

**MINUTES OF THE
HOUSE POLITICAL SUBDIVISIONS
STANDING COMMITTEE
Room 450 State Capitol
February 14, 2014**

Members Present: Rep. R. Curt Webb, Chair
Rep. Jeremy A. Peterson, Vice Chair
Rep. Jerry B. Anderson
Rep. Jon Cox
Rep. James A. Dunnigan
Rep. Craig Hall
Rep. Michael S. Kennedy
Rep. Marie H. Poulson
Rep. Marc K. Roberts
Rep. John R. Westwood

Members Absent: Rep. Jennifer M. Seelig

Staff Present: Mr. Joseph Wade, Policy Analyst
Ms. Karen Mitchell, Committee Secretary

Note: A list of visitors and a copy of handouts are filed with the committee minutes.

Vice Chair Peterson called the meeting to order at 8:12 a.m.

MOTION: Rep. Dunnigan moved to approve the minutes of the February 10, 2014 meeting. The motion passed unanimously with Rep. Hall and Rep. Seelig absent for the vote.

H.B. 102 Assessment Area Amendments (Rep. R. C. Webb)

Rep. Webb explained the bill to the committee and provided a handout: "Protest, Notice, Hearing Requirements for Local Districts, Assessment Areas, and Special Service Districts: Comparison of Current Law and Changes in HB66."

MOTION: Rep. Roberts moved to amend the bill as follows:

1. Page 3, Lines 74 through 76:

74 (9) "Benefitted property" means property within an assessment area that ;
(a) directly [or
75 ~~indirectly~~] benefits from improvements {;} or operation and
maintenance {;} ; or

- 76 (b) directly or indirectly benefits from economic promotion
activities.
2. *Page 3, Lines 82 through 83:*
82 (13) (a) "Commercial or industrial real property" means real property used directly
 {+} or
83 **indirectly** {+} or held for one of the following purposes or activities, regardless of
 whether the
3. *Page 12, Lines 346 through 349:*
346 (e) state that the local entity proposes to levy an assessment on benefitted property
347 within the assessment area to pay some or all of the cost of the improvements according to
 the
348 estimated :
 (i) for an assessment for improvements or operation and maintenance, direct
 [and indirect] benefits to the property {~~from the improvements~~} ; or
 (ii) for an assessment for economic promotion activities, direct or indirect
 benefits to the property;
349 (f) state the assessment method by which the governing body proposes to levy the
4. *Page 15, Lines 447 through 452:*
447 (ii) collects for the petition described in Subsection (3)(c)(i)(A):
448 (A) the signatures of owners of private real property that is located within the
 proposed
449 assessment area;
450 (B) enough signatures to exceed the number of contestable protest signatures
 received by the governing body protesting the described assessment area by no
 less
451 than 5% based on the same assessment method representation that was used to calculate
 the
452 number of contestable protest signatures; and
5. *Page 17, Lines 513 through 516:*
513 (c) At each hearing, the board of equalization shall hear arguments from any person
514 who claims to be aggrieved, including arguments relating to:

515 (i) the direct [~~or indirect~~] benefits , or, if the assessment is for economic
promotion activities, the direct or indirect benefits, accruing to a tract, block, lot, or
parcel of property in
516 the assessment area; or

6. *Page 18, Lines 547 through 548:*

547 (i) each parcel of property within the assessment area will be directly [~~or indirectly~~]
548 benefitted , or, if the assessment is for economic promotion activities, directly or
indirectly benefitted, in an amount not less than the assessment to be levied against the
property; and

7. *Page 21, Lines 636 through 638:*

636 (b) The validity of an otherwise valid assessment is not affected by the fact that the
637 benefit to the property from the improvement {+} : {+}
(i) does not increase the fair market value of the
638 property {-} ; or
(ii) in the case of an assessment for economic promotion activities, only
indirectly benefits the property.

The motion passed unanimously with Rep. Hall and Rep. Seelig absent for the vote.

Spoke for the bill: Lincoln Shurtz, Utah League of Cities and Towns
Gary Crane, Layton City
Royce VanTassell, Utah Taxpayers Association

Answered questions: Victoria Ashby, Associate General Counsel, Office of Legislative
Research and General Counsel

MOTION: Rep. Westwood moved to pass H.B. 102 out favorably as amended. The motion
passed unanimously with Rep. Hall, Rep. Poulson, and Rep. Seelig absent for the
vote.

**S.B. 18 Local Government General Fund Amendments (*Sen. D. Thatcher*) (Rep. R.
C. Webb)**

Rep. Webb explained the bill to the committee.

Note: This bill was amended in the February 10, 2014 meeting.

Spoke for the bill: Van Christensen, Utah State Auditors Office

MOTION: Rep. Westwood moved to pass S.B. 18 out favorably as amended. The motion passed unanimously with Rep. Hall, Rep. Poulson, and Rep. Seelig absent for the vote.

H.B. 104 School Planning and Zoning Compliance (Rep. R. Cunningham)

Rep. Cunningham explained the bill to the committee and presented a slide presentation. A handout was provided: "The City of South Jordan SUPPORTS."

MOTION: Rep. Cox moved to amend the bill as follows:

1. Page 19, Lines 566 through 569:

- 566 (2) The superintendent may employ architects or other qualified personnel, or
contract
567 with the State Building Board, the state fire marshal, a school district building
inspector, or a local governmental entity to:
568 (a) examine the plans and specifications of any school building or alteration
submitted
569 under this chapter;

The motion passed unanimously with Rep. Hall, Rep. Poulson, and Rep. Seelig absent for the vote.

Spoke for the bill: John Price, Price Realty Group
Jodi Hoffman, Utah League of Cities and Towns

Spoke against the bill: Bill Colbert, Draper City Council
Chris Blake, Utah Association of Charter Schools

MOTION: Rep. Dunnigan moved to proceed to the next item on the agenda. The motion passed unanimously with Rep. Poulson and Rep. Seelig absent for the vote.

S.B. 23 School Construction Amendments (Sen. S. Jenkins) (Rep. G. Froerer)

Sen. Jenkins explained the bill to the committee.

MOTION: Rep. Roberts moved to pass S.B. 23 out favorably. The motion passed

unanimously with Rep. Poulson and Rep. Seelig absent for the vote.

MOTION: Rep. Roberts moved to adjourn. The motion passed unanimously with Rep. Seelig absent for the vote.

Vice Chair Peterson adjourned the meeting at 9:51 a.m.

H.B. 110 Renewable Energy Amendments (*Rep. K. Powell*)

This bill was not considered.

**S.C.R. 1 Concurrent Resolution Recognizing the 60th Anniversary of the Inclusion of
Under God in the Pledge of Allegiance (*Sen. A. Osmond*) (**Rep. L.
Christensen**)**

This bill was not considered.

Rep. R. Curt Webb, Chair