

1                                   **UTAH STATE RAILROAD MUSEUM AUTHORITY**

2   **AMENDMENTS**

3   2013 GENERAL SESSION

4   STATE OF UTAH

5   **Chief Sponsor: Jeremy A. Peterson**

6   Senate Sponsor: Peter C. Knudson

---

---

8   **LONG TITLE**

9   **General Description:**

10                   This bill modifies the Independent State Entities code by amending provisions relating  
11 to the Utah State Railroad Museum Authority.

12   **Highlighted Provisions:**

13                   This bill:

- 14                   ▶ amends the membership of the Utah State Railroad Museum Authority; and
- 15                   ▶ makes technical changes.

16   **Money Appropriated in this Bill:**

17                   None

18   **Other Special Clauses:**

19                   None

20   **Utah Code Sections Affected:**

21   AMENDS:

22                   **63H-5-102**, as last amended by Laws of Utah 2011, Chapter 308 and renumbered and  
23 amended by Laws of Utah 2011, Chapter 370

---

---

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

26                   Section 1. Section **63H-5-102** is amended to read:

27                   **63H-5-102. Creation -- Members -- Chair -- Powers -- Quorum -- Per diem and**



28 **expenses.**

29 (1) There is created an independent body politic and corporate known as the "Utah  
30 State Railroad Museum Authority," hereafter referred to in this chapter as "the authority."

31 (2) The authority is composed of ~~11~~ **12** members as follows:

32 (a) one member of the county legislative body of Weber County appointed by that  
33 legislative body;

34 (b) ~~two members~~ one member of the county legislative body of Box Elder County  
35 appointed by that legislative body;

36 (c) one member of the city legislative body of Ogden City appointed by that legislative  
37 body;

38 ~~(c)~~ (d) the executive director of the Department of Transportation or the director's  
39 designee; and

40 ~~(d)~~ (e) ~~seven~~ eight public members appointed by the governor, as follows:

41 (i) two individuals representing the tourism industry, one each from Weber and Box  
42 Elder Counties;

43 (ii) one individual representing the public at large; and

44 (iii) ~~four~~ five individuals representing railroad historic and heritage preservation  
45 organizations active in Weber and Box Elder Counties, as follows:

46 (A) one individual representing the Railroad and Locomotive Historical Society  
47 Golden Spike Chapter;

48 (B) one individual representing the Golden Spike Heritage Foundation;

49 (C) one individual representing the Golden Spike Association; and

50 (D) ~~one~~ two ~~individual~~ individuals representing the  
50a ~~Corinne Historical Society~~ and the Ogden Union Station.

51 (3) All members shall be residents of the state.

52 (4) (a) Except as required by Subsection (4)(b), the governor shall appoint the seven  
53 public members for four-year terms beginning July 1.

54 (b) Notwithstanding the requirements of Subsection (4)(a), the governor shall, at the  
55 time of appointment or reappointment, adjust the length of terms to ensure that the terms of  
56 authority members appointed under Subsection (2)~~(d)~~(e) are staggered so that approximately  
57 one-half of the seven public members are appointed every two years.

58 (5) Any of the ~~seven~~ eight public members may be removed from office by the  
58a governor or

59 for cause by an affirmative vote of ~~§~~→ [six] seven ←~~§~~ members of the authority.

60 (6) When a vacancy occurs in the public membership for any reason, the governor shall  
61 appoint a replacement for the unexpired term.

62 (7) Each public member shall hold office for the term of the member's appointment and  
63 until a successor has been appointed and qualified.

64 (8) A public member is eligible for reappointment, but may not serve more than two  
65 full consecutive terms.

66 (9) The governor shall appoint the chair of the authority from among its members.

67 (10) (a) The members shall elect from among their membership a vice chair and other  
68 officers as they may determine.

69 (b) The officers serve as the executive committee for the authority.

70 (11) The powers of the authority are vested in its members.

71 (12) (a) ~~§~~→ [Six] Seven ←~~§~~ members constitute a quorum for transaction of authority  
71a business.

72 (b) An affirmative vote of at least ~~§~~→ [six] seven ←~~§~~ members is necessary for an action to  
72a be taken by  
73 the authority.

74 (13) A member may not receive compensation or benefits for the member's service, but  
75 may receive per diem and travel expenses in accordance with:

76 (a) Section 63A-3-106;

77 (b) Section 63A-3-107; and

78 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and  
79 63A-3-107.

### Legislative Review Note

as of 1-3-13 10:22 AM

Office of Legislative Research and General Counsel