ULCT 2015: Your Advocates on Capitol Hill

WHO WE ARE
WHAT WE DID
WHERE WE ARE GOING
AND OTHER MUSINGS
Who we are: 72+ years of legislative experience

Ken Bullock, Executive Director
- 30 years ULCT experience

Cameron Diehl, Dir. Gov’t Relations
- 7 years ULCT experience

Roger Tew, Sr. Policy Analyst
- 20 years ULCT experience & 30+ years municipal experience

Jodi Hoffman, Land Use Analyst
- 11 years ULCT experience & 20+ years municipal experience

Nick Jarvis, Dir. of Research
- 5 years ULCT experience

Brandon Smith, Legislative Research Analyst
- 1 year ULCT experience
### House Bill (98)

Use the drop down to the left to select the next 25 bills to display.

**Last Legislative Day: 3/11/2014**

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Tracking Level</th>
<th>Bill Title</th>
<th>Tracking Status</th>
<th>Sponsor</th>
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<tbody>
<tr>
<td>HB 0017s01</td>
<td>Watch</td>
<td>Interlocal Act Amendments</td>
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<td>3/29/2014</td>
<td>Governor Signed in LTGOV</td>
<td></td>
<td>Anderson, Johnny</td>
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<td></td>
<td>Amend General Government ULCT</td>
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<tr>
<td>HB 0019</td>
<td>Monitor</td>
<td>Electric Vehicle Battery Charging Service Amendments</td>
<td>Arent, P.</td>
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<td>3/20/2014</td>
<td>Governor Signed in LTGOV</td>
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<tr>
<td></td>
<td>Support ULCT Utilities</td>
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<tr>
<td>HB 0044s01</td>
<td>Monitor</td>
<td>Interstate Electric Transmission Lines</td>
<td>Handy, S.</td>
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<td>2/21/2014</td>
<td>House - House/ substituted in HSUB</td>
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<td></td>
<td>Land Use ULCT Utilities</td>
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<td>HB 0049s01</td>
<td>Hot</td>
<td>Water Rights - Change Application Amendments</td>
<td>McIff, K.</td>
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<td>3/3/2014</td>
<td>House - House/ substituted in HSUB</td>
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ULCT 2015 Wrap Up  www.ulct.org
Legislative Policy Committee
Roles and responsibilities

- 255 members (Apr 1)
  - Average attendance: 130+
- 98 cities and towns
  - Every city/town entitled to 3 voting members
- ULCT-USU partnership
  - 60+ people, 40 cities & towns
  - From Ivins to Vernal and Smithfield to Ephraim
- CHECK THE ROSTER
General Tenor of 2015 Session

- Healthy Utah and Utah Cares
  - Tension between the Governor/Senate and House

- Legislative priorities and collaboration
  - Budget
    - Education
    - Health care
    - Criminal justice/prison/law enforcement
    - Transportation
  - Nondiscrimination

- 831 bills/resolutions filed (most ever)
  - ULCT tracked 256

- 528 bills passed (most ever)
Proactively passed (ULCT Sep. resolutions):
• HB 362: Transportation
• HB 25: Water
• HB 288: Appeal security

Changed:
• SB 157: GRAMA
• SB 69: Fleet (vehicles)
• SB 82: Forcible entry

Opposed:
• HB 61: Business license
• HB 142: Form of government
• HB ___: Video streaming
• HB 386: Body-worn cameras
#leaguearmy: thank you!

<table>
<thead>
<tr>
<th>Garden City</th>
<th>Bear River City</th>
<th>Tremonton</th>
<th>Logan</th>
<th>Hyde Park</th>
<th>Nibley</th>
<th>Brigham City</th>
<th>Perry</th>
<th>Pleasant View</th>
<th>North Ogden</th>
<th>Ogden</th>
<th>South Ogden</th>
<th>Washington Terrace</th>
<th>South Weber</th>
<th>Roy</th>
<th>Clearfield</th>
<th>Clinton</th>
<th>West Point</th>
<th>Layton</th>
<th>Kaysville</th>
<th>Farmington</th>
<th>Centerville</th>
<th>Bountiful</th>
<th>West Bountiful</th>
<th>Woods Cross</th>
<th>North Salt Lake</th>
</tr>
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HB 362 and the 2015/2016 Election Cycles

WHAT TO CONSIDER

(AS OF MAY 1)
Transportation election: What to consider?

- Two parts: 1) 4.9 cent gas tax & 2) county imposed, voter approved .025% local option sales tax for transportation
  - .10 to cities/towns, .10 to transit, .05 to counties (.15 to counties w/o transit)
  - .10 municipal portion: 50% point of sale, 50% population

- HB 362 top priority for counties: imposition authority
- UAC/ULCT: many counties undecided for 2015 election

- Pre-session: 72 cities/towns in Utah passed ULCT resolutions requesting more transportation funding

- ULCT April survey: 72% of respondents from 122 cities and towns in 24 counties want to proceed in 2015
Transportation election: What to consider?

Increase sales tax for transportation? (Utah Policy, Apr 22, 2015)
Transportation election: What to consider

1) Timeline
   - Dates and county official/voter education

2) Voter turnout
   - Municipal or general cycle

3) Public entity participation
   - What you can and cannot do

4) Campaign organization
   - Utah Transportation Coalition

5) Election administration
   - Municipal cycle, county administration

6) Images of each entity
   - Cities, counties, transit, media

7) Other issues on ballot
   - Bonds, taxes, other elections
Transportation election: What to consider

1) General timeline

**JUN**
- June 1-8: Municipal filing deadline
- June 22: Municipal budgets must be approved

**AUG**
- Aug 11: Municipal primary election
- Late Aug: County deadline to enact

**NOV**
- Oct 6: VBM ballots
- Nov 3: Election Day! Maintenance of effort

**APR**
- Apr 1: 90 days expire
- June/July: money arrives
Transportation election: What to consider

1) Suggested timeline (if you move)

**JUN**
- June 1-8: Municipal filing deadline
- June 9-19: Cities pass resolutions (budget)
- June 23: Cities deliver resolutions to county

**JUL**
- Momentum for other counties to join
  - (Weber likely; Davis, others are watching)

**AUG**
- Aug 11: Municipal primary election
- Mid Aug: big press event for all county actions
- Late Aug: County deadline to enact
Transportation election: What to consider

2) Salt Lake County turnout

**2015:**
- Lower turnout
- Smaller ballot
- 8 of 16 cities have districts
  - 40% of electorate in those cities not expecting a ballot
- Township vote
  - 62,000+ potential voters
- Vote by Mail in all cities = higher turnout than usual

<table>
<thead>
<tr>
<th>Past cycle:</th>
<th>2008</th>
<th>2011</th>
</tr>
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<tbody>
<tr>
<td>SL County</td>
<td>369,884 votes</td>
<td>70,554 votes</td>
</tr>
<tr>
<td>SL County</td>
<td>71% turnout</td>
<td>19% turnout</td>
</tr>
</tbody>
</table>

**2016:**
- Higher turnout
- Larger ballot
Transportation election: What to consider

3) Public entity limits

- “Public entity may not make an expenditure from public funds to influence a ballot proposition”
  - Utah Code 20A-11-1203(1)

- Ballot proposition = effective upon county action

- Public entity may provide factual info so long as equal access to opponents & proponents; encourage voting
  - Utah Code 20A-11-1203(3),(4)

- A person may not send an email using the email of a public entity for a political purpose or to advocate for or against a ballot proposition” ($250, $1000)
  - Utah Code 20A-11-1205(1),(2) ... new code

- ULCT sample resolution coming
Transportation election: What to consider

4) Campaign organization

- Coalition: spent $450,000 over past two years

- Coalition will re-load IF a critical mass of counties proceeds in the same election cycle

- Critical mass = “SL Co. plus”

- Coalition donors?
Transportation election: What to consider
5) Election Administration

- All municipalities in SL, Weber, & Box Elder will contract County for election
- Is your city/town?
- In SL Co., 8 of 16 cities/town have districts (not at-large), so cities may have only budgeted for 60% of electorate
  - Cottonwood Heights
  - Herriman
  - Holladay
  - Midvale
  - Murray
  - Riverton
  - South Jordan
  - Taylorsville
- 362 election = 100% of electorate
Transportation election: What to consider

6) Image of entities: “All in it together”

The Salt Lake Tribune

- “House, Senate pass competing gas tax bills”
  - Mar 8 headline

- “Legislature approves 5 cent a gallon gasoline tax hike, local sales-tax vote”
  - Mar 13 headline

- “As voters decide sales tax hike, will UTA controversies hurt?”
  - Mar 19 headline

KSL.com

- UTA cuts executive bonuses, salaries in hopes of boosting public confidence
  - Mar 17 headline

- UTA officials must continue assuring Utahns of their credibility and prove themselves with higher quality of service. “There’s still a lot of work to be done by cities, counties and especially transit to get the voters to be willing to approve the local option and show that they’re being responsible with the funds that they currently have,” (Rep.) Anderson said.
Transportation election: What to consider

7) Other financial items on the ballot

- SL Co: SLC RAP, others
- Davis Co: SDs, city RAPs, others
- Utah Co: city RAPs
- Weber Co: binding opinion, city RAPs, G/O bond, initiative
- Sanpete Co: recreation bond
- Sevier Co.: recreation bond

- 20 ballot items from 2011 to 2014:
  - 70% passed, 30% failed regardless of cycle
Transportation election: What to consider
Suggested timeline (if you move)

**JUN**
- Jun 1-8: Municipal filing deadline
- Jun 9-19: Cities pass resolutions (budget, MOE)
- Jun 23: Cities deliver resolutions to County

**JUL**
- Momentum for other counties to join SL County
  - (Weber likely; Davis, others are watching)

**AUG**
- Aug 11: Municipal primary election
- Mid Aug: big press event for all county actions
- Late Aug: County deadline to enact
SB 157 GRAMA Amendments

WHAT TO KNOW
WHAT TO DO
SB 157: Changes

- **63G-2-400.5**: definitions change
  - “Any person aggrieved” became “a requester or interested party”

- **63G-2-401**: Gov’t entity denies a record request and the access denial appealed to CAO
  - If CAO affirms gov’t entity, then the requester or interested party has right to appeal to:
    - District court
    - Records committee
    - Local appeals board (membership TBD)

- **63G-2-501**: State Records Committee membership change
SB 157: Local Appeals Board

- 63G-2-701(5)(b): Local Appeals Board membership
  - 3 members
  - One political subdivision employee
  - Two members of the public, at least one of whom with professional experience requesting or managing records
SB 157: Benefits of the Local Appeals Board

- 63G-2-403(10)(c)(i): If a “requester or interested party” appeals the CAO decision to the State Records Committee, the review shall be de novo.

- 63G-2-403(10)(c)(ii): If a “requester or interested party” appeals the decision of a local appeals board, the State Records Committee shall review and consider the decision of the local appeals board.
SB 157: Local Appeals Board summary

- Deference: “shall review and consider”

- 63G-2-701(5)(b): Local Appeals Board membership
  - 3 members
  - One political subdivision employee
  - Two members of the public, at least one of whom with professional experience requesting or managing records

- Step 1: If the political subdivision establishes an appeals board, any appeal of a CAO decision shall be made to the appeals board

- Step 2: The political subdivision or requester may appeal an appeals board decision to the State Records Committee or in District Court

OR

- Step 2 only: If the political subdivision does not establish an appeals board, the appeal process shall go to the State Records Committee
In conclusion, issues coming in 2015-2016

- Air quality (fleet)
- Annexation/incorporation
- Building/fire code
- Districts/assessment areas
- Good landlord
- Health care
- Impact fees
- Law enforcement (rural, body-cams, use of force)
- Local control (1 city issue = statewide bill)
- Municipal code!
- Public safety communication
- Sales tax distribution
- Subdivision bonds
- Transparency
- Water financing
- Water quality
- Wildland fire