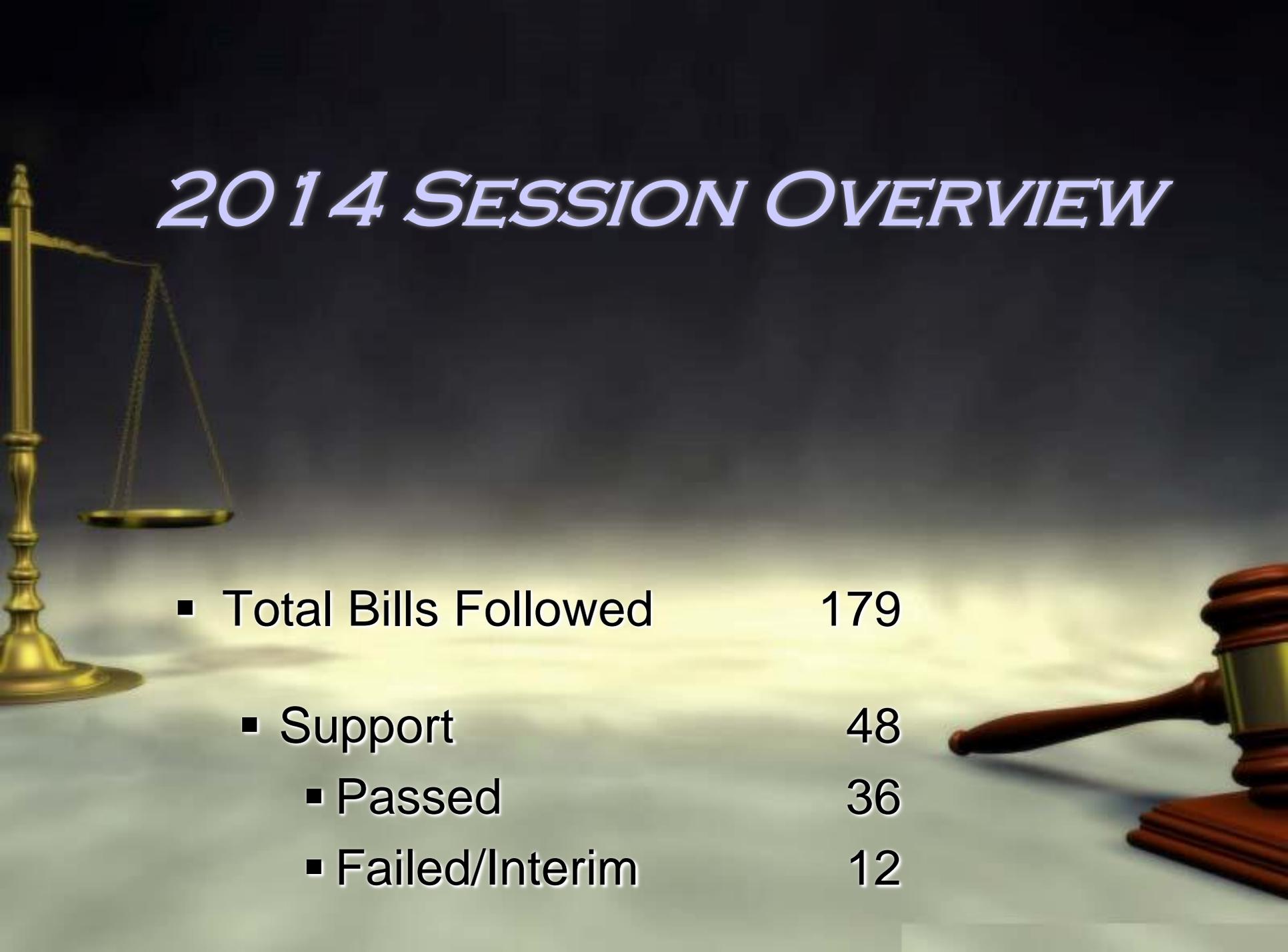




LEGISLATIVE
UPDATE
2014 SESSION

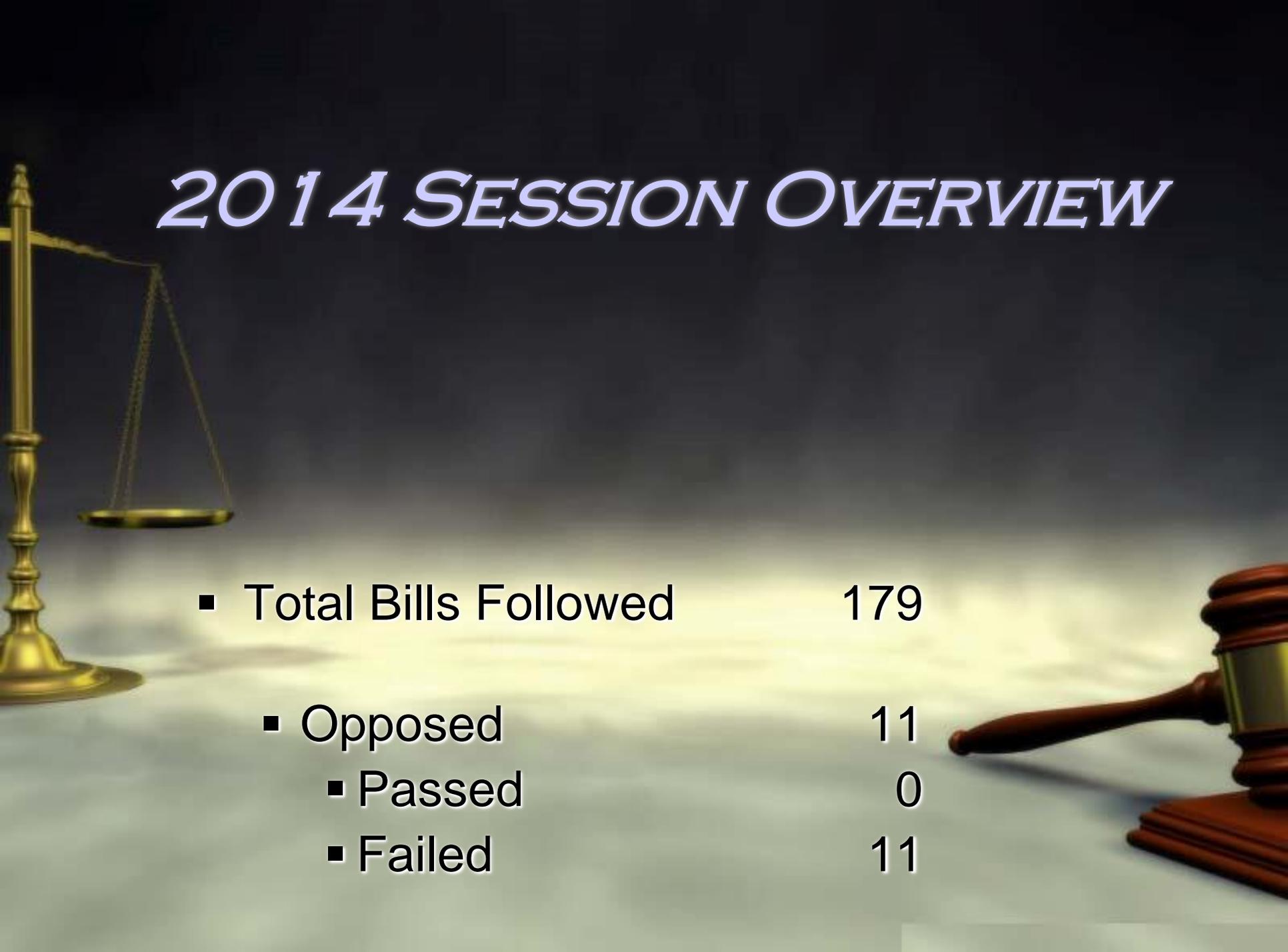
*Utah Association of
Special Districts*

2014 SESSION OVERVIEW



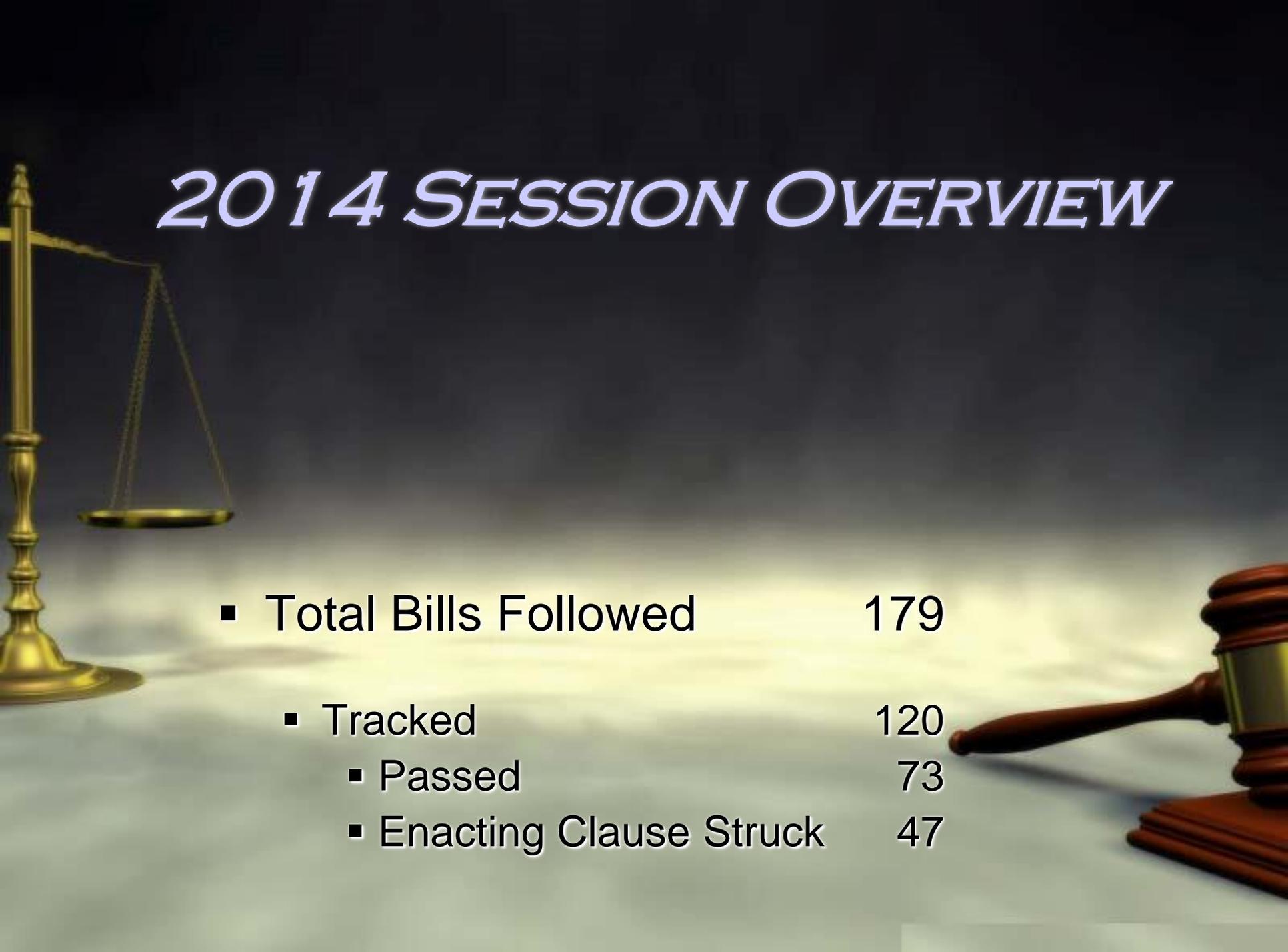
▪ Total Bills Followed	179
▪ Support	48
▪ Passed	36
▪ Failed/Interim	12

2014 SESSION OVERVIEW



▪ Total Bills Followed	179
▪ Opposed	11
▪ Passed	0
▪ Failed	11

2014 SESSION OVERVIEW



▪ Total Bills Followed	179
▪ Tracked	120
▪ Passed	73
▪ Enacting Clause Struck	47

SIGNIFICANT DATES

- May 13th, 2014
 - Normal effective date for bills.
 - First day to open bill files for 2015 session.



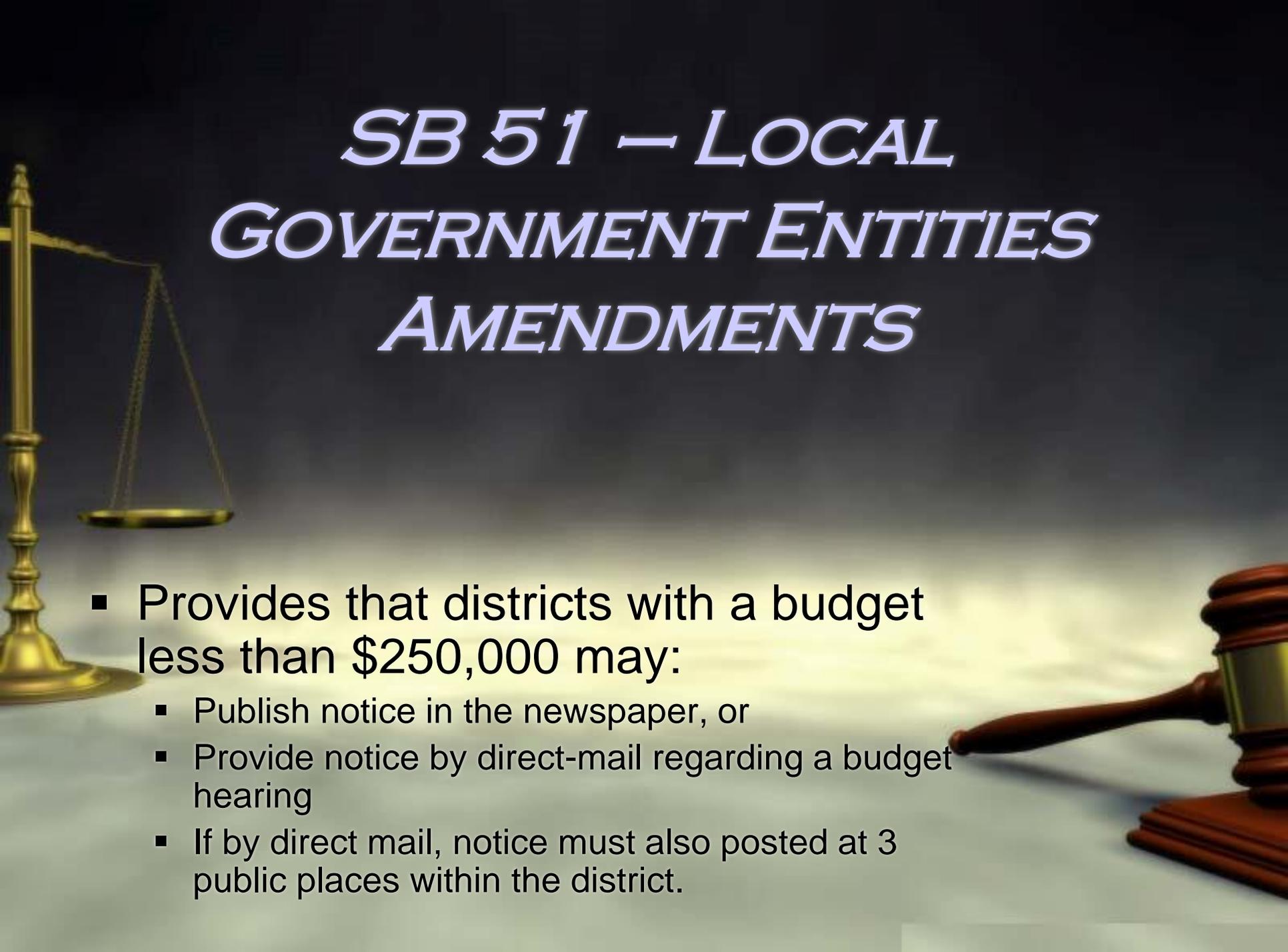
SB 51 – LOCAL GOVERNMENT ENTITIES AMENDMENTS

- UASD Bill
 - Clarifies requirements for board members appointed to SSD boards.
 - Amends provisions relating to board member terms for Water Conservancy Board members



SB 51 – LOCAL GOVERNMENT ENTITIES AMENDMENTS

- Water Conservancy Board members appointed by the Governor
 - Terms of office begin on the date on which the Senate consents with the appointment, or
 - The expiration date of the prior term, whichever is later



SB 51 – LOCAL GOVERNMENT ENTITIES AMENDMENTS

- Provides that districts with a budget less than \$250,000 may:
 - Publish notice in the newspaper, or
 - Provide notice by direct-mail regarding a budget hearing
 - If by direct mail, notice must also be posted at 3 public places within the district.



SB 51 – LOCAL GOVERNMENT ENTITIES AMENDMENTS

- Clarifies district elections provisions
 - Harmonizes statute with current practice regarding
 - Roles of the county clerk
 - Roles of the district clerk
 - Roles of the local district board of trustees



SB 51 – LOCAL GOVERNMENT ENTITIES AMENDMENTS

- Clarifies that an appointing authority may appoint one of its own members who:
 - Meets applicable statutory board member qualification requirements
 - Without advertising and accepting nominations



SB 51 – LOCAL GOVERNMENT ENTITIES AMENDMENTS

- Monetary or Non-monetary assistance to a Non-profit Entity
 - District may provide assistance to Non-profit entity, provided that the district received adequate monetary or non-monetary consideration in return.



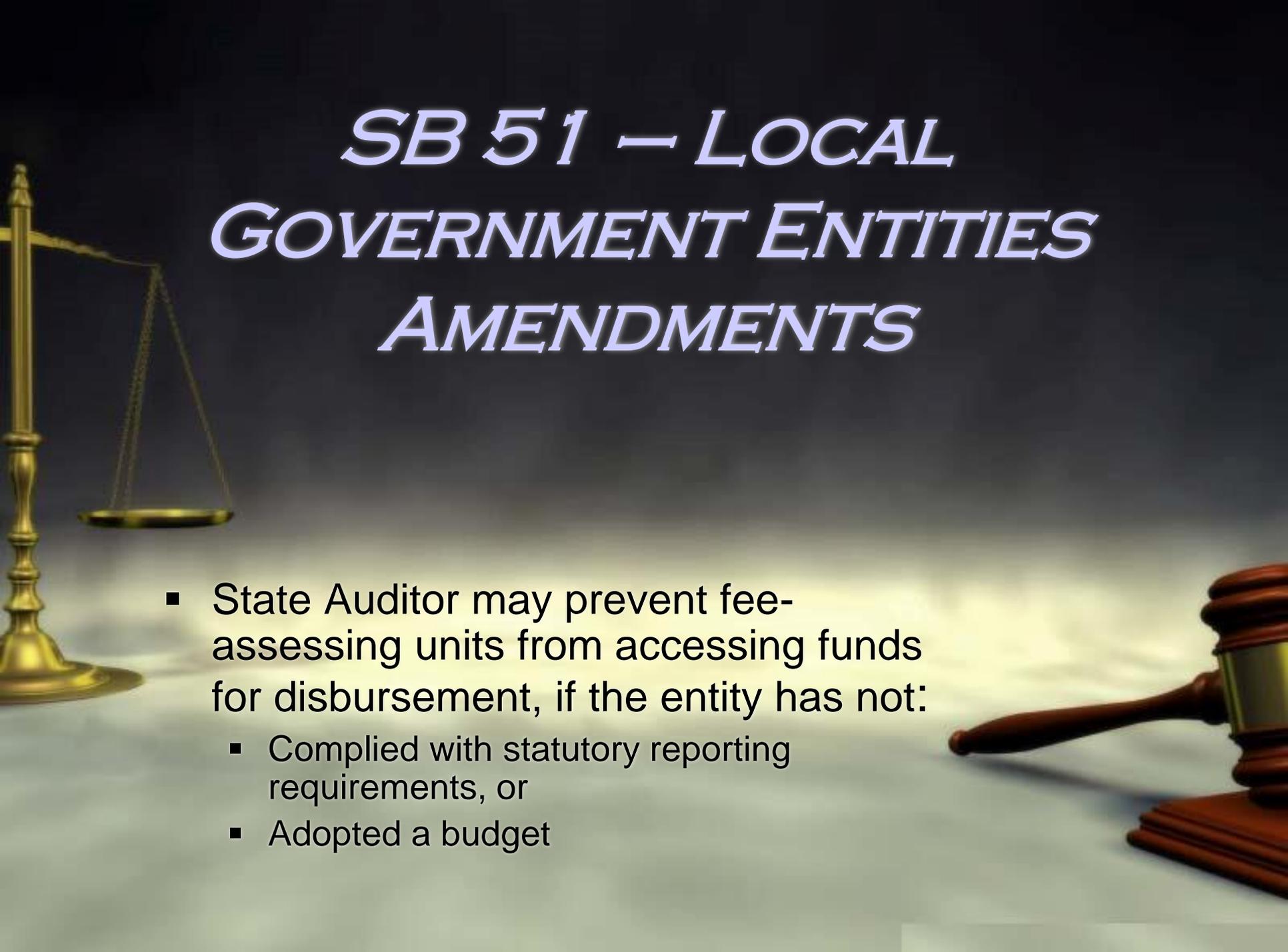
SB 51 – LOCAL GOVERNMENT ENTITIES AMENDMENTS

- A local district appointing authority may:
 - Divide the area over which it has appointing authority into “divisions”, in order to provide representation on the board throughout the district.



SB 51 – LOCAL GOVERNMENT ENTITIES AMENDMENTS

- Extends adverse possession protections granted under the statute to local districts, consistent with the protections now enjoyed by municipalities and counties.
- “Squatter Rights”



SB 51 – LOCAL GOVERNMENT ENTITIES AMENDMENTS

- State Auditor may prevent fee-assessing units from accessing funds for disbursement, if the entity has not:
 - Complied with statutory reporting requirements, or
 - Adopted a budget

PROCUREMENT



SB 179, PROCUREMENT REVISIONS

- Procurement statute recodification process – 3rd year procurement bill
 - Adoption of procurement rules
 - Delayed effective date of January 1, 2015 for districts to adopt district procurement rules
 - Otherwise, subject to State procurement rules.
 - UASD Procurement Task Force

SB 179, PROCUREMENT REVISIONS

- Ethics Standards
 - Utah Public Officers and Employees Ethics Act - Title 67-16
 - Applies to District employees and board members – Non-procurement professionals
 - For Procurement Professionals
 - Title 63G-6a Part 24 applies



SB 179, PROCUREMENT REVISIONS

- Ethics Standards
 - Other applicable statutory provisions still apply regarding...
 - Bribery
 - Anti-trust laws
 - Any other applicable rules or policies that the entity has established



SB 179, PROCUREMENT REVISIONS

- Closed Meetings Provisions expanded
 - See lines 364 – 382 (330 – 382)
 - May discuss information that may not be disclosed as provided in Title 63G, Chapter 6a
 - For the purpose of considering information designated as a trade secret



ELECTIONS





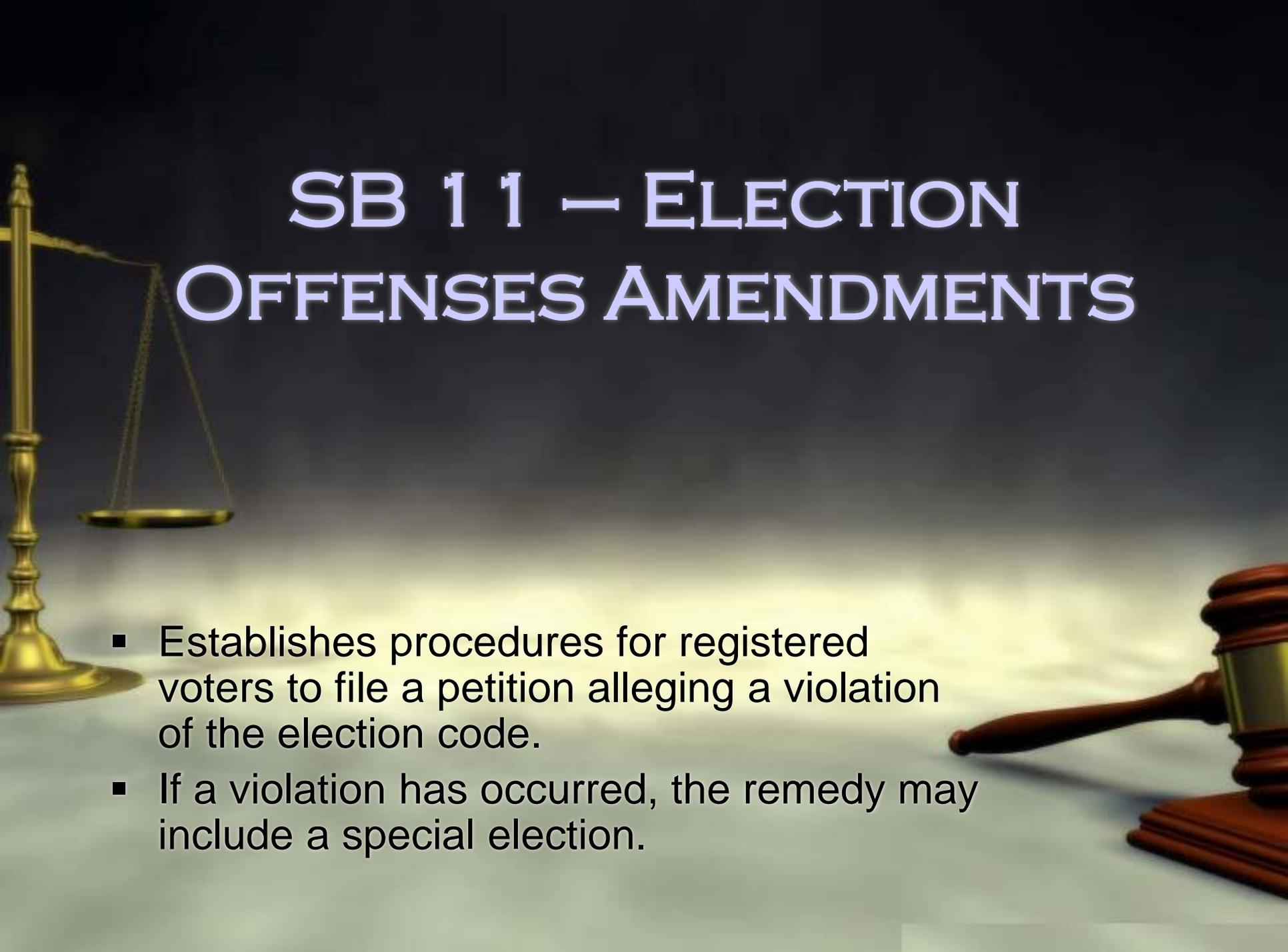
HB 156, ELECTION DAY VOTER REGISTRATION PILOT PROJECT

- Provides for a same-day voter registration pilot project through January 1, 2017.
- Participants determined only by Lt. Governor approval
- Evaluate results to determine state-wide application



HB 415 – LOCAL AND SPECIAL DISTRICT ELECTION AMENDMENTS

- Provides that districts with elected boards may:
 - Change the election cycle from municipal to general election cycle.
 - With the approval of the Lt. Governor's Office
 - For the purpose of increasing voter turnout
 - Saving tax dollars
 - Example - Districts with municipal and county voters



SB 11 – ELECTION OFFENSES AMENDMENTS

- Establishes procedures for registered voters to file a petition alleging a violation of the election code.
- If a violation has occurred, the remedy may include a special election.

WATER BILLS



HB 29 COUNTY RECORDER INDEX AMENDMENTS

- Provides that the county recorder must keep an index of water-right numbers that are included on documents that are being recorded.



HB 370, CANAL SAFETY AMENDMENTS

- The state engineer shall inventory and maintain a list of all open, human-made water conveyance systems that carry 5 cubic feet per second or more by July 1, 2017.





SB 17, WATER AND IRRIGATION AMENDMENTS

- Expands enforcement powers of the state engineer
 - Relocation or alteration of a natural stream
 - Performing well drilling and other activities without a license
 - Established criminal penalties for certain actions

OTHER BILLS



HB 17, INTERLOCAL COOPERATION ACT AMENDMENTS

- Interlocal entities are subject to state laws that governs each member agency (with certain exceptions)
 - If the law governs the same activity as provided by the interlocal entity
 - The requirement does not include local ordinances or laws



HB 17, INTERLOCAL ACT AMENDMENTS

- If state laws governing members agencies are in conflict, the Interlocal may choose
- Effective date May 12, 2015
 - Interlocal entities will meet during interim session to develop fiscal procedures for Interlocal entities.
 - Another bill next year...



HB 220, LAND USE AMENDMENTS

- Land use authority must provide notice of a petition to vacate or amend a plat...
 - to each entity that provides a service to an owner of record of the portion of the plat that is being vacated or amended...
 - at least 10 calendar days before the land use authority may approve the request.

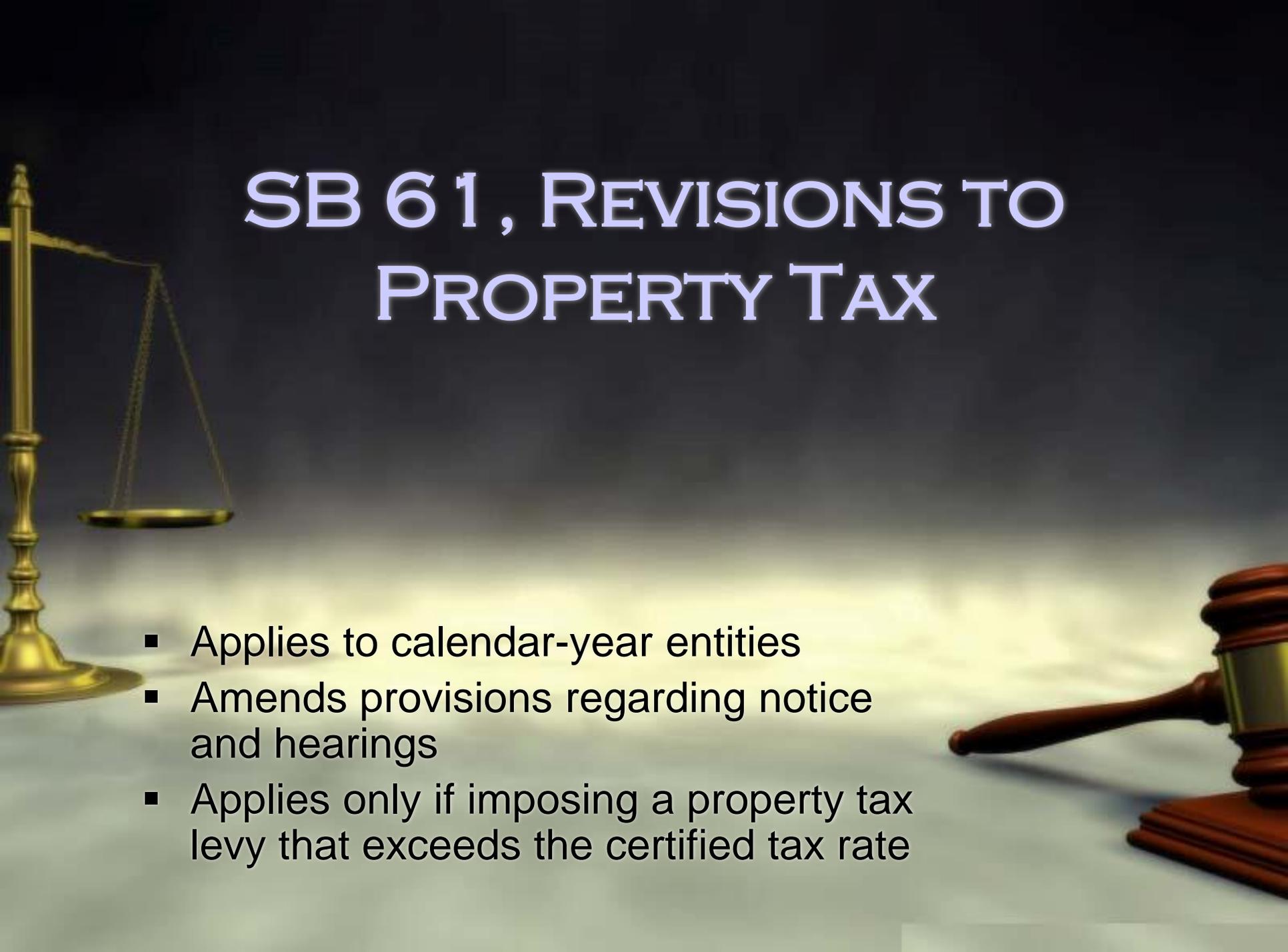


HB 340, LOCAL DISTRICT BOUNDARY ADJUSTMENT

- Provides that a District may de-annex an area to a City
 - Agreeable to both the city and the district
 - If the area is in the City's annexation plan
 - Provided that the city must then provide the service to the de-annexed area, if the area is not immediately annexed into the City.

SB 22, WORKFORCE SERVICES JOB LISTING AMENDMENTS

- All government entities must post all public job postings on the website maintained by the Department of Workforce Services
 - Does not apply to positions fill from within the organization
 - Another bill next year re: private contractors



SB 61, REVISIONS TO PROPERTY TAX

- Applies to calendar-year entities
- Amends provisions regarding notice and hearings
- Applies only if imposing a property tax levy that exceeds the certified tax rate

SB 61, REVISIONS TO PROPERTY TAX

- For eligible judgment issued on or after March 1 but before September 15th
 - Public hearing shall be held at the same time as the hearing for the annual budget adoption.



SB 61, REVISIONS TO PROPERTY TAX

- For eligible judgment issued on or after September 16 but before the last day of February...
 - Public hearing shall be held at the same time as the hearing at which property tax levies are set.



SB 70, STATE DATA PORTAL AMENDMENTS

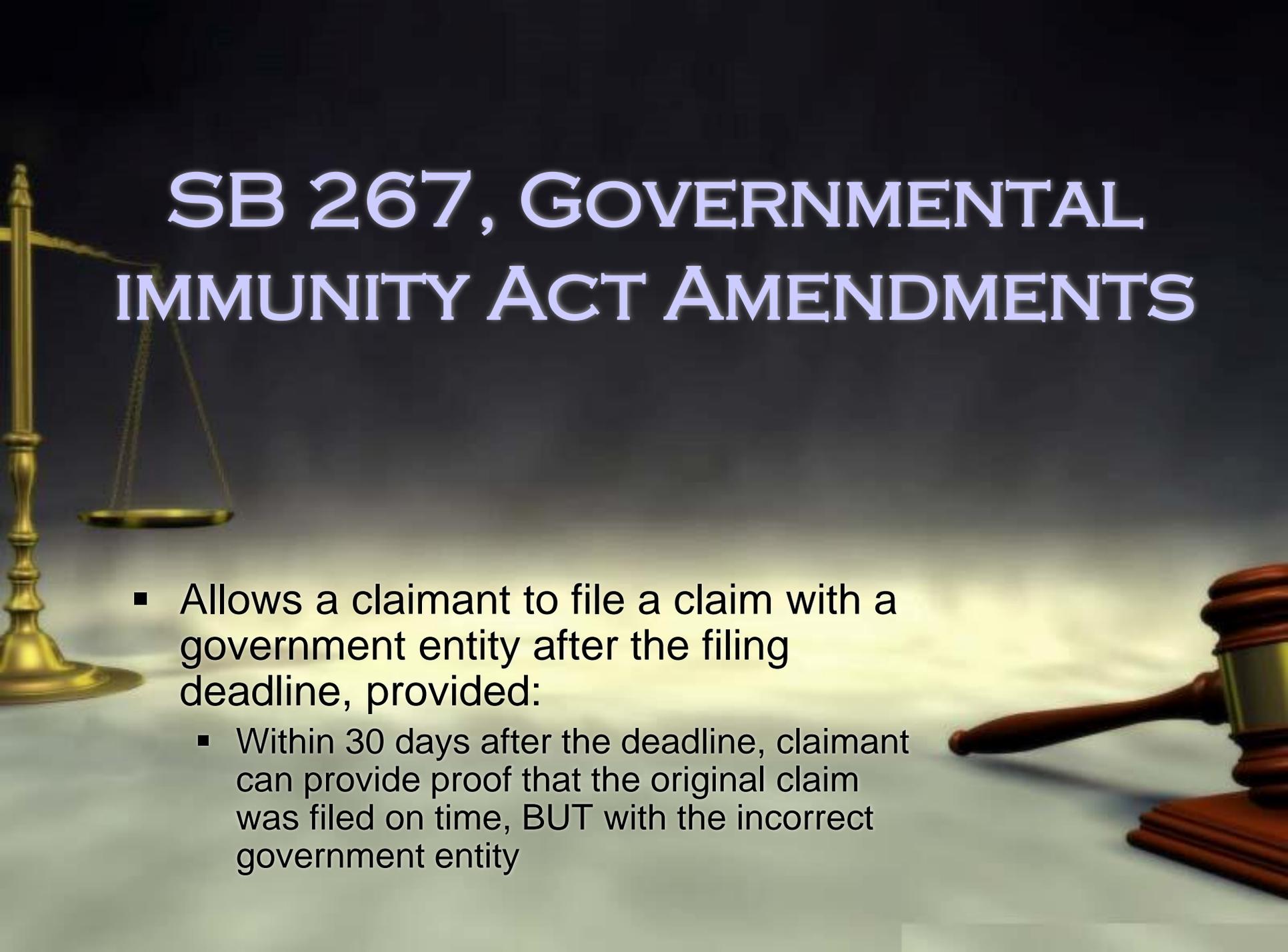
- Directs the board to analyze public information in the custody of the State for publication on the public information website
- Directs Department of Finance to modify the public information website to provide a single point of access for all GRAMA requests for all state and local government entities



SB 70, STATE DATA PORTAL AMENDMENTS

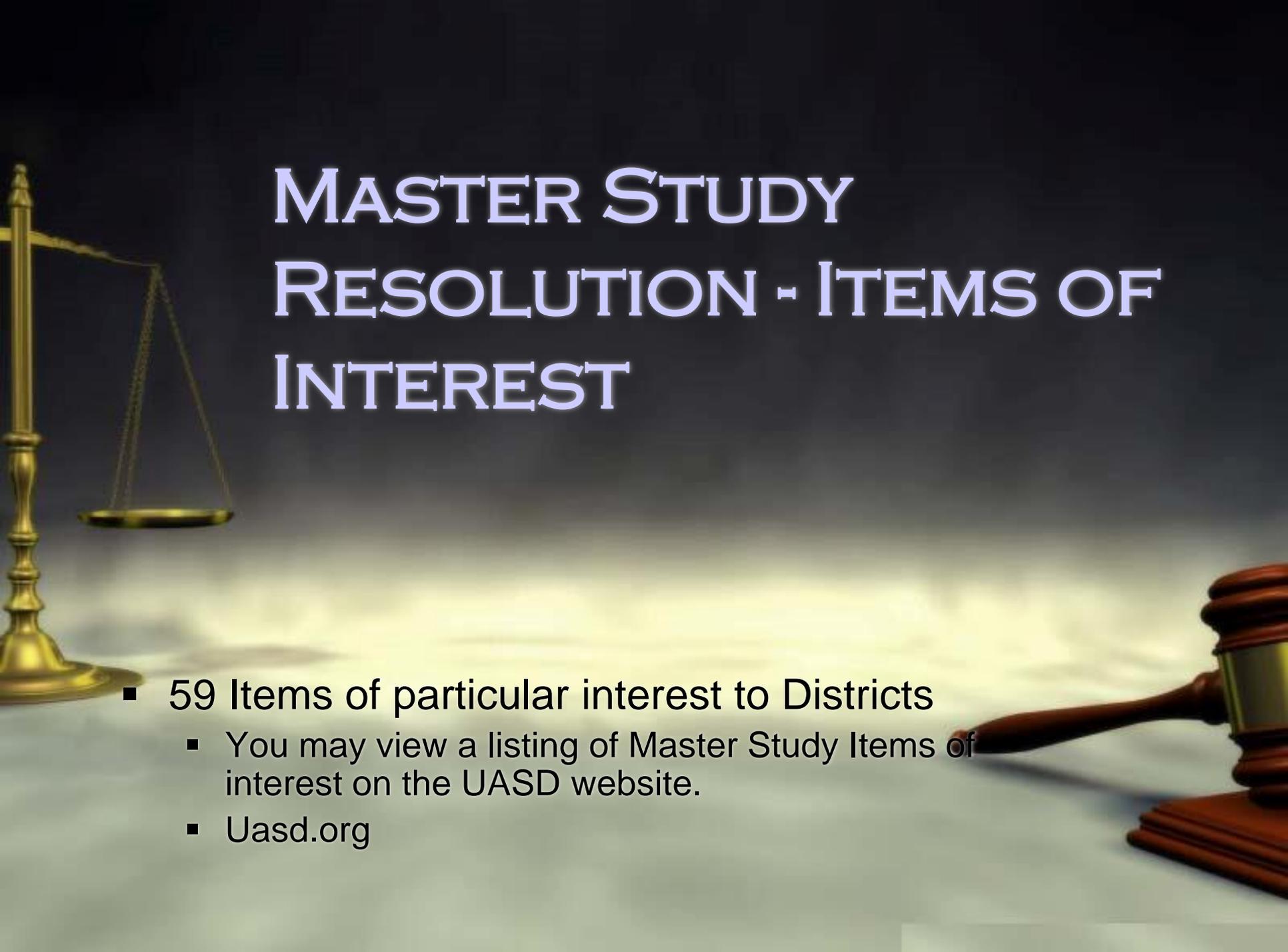
- Creates a seat on the State Transparency Advisory Board for Local and Special Service Districts
- Directs the Board to analyze ways to make information on the public notice website more relevant to citizens





SB 267, GOVERNMENTAL IMMUNITY ACT AMENDMENTS

- Allows a claimant to file a claim with a government entity after the filing deadline, provided:
 - Within 30 days after the deadline, claimant can provide proof that the original claim was filed on time, BUT with the incorrect government entity



MASTER STUDY RESOLUTION - ITEMS OF INTEREST

- 59 Items of particular interest to Districts
 - You may view a listing of Master Study Items of interest on the UASD website.
 - Uasd.org



MASTER STUDY RESOLUTION - ITEMS OF INTEREST

- Elections
 - Absentee Ballots
 - Ballots on Social Media
 - Campaign Financing
 - Election Complaint Review
 - Election Cleanup



MASTER STUDY RESOLUTION - ITEMS OF INTEREST

- Elections
 - Public Money in Campaigns
 - State Board of Elections
 - Recall Elections
 - Election Day Voter Registration
 - Election Campaign Reform



MASTER STUDY RESOLUTION - ITEMS OF INTEREST

- Taxation
 - Payment in Lieu of Taxes
 - Tax Rate Calculation



MASTER STUDY RESOLUTION - ITEMS OF INTEREST

- Mosquito Abatement
 - Pesticides



MASTER STUDY RESOLUTION - ITEMS OF INTEREST

- Water
 - Standards for Allocating Utah's Water Supply
 - Canal Safety
 - Municipal Water Rights
 - Stream Relocation Notification



MASTER STUDY RESOLUTION - ITEMS OF INTEREST

- Animal Control
 - Euthanasia Standards



MASTER STUDY RESOLUTION - ITEMS OF INTEREST

- Fire Control
 - Wildfire Mitigation
 - Construction and Fire Codes



MASTER STUDY RESOLUTION - ITEMS OF INTEREST

- Air Quality
 - Definition of “Air Contaminant”
 - Air – to study the definition of “air”
 - Air Emissions



MASTER STUDY RESOLUTION - ITEMS OF INTEREST

- GRAMA
 - Cost of records under GRAMA



MASTER STUDY RESOLUTION - ITEMS OF INTEREST

- General Items
 - Healthy Workplace
 - Living Wage
 - Workplace Discrimination



*UTAH ASSOCIATION OF
SPECIAL DISTRICTS*

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