

**MINUTES OF THE
POLITICAL SUBDIVISIONS INTERIM COMMITTEE**
Wednesday, November 15, 2006 – 2:00 p.m. – W025 House Building

Members Present:

Sen. Carlene M. Walker, Senate Chair
Rep. Brad L. Dee, House Chair
Sen. Fred J. Fife
Sen. Wayne L. Niederhauser
Rep. David N. Cox
Rep. Julie Fisher
Rep. Ann W. Hardy
Rep. Brad King
Rep. Karen W. Morgan
Rep. Joseph G. Murray
Rep. Peggy Wallace
Rep. Larry B. Wiley

Members Absent:

Pres. John L. Valentine
Rep. Kerry W. Gibson
Rep. M. Susan Lawrence

Staff Present:

Mr. Joseph T. Wade, Policy Analyst
Mr. Robert H. Rees, Associate General Counsel
Ms. Wendy L. Bangerter, Legislative Secretary

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Committee Business

Senator Carlene Walker called the meeting to order at 2:35 p.m. A meeting for the Special Districts Subcommittee was scheduled for Monday, November 20, 2006 at 9:00 a.m. in Room W125.

MOTION: Rep. Cox moved to approve the minutes of the September 20 and October 18, 2006 meetings. The motion passed unanimously. Rep. Dee and Rep. Fisher were absent for the vote.

2. Creation of Smaller School Districts

Mr. Robert H. Rees, Associate General Counsel, distributed and reviewed a summary of 2007 General Session draft legislation, "Creation of New School District Amendments," regarding the implementation of H.B. 77 that passed in the 2006 General Session.

Committee discussion followed.

Ms. Susan Kuziak, Utah Education Association, asked clarifying questions.

Mr. John Hiskey, Sandy City, submitted and summarized suggestions for additional changes to the legislation. Mr. Stephen Smith, Sandy City, clarified points in Mr. Hiskey's recommendations.

Mr. Brad Marcus, Riverton City, also made a recommendation for the bill.

Mr. Lynn Pace, Holiday City, spoke in favor of the bill, but expressed concern that there needs to be more detail regarding asset division.

Mr. Russ Wall, Taylorsville City Mayor, expressed concern regarding population requirements in the bill and how it will affect Taylorsville City if all the cities around them form their own school districts and they are forced to join with them.

MOTION: Rep. Cox moved to adopt "Creation of New School District Amendments" as a committee bill. The motion passed unanimously. Rep. Dee was absent for the vote.

Rep. Daw explained 2007 General Session draft legislation "New School District Leeway Retention." This bill addresses financing issues not covered in "Creation of New School District Amendments." It will allow any leeway voted on under the old school district footprint to exist for the new and the old districts at roughly the same rate, depending on their property valuations.

MOTION: Rep. Cox moved to adopt "New School District Leeway Retention" as a committee bill. The motion passed unanimously. Rep. Dee was absent for the vote.

3. Forms of Municipal Government

Rep. David Hogue explained that several municipalities have, by ordinance, changed their form of government by using Section 10-3-830, which does not require a vote of the people. He feels that part of the code circumvents the citizens' right to select their desired form of government. He reviewed the optional forms of government. He requested that the Legislature consider repealing Section 10-3-830.

Mr. Rees explained draft legislation, "Forms of Municipal Government," which would repeal Section 10-3-830 and remove the option that a city council can change the city's form of government.

Speaking in favor of the bill were: Ms. Michelle Stallings, Mr. Craig Lawrence, and Mr. Gordan Miner, citizens; Mr. Howard Johnson, Mayor of Lehi; and Ms. Carol Porter, attorney on behalf of Mayor Anderson of Bluffdale.

Mr. Wallace Peterson, Syracuse City Council member, and Ms. Linda Robertson, citizen of Bluffdale, also spoke in favor of the bill and encouraged the Legislature to consider making the bill retroactive.

Mr. Mark Christensen, City Manager of Washington Terrace and representing the City Manager's Association, and Ms. DeLynn Summers, citizen, both spoke in opposition to the bill.

The Committee discussed and expressed their concerns for making the bill retroactive. They expressed a desire to hear more from the opposing side of the issue before ratifying it.

Rep. Cox stated that he would be voting against the bill for the sole purpose of giving it the opportunity for more committee hearings and giving more legislators the opportunity to hear and learn about it before it goes before the body during the general session.

MOTION: Rep. Morgan moved to adopt "Forms of Municipal Government" as a committee bill. The motion failed with Sen. Walker and Rep. Morgan voting in favor of the motion. Sen. Fife, Sen. Niederhauser, Rep. Cox, Rep. Fisher, Rep. Hardy, Rep. Wallace, and Rep. Wiley voted in opposition. Rep. Dee, Rep. King, and Rep. Murray were absent for the vote.

4. Inspection of School Construction

Mr. Rees reviewed 2007 General Session draft legislation, "County and Municipal Land Use Provisions Regarding Schools."

Ms. Jodi Hoffman, League of Cities and Towns, and Mr. Larry Newton, Utah State Office of Education, gave background information from the ad hoc committee meeting findings. They explained administrative rules that were reviewed for potential changes.

Committee discussion followed.

5. Quality Growth Commission Annual Report

Mr. John Bennett, Governor's Office of Planning and Budget and member of the Quality Growth Commission, distributed and reviewed the annual report to the Legislature. He noted that work has been done in every county in Utah.

Commissioner Leonard Blackham, Department of Agriculture, expressed appreciation for the efforts of the commission.

6. Other Items / Adjourn

Sen. Walker expressed appreciation to the Committee and staff for their efforts during the interim.

MOTION: Sen. Fife moved to adjourn the meeting. The motion passed unanimously. Rep. Dee, Rep. Cox, Rep. King, and Rep. Murray were absent for the vote.

Chair Walker adjourned the meeting at 4:37 p.m.