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
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 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
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
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.
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”
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
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
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
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.
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
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
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.
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.
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
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

LeGrand Bitter
801-614-0405 - Office
801-725-1312 - Cell
www.uasd.org
legrand@uasd.org