

1 **LOCAL ISSUES AMENDMENTS**

2 2007 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Carlene M. Walker**

5 House Sponsor: Aaron Tilton

7 **LONG TITLE**

8 **General Description:**

9 This bill modifies a provision relating to a form of municipal government and creates
10 the Local Issues Task Force.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ prohibits the establishment of a manager form of municipal government until May
- 14 5, 2008;
- 15 ▶ requires the repeal of an ordinance establishing a manager form of government if
- 16 adopted on or after January 1, 2007; and
- 17 ▶ creates the Local Issues Task Force, providing for membership and compensation of
- 18 members and duties of the task force and requiring a report to the Political
- 19 Subdivisions Interim Committee.

20 **Monies Appropriated in this Bill:**

21 This bill appropriates:

- 22 ▶ \$4,000 to the Senate; and
- 23 ▶ \$11,000 to the House of Representatives.

24 **Other Special Clauses:**

25 This bill repeals uncodified material on November 30, 2007.

26 This bill coordinates with S.B. 30, Creation of New School District Amendments, by
27 providing substantive amendments.

28 **Utah Code Sections Affected:**

29 AMENDS:

30 10-3-830, as enacted by Chapter 147, Laws of Utah 1997

31 **Uncodified Material Affected:**

32 ENACTS UNCODIFIED MATERIAL



34 *Be it enacted by the Legislature of the state of Utah:*

35 Section 1. Section 10-3-830 is amended to read:

36 **10-3-830. Appointment of city or town manager.**

37 (1) [The] (a) Except as provided in Subsection (1)(b), the governing body of a city or
38 town, organized as provided under Title 10, Chapter 3, Part 1, Governing Body, may by
39 ordinance establish a manager form of government and appoint a person to act as city or town
40 manager, to serve at the pleasure of the governing body.

41 (b) (i) A governing body may not establish a manager form of government under
42 Subsection (1)(a) before May 5, 2008.

43 (ii) Each governing body that adopted an ordinance establishing a manager form of
44 government under Subsection (1)(a) on or after January 1, 2007 shall repeal the ordinance.

45 (2) The governing body of a city or town that appoints a manager under Subsection (1)
46 shall, by ordinance or resolution, prescribe the powers, duties, and obligations of the manager.

47 (3) The governing body may not delegate to the manager:

48 (a) the mayor's legislative or judicial powers;

49 (b) the mayor's position as chairman of the governing body; or

50 (c) any ex officio position that the mayor holds.

51 **Section 2. Local Issues Task Force -- Creation -- Membership -- Quorum --**

52 **Compensation -- Staff.**

53 (1) There is created the Local Issues Task Force consisting of the following ten
54 members:

55 (a) three members of the Senate appointed by the president of the Senate, no more than
56 two of whom may be from the same political party; and

57 (b) seven members of the House of Representatives appointed by the speaker of the

58 House of Representatives, no more than five of whom may be from the same political party.

59 (2) (a) The president of the Senate shall designate a member of the Senate appointed
60 under Subsection (1)(a) as a cochair of the task force.

61 (b) The speaker of the House of Representatives shall designate a member of the House
62 of Representatives appointed under Subsection (1)(b) as a cochair of the task force.

63 (3) A majority of the members of the task force constitutes a quorum. The action of a
64 majority of the members present at a meeting at which a quorum is present constitutes the
65 action of the task force.

66 (4) Salaries and expenses of the members of the task force shall be paid in accordance
67 with Section 36-2-2 and Legislative Joint Rule 15.03.

68 (5) The Office of Legislative Research and General Counsel shall provide staff support
69 to the task force.

70 **Section 3. Duties -- Interim report.**

71 (1) The task force shall review and make recommendations on the following issues:

72 (a) whether a municipality's adoption of the manager form of government under
73 Section 10-3-830 should require voter approval;

74 (b) other issues relating to the manager form of government; and

75 (c) school building financing.

76 (2) A final report, including any proposed legislation shall be presented to the Political
77 Subdivisions Interim Committee before November 30, 2007.

78 **Section 4. Appropriation.**

79 There is appropriated from the General Fund for fiscal year 2006-07 only:

80 (1) \$4,000 to the Senate to pay for the compensation and expenses of senators on the
81 task force; and

82 (2) \$11,000 to the House of Representatives to pay for the compensation and expenses
83 of representatives on the task force.

84 **Section 5. Repeal date.**

85 The uncodified material that creates the Local Issues Task Force is repealed on

86 November 30, 2007.

87 Section 6. **Coordinating S.B. 41 with S.B. 30 -- Substantive amendments.**

88 If this S.B. 41 and S.B. 30, Creation of New School District Amendments, both pass, it
89 is the intent of the Legislature that the uncodified section in S.B. 30 relating to 2007 interim
90 study items for the Political Subdivisions Interim Committee not take effect.