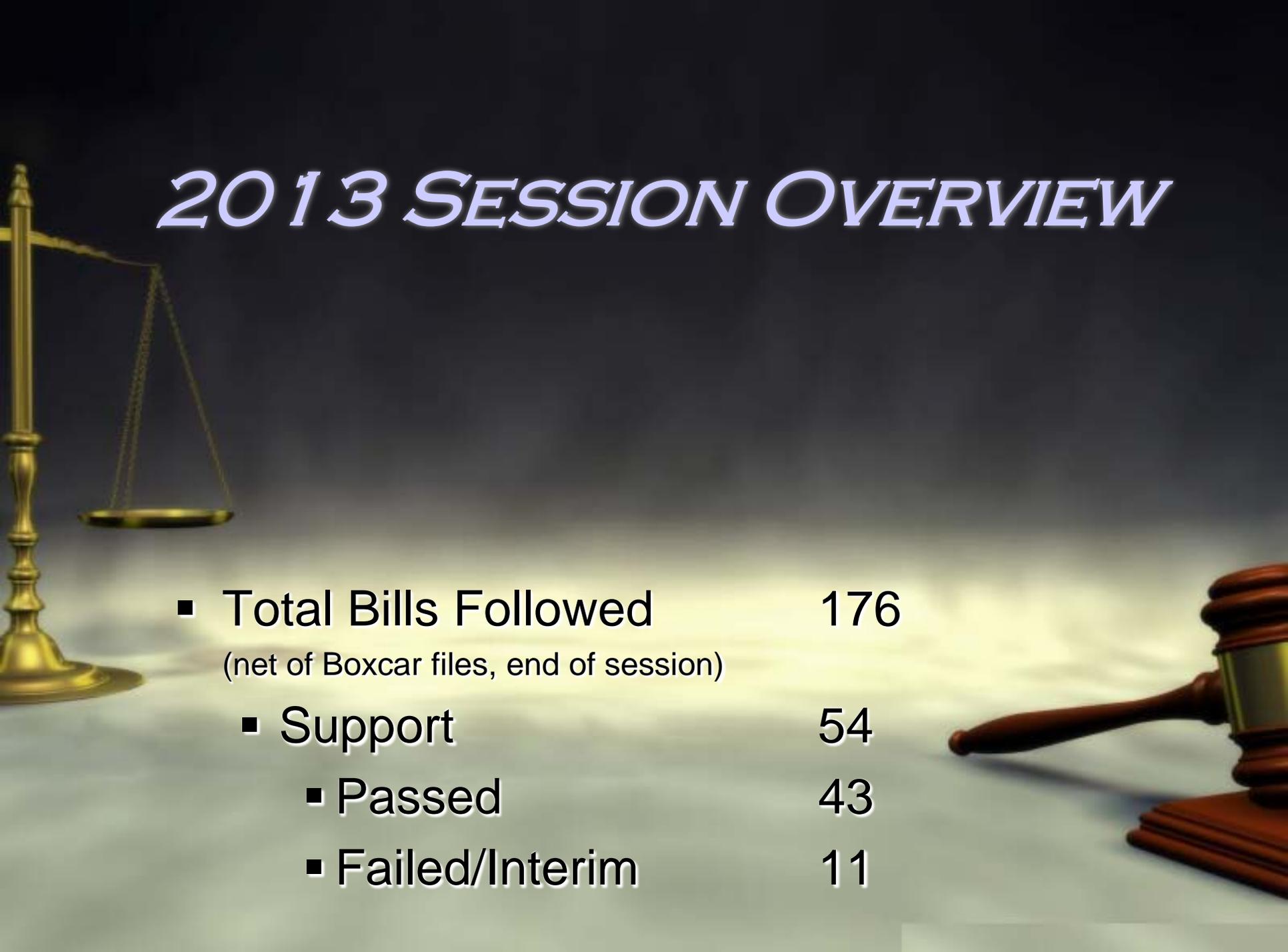




LEGISLATIVE
UPDATE
2013 SESSION

*Utah Association of
Special Districts*

2013 SESSION OVERVIEW



▪ Total Bills Followed	176
(net of Boxcar files, end of session)	
▪ Support	54
▪ Passed	43
▪ Failed/Interim	11

2013 SESSION OVERVIEW



▪ Total Bills Followed	176
▪ Opposed	18
▪ Passed	4
▪ Failed	14

2013 SESSION OVERVIEW



- Total Bills Followed 176
 - Tracked 104
 - Passed 78
 - Enacting Clause Struck 26

SIGNIFICANT DATES

- May 14th, 2013
 - Normal effective date for bills.
 - First day to open bill files for 2014 session.



SB 200 – LOCAL AND SPECIAL SERVICE DISTRICT AMENDMENTS

- UASD Cleanup Bill
 - Design-build may be used for construction projects costing \$1 million or more.
 - Must employ a professional engineer with design-build experience.



SB 200 – LOCAL AND SPECIAL SERVICE DISTRICT AMENDMENTS

- Dissolution of a district may occur...
 - ...if not active within 5 years.
 - Levy and collect a tax
 - Provide a commodity or service
 - Collect a fee for service provided
 - Actively planning – written report or study
 - Acquire or maintain property
 - Constructing, installing, maintaining, operating...
 - Incurring debt, contracting, or obligated to provide...



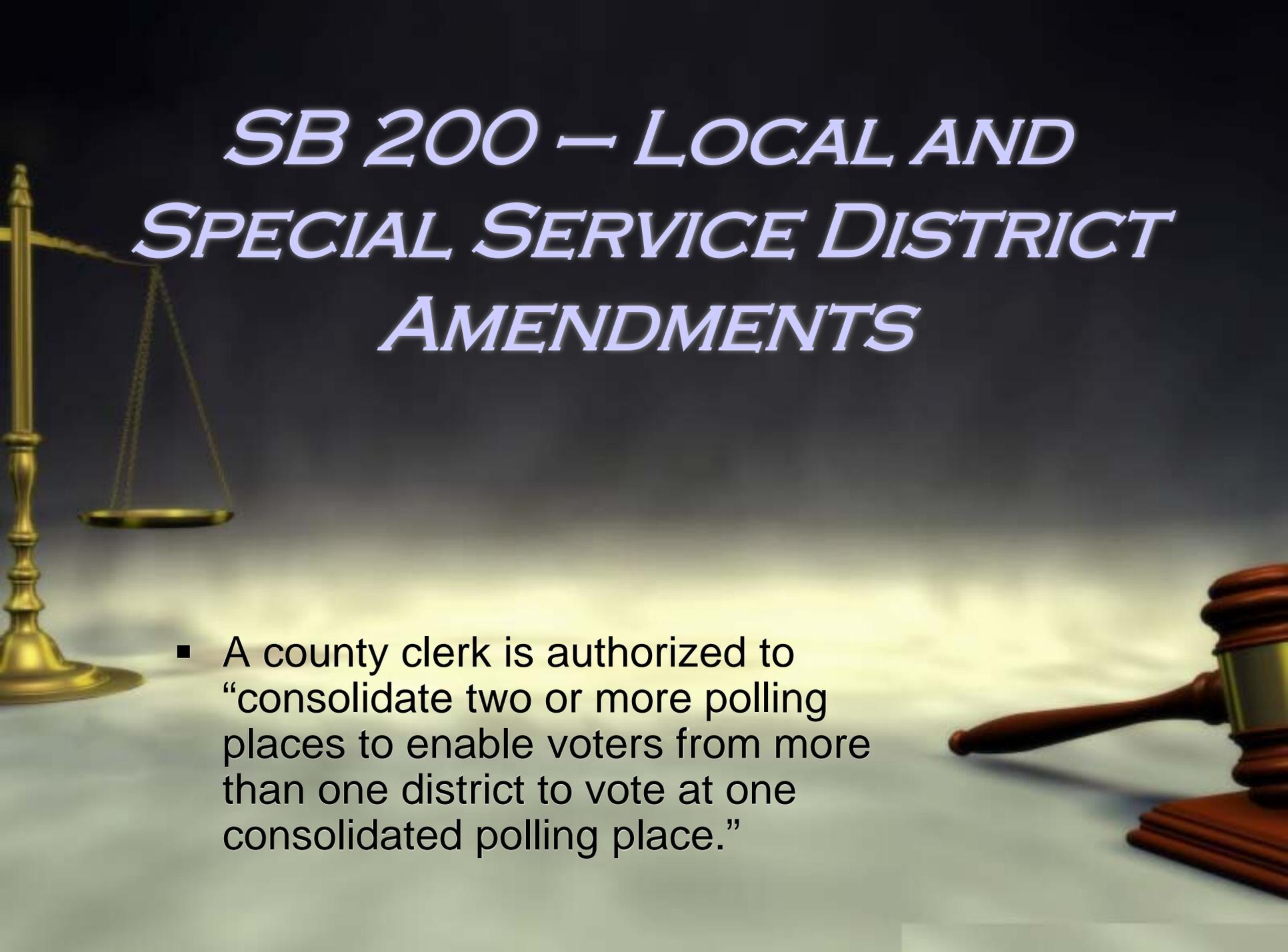
SB 200 – LOCAL AND SPECIAL SERVICE DISTRICT AMENDMENTS

- Water Conservancy Board Members appointed by the governor
 - Term of office begins on the date on which the senate consents to appointment.



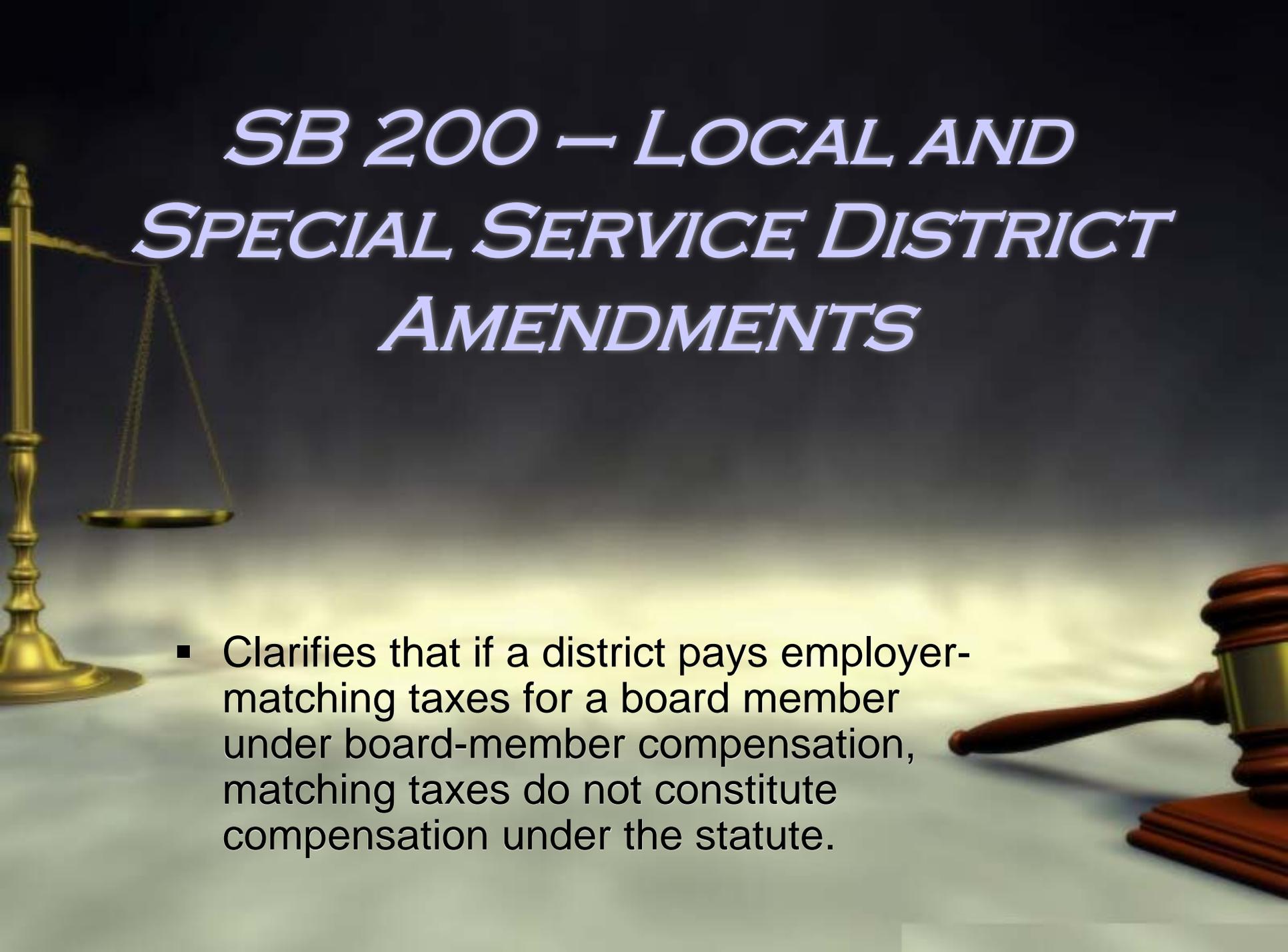
SB 200 – LOCAL AND SPECIAL SERVICE DISTRICT AMENDMENTS

- A local district board member continues to serve until a successor is duly elected or appointed.



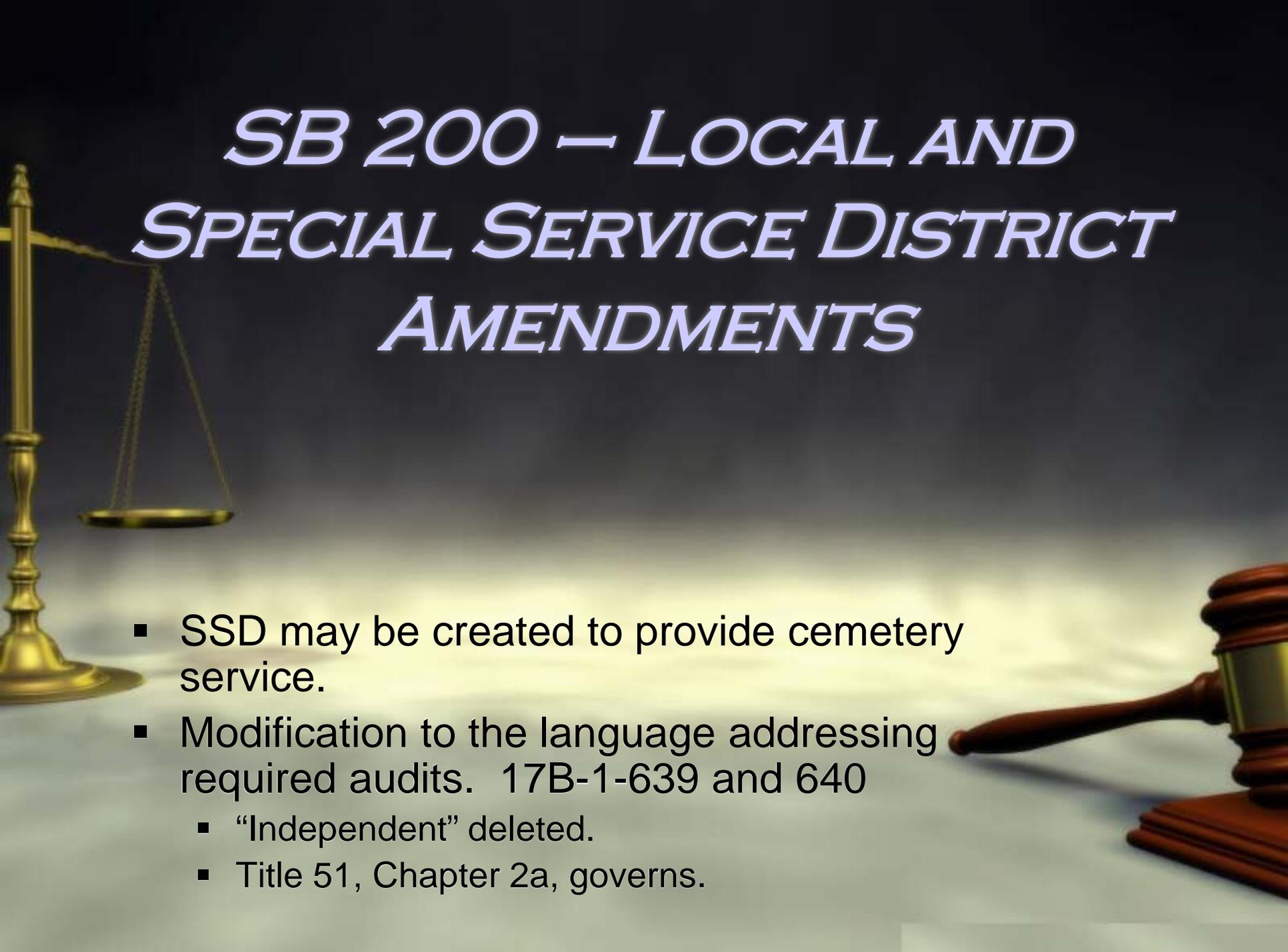
SB 200 – LOCAL AND SPECIAL SERVICE DISTRICT AMENDMENTS

- A county clerk is authorized to “consolidate two or more polling places to enable voters from more than one district to vote at one consolidated polling place.”



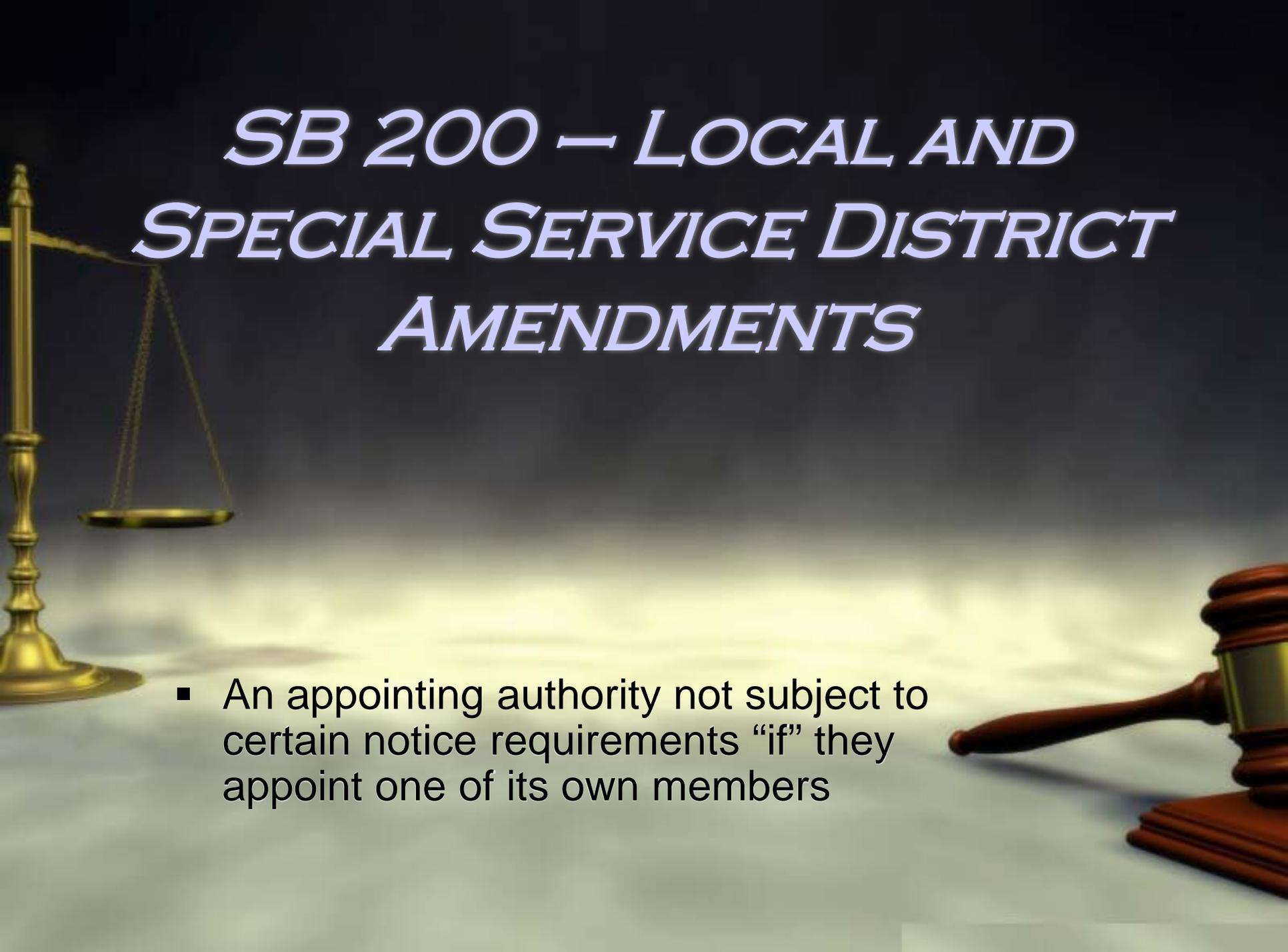
SB 200 – LOCAL AND SPECIAL SERVICE DISTRICT AMENDMENTS

- Clarifies that if a district pays employer-matching taxes for a board member under board-member compensation, matching taxes do not constitute compensation under the statute.



SB 200 – LOCAL AND SPECIAL SERVICE DISTRICT AMENDMENTS

- SSD may be created to provide cemetery service.
- Modification to the language addressing required audits. 17B-1-639 and 640
 - “Independent” deleted.
 - Title 51, Chapter 2a, governs.



SB 200 – LOCAL AND SPECIAL SERVICE DISTRICT AMENDMENTS

- An appointing authority not subject to certain notice requirements “if” they appoint one of its own members

HB 334, SPECIAL SERVICE DISTRICT REORGANIZATION

- Establishes a mechanism for converting a Special Service District to a Local District.
 - Creating entity is the “gatekeeper”
 - Creating entity initiates the process
 - Other participating entities must also agree

HB 35, RETIREMENT ANALYSIS FOR NEW PUBLIC ENTITIES

- Objective: All new local government entities that are created, incorporated, or that change boundaries by annexation:
 - Be informed of statutory requirements regarding retirement
 - Attempt to insure compliance with URS statutory requirements



HB 35, RETIREMENT ANALYSIS FOR NEW PUBLIC ENTITIES

- Lieutenant Governor receives notice of all local government boundary actions
 - Incorporation
 - Creation
 - Annexation



HB 35, RETIREMENT ANALYSIS FOR NEW PUBLIC ENTITIES

- A notice of impending action shall:
 - Be accompanied by a letter from URS addressed to the approving authority
 - Identify Title 49 URS provisions with which the created or modified entity must comply
 - Employment of personnel
 - Offer a retirement benefit



SB 190, PROCUREMENT REVISIONS



- Procurement statute recodification process – 3+ years anticipated
 - 2012 Session, SB 153, 2nd substitute
 - 329 Pages
 - Many problems in final bill
 - Delayed effective date of May 1, 2013
 - UASD Procurement Task Force

SB 190, PROCUREMENT REVISIONS

- 2013 Legislative Session – SB 190
 - Effective May 1st, 2013
 - Ethics standards – 2013 interim
 - Procurement policies and procedures
 - Delayed effective date for adoption - May 2014



SB 190, PROCUREMENT REVISIONS

- 2013 Legislative Session – SB 190
 - Training sessions throughout the state
 - April 29th and 30th, Central Utah Water Conservancy District
 - State Purchasing training resources



SB 190, PROCUREMENT REVISIONS

- Procurement Topics
 - State Contract Purchasing
 - Affected Agencies
 - Definitions
 - Procurement Officer
 - Organizational Assignments



SB 190, PROCUREMENT REVISIONS

- Procurement Topics
 - Procurement Process and Exceptions
 - Bidding
 - Requests for Proposals
 - Small Purchases
 - Sole-Source Procurements



SB 190, PROCUREMENT REVISIONS

- Procurement Topics
 - Emergency Procurements
 - Other Exception Procurements
 - Optional Contract Types
 - Protests and Appeals



SB 190, PROCUREMENT REVISIONS

- Procurement Topics
 - Requests for Qualifications, Pre-qualifications
 - List of Approved Vendors
 - Multiple-Stage Bidding and Proposing
 - Public Notifications and Records



SB 190, PROCUREMENT REVISIONS

- Procurement Topics
 - Ethics and Unlawful Conduct
 - State Procurement Policy Board



ELECTIONS



HB 82 – ELECTIONS AND EARLY VOTING DURING A DECLARED EMERGENCY

- Provides that during a declared emergency, the Lieutenant Governor may:
 - Designate a different method, time or location for voting, early voting or canvassing.
 - Provides requirements for posting notification of differences in voting time, method or location.

HB 204 – ELECTION AMENDMENTS

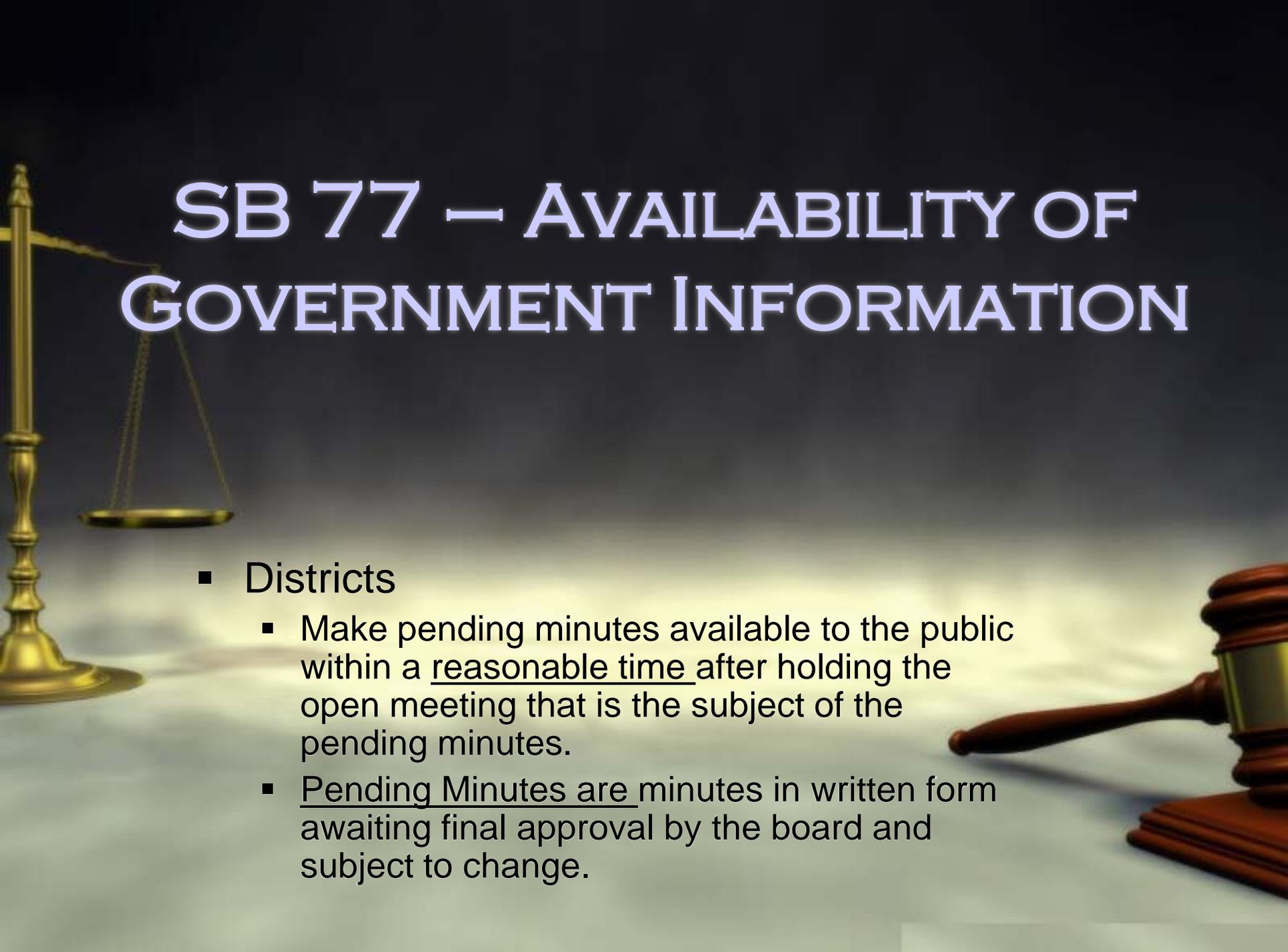
- Provides clarification on casting an absentee ballot.
- Changes the date by which a voter must file an application for an absentee ballot.





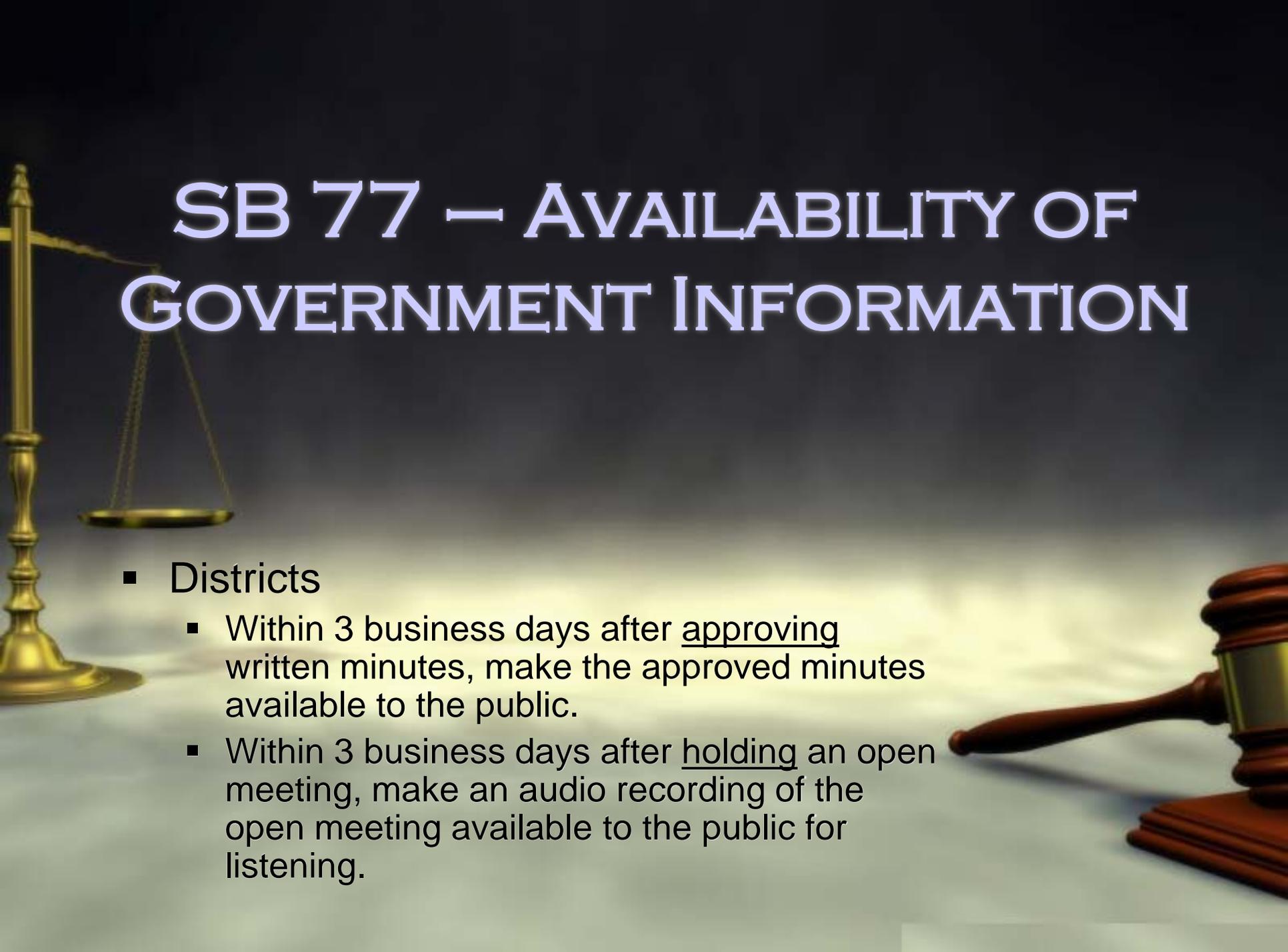
HB 403 – MUNICIPAL ELECTION AMENDMENTS

- Changes deadline for declaration of candidacy to June 7 in odd-numbered years
- Modified additional election deadlines
- Changes write-in candidate deadline from 45 days to 60 days before a municipal general election



SB 77 – AVAILABILITY OF GOVERNMENT INFORMATION

- Districts
 - Make pending minutes available to the public within a reasonable time after holding the open meeting that is the subject of the pending minutes.
 - Pending Minutes are minutes in written form awaiting final approval by the board and subject to change.



SB 77 – AVAILABILITY OF GOVERNMENT INFORMATION

- Districts
 - Within 3 business days after approving written minutes, make the approved minutes available to the public.
 - Within 3 business days after holding an open meeting, make an audio recording of the open meeting available to the public for listening.

MASTER STUDY RESOLUTION - ITEMS OF INTEREST





MASTER STUDY RESOLUTION - ITEMS OF INTEREST

- Elections
 - Election Code Amendments
 - Election Day Registration
 - Election Notices
 - Recall Elections
 - Special Election Dates
 - Primary Election Results



MASTER STUDY RESOLUTION - ITEMS OF INTEREST

- Taxation
 - Local Tax Referenda
 - Property Tax Assessment and Levy
 - Property Tax Notice
 - Replacing Property Tax System
 - Constitutional Property Tax Exemption



MASTER STUDY RESOLUTION - ITEMS OF INTEREST

- Taxation
 - Impact of Taxing-Entity Action on Values
 - Sales Tax Distribution
 - Severance Tax Revisions
 - Tax Rate Reduction



MASTER STUDY RESOLUTION - ITEMS OF INTEREST

- Water
 - Interstate Agreements on Water Issues
 - Water Pollution Reduction



MASTER STUDY RESOLUTION - ITEMS OF INTEREST

- GRAMA
 - Fees for Government Records Requests
 - GRAMA Requests to Local Government
 - GRAMA and Open Meetings Issues - URS



MASTER STUDY RESOLUTION - ITEMS OF INTEREST

- Retirement
 - Postretirement Employment Restrictions
 - Rate of Return for URS
 - Restrictions During Retirement
 - Retirees Working Part Time
 - Retirement Records
 - Rules for Retirees



MASTER STUDY RESOLUTION - ITEMS OF INTEREST

- Public Meeting Notice
- Eminent Domain Amendments
- Governmental Immunity



MASTER STUDY RESOLUTION - ITEMS OF INTEREST

- Construction Registry
- Competition with Private Security Companies
- Prevailing Wage



MASTER STUDY RESOLUTION - ITEMS OF INTEREST

- Disclosing Political Consulting Services
- Prohibiting Funds from Fines and Forfeitures from Going to the Governmental Entity Imposing the Fines.



MASTER STUDY RESOLUTION - ITEMS OF INTEREST

- Procurement Code Applicability to Special Districts – to study whether, and how to make “Unlawful Conduct and Penalties”, applicable to special districts.



UTAH ASSOCIATION OF SPECIAL DISTRICTS

LeGrand Bitter

801-614-0405 - Office

801-725-1312 - Cell

www.uasd.org

uasdmail@yahoo.com