restrict a municipality or a county from enacting an ordinance that limits a registered falconer from keeping a raptor at the falconer's residence (H.B. 413).
- Local Districts Providing Multiple Services Together - to study whether additional statutory authority is needed to allow local districts (limited purpose local government entities) to continue the established practice of providing multiple services, commodities, or facilities together in accordance with recent federal court decisions specifying federal anti-trust requirements.
- Local Historic Districts - to study the process used by municipalities to create local historic districts, including how historic landmark commissions approve or deny projects (H.B. 223).
- Municipal Flexibility Related to Sales of Alcoholic Beverages - to study ways to provide municipalities more flexibility in determining how late businesses selling alcoholic beverages may remain open.
- Special Districts - to study the creation of special districts and whether there is adequate special district oversight.
- Zoning - to study federal and state law relationships and local zoning laws related to single-family residence and substance abuse residence recovery (H.B. 414).
- Broadband Incentives - to study and consider incentives that may be offered to promote broadband expansion and adoption throughout the state in support of economic development, education, and other identified objectives.
- Heat and Power Systems - to study combined heat and power systems (H.B. 466).
- Alternative Energy Credits, Subsidies, and Exemptions - to study the total value or amount of state and federal incentives, subsidies, credits, and exemptions and their impact on the potential for oversupply and market distortion.

- Energy Tax Credit Amendments - to study whether to modify tax credits for residential and commercial energy systems that utilize solar power (H.B. 327).
- Municipal Energy Tax Rates - to study issues related to municipal energy sales and use tax rates (2nd Sub. H.B. 145).
- Property Assessments - to study property assessments when limited market data are available, including Use Value Adjustments for determining value for real property assessments vs. Market Value Adjustments.
- Property Tax and Fair Market Value - to study the fair market valuation of static property (H.B. 376).
- Property Tax Caps - to study property tax caps for local school board levies. Property Tax Revisions - to study a process for real estate developers to seek deferral of property taxes (S.B. 168).
- Public Building Materials - to study a sales tax exemption for public building materials.
- Regulation and Taxation of E-Cigarettes - to study the regulation and taxation of e-cigarette products and nicotine inhalers and how related revenues are to be spent (H.B. 333).
- Solar Tax Credits - to study how to determine when the state of Utah should end solar energy tax credits.
- Urban Farming Assessment - to study changes to urban farming provisions to allow for greater utilization of the current program, which is stringent and almost never used (S.B. 122, 2012 General Session).
- Urban Redevelopment Tax Credit - to study a nonrefundable urban redevelopment tax credit and a process that would allow a qualified investor to claim the tax credit (1st Sub. H.B. 346).
- Benefit Levels - to study state employee retirement benefit levels.
- Certified Employer Contribution Rates - to study a requirement that the Utah State Retirement Board increase certified employer contribution rates to reflect any increased costs from retirement benefit enhancements enacted during a general session or special session (S.B. 208).

- Postretirement Funding - to study the fiscal notes of certain postretirement bills and ways to fund them (H.B. 47, H.B. 50, H.B. 86, and H.B. 117).
- Retirement Contribution Rates - to study and receive a presentation on preliminary retirement contribution rates.
- Retirement System Improvements - to study continued efforts to strengthen and improve the Utah Retirement System and to reduce the unfunded liability.
- Retirement System Modifications - to study and review annual Utah Retirement System modifications, including technical amendments.
- Retirement Systems Overview - to study an overview of systems, plans, and actuarial information.
- Tier II Retirement - to study modifications to the retirement benefits in the New Public Employees' Tier II Contributory Retirement Act and the New Public Safety and Firefighter Tier II Contributory Retirement Act (H.B. 205).
- All-Terrain Vehicles - to study the operation of all-terrain vehicles, not designated as street legal, on certain streets or highways.
- Window Tinting - to study whether to prohibit the use of nontransparent materials on, and set minimum light transmittance requirements for, the rear and rear side windows of a motor vehicle (H.B. 141).

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