A GUIDE TO UTAH’S INDEPENDENT ENTITIES

Office of Legislative Research and General Counsel
Understanding Independent Entities

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Understanding Independent Entities
Independent Entity

An entity having a public purpose relating to the state or its citizens that is individually created by the state or is given by the state the right to exist and conduct its affairs as an independent state agency or independent corporation (§63E-1-102).

Independent State Agency

An entity created by the state, but is independent of the Governor’s direct supervisory control.

Quasi-Public Corporation

An artificial person, private in ownership, individually created as a corporation by the state, which has accepted from the state the grant of a franchise or contract involving the performance of a public purpose relating to the state or its citizens.

Public Corporation

An artificial person, public in ownership, individually created by the state as a body politic and corporate for the administration of a public purpose relating to the state or its citizens.
# Independent State Agency

| Characteristics | • Public purpose relating to the state or its citizens  
|                 | • Independent of governor’s direct supervisory control  
|                 | • Public ownership  
|                 | • Exercises powers under authorizing statute |
| Governance      | • Executive Director with Commission, Council, or Board  
|                 | • Oversight is subject to recommendations and review by the Retirement and Independent Entities Committee |
| Liability       | • May be sued in the name of the independent state agency  
|                 | • Depending on the enabling statute of each entity, the state may be liable for obligations, expenses, debts, and liabilities |
| Ownership of Assets | • State owns assets |
| Legal Representation | • May be represented by the attorney general |
| Flexibility for Reorganization | • Retirement and Independent Entities Committee may recommend reorganization  
|                         | • Legislature may reorganize |
| Participation in State Services | • May participate in the Utah Retirement Systems |
| Application of State Laws | • State laws are presumed to apply to independent state agencies but the authorizing statute of each agency often provides specific exemptions  
|                         | • The Retirement and Independent Entities Committee is authorized to recommend which state laws each independent state agency should be exempt from or subject to in statute |
| Characteristics                           | • Specific public purpose  
                                            | • Independent of governor's direct supervisory control  
                                            | • May sue or be sued  
                                            | • Exercises powers under authorizing statute and license or franchise |
|------------------------------------------|------------------------------------------------------------------|
| Governance                                | • Board of Directors  
                                            | • Subject to recommendations and review by the Retirement and Independent Entities Committee  
                                            | • Subject to audits, examinations, and reviews by the Legislative Auditor General |
| Liability                                 | • Sued in the name of the independent public corporation  
                                            | • State is not liable for obligations, expenses, debts, and liabilities |
| Ownership of Assets                       | • Corporation/shareholders/state - ownership varies across entities |
| Legal Representation                      | • May retain counsel independent of the attorney general |
| Flexibility for Reorganization            | • Retirement and Independent Entities Committee may recommend reorganization to the Legislature  
                                            | • Corporation must dissolve and distribute assets/liabilities prior to reorganization  
                                            | • Legislature may reorganize by statute |
| Participation in State Services           | • May participate in the Utah Retirement Systems  
                                            | • May not participate in the following services: state fuel dispensing, motor pool, surplus property, risk management, information technology, or archives |
| Application of State Laws                 | • Many state laws that apply to state agencies are presumed not to apply to independent public corporations  
                                            | • Independent public corporations are subject to the Open and Public Meetings Act (Title 52, Chapter 4) and Government Records Access and Management Act (Title 63G, Chapter 2)  
                                            | • Other exemptions may be provided in the authorizing statute |
## Quasi-Public Corporation

| Characteristics               | • Specific public purpose  
|                              | • Independent of governor’s direct supervisory control  
|                              | • Private ownership as opposed to public ownership  
|                              | • May sue or be sued  
|                              | • Exercises powers under authorizing statute and license or franchise  
| Governance                   | • Board of Directors  
|                              | • Subject to recommendations and review by the Retirement and Independent Entities Committee  
|                              | • Subject to audits, examinations, and reviews by the Legislative Auditor General  
| Liability                    | • Sued in the name of the independent quasi-public corporation  
|                              | • State is not liable for obligations, expenses, debts, and liabilities  
| Ownership of Assets           | • Corporation/shareholders/state—may depend upon the specific public purposes, structure of the corporation, and funding  
| Legal Representation          | • May retain counsel independent of the attorney general  
| Flexibility for Reorganization| • Retirement and Independent Entities Committee may recommend reorganization to the Legislature  
|                              | • Statute provides reorganization process  
| Participation in State Services| • May participate in the Utah Retirement Systems  
|                              | • May not participate in the following services: state fuel dispensing, motor pool, surplus property, risk management, information technology, or archives  
| Application of State Laws     | • Many state laws that apply to state agencies are presumed not to apply to independent quasi-public corporations  
|                              | • Independent quasi-public corporations are presumed subject to the Open and Public Meetings Act (Title 52, Chapter 4) and Government Records Access and Management Act (Title 63G, Chapter 2)  
|                              | • Other exemptions may be provided in the authorizing statute  

Creation of Independent Entities

A government requestor proposes that the Legislature create a new independent entity (63E-1-302(1)).

The committee schedules a meeting to review the proposal (63E-1-302(2)).

The committee may request relevant information from executive and legislative branch entities (63E-1-302(2)(b)).

After review of the proposal, the committee makes a report to the Legislature stating whether the committee recommends creation of the new entity (63E-1-303).

Privatization of Independent Entities

An independent entity seeking to privatize submits a request to the Legislature (63E-1-403(1)(a)).

The independent entity is audited by the state auditor within one year prior to proposed effective repeal date (63E-1-403(1)(b)).

The relationship between the state and an independent entity may not be terminated except by repeal of the authorizing statute of the independent entity (63E-1-403(2)).
2 Reporting and Contact Information
## Reporting Requirements

<table>
<thead>
<tr>
<th>Independent Entity</th>
<th>Reporting Requirements from Statute</th>
<th>Annual Audit Required</th>
<th>Annual Report to Legislature</th>
<th>Annual Report to Executive Branch</th>
<th>Audit Required (No time frame specified)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Heber Valley Historic Railroad Authority</td>
<td><em>The authority is subject to audit by the state auditor pursuant to Title 67, Chapter 3, Auditor, and by the legislative auditor general pursuant to Section 36-12-15</em> (Utah Code §63H-4-108(3)). The authority is subject to requirements related to the Utah Public Finance Website. (See Utah Code §63H-4-108(2) and §63A-3-402.)</td>
<td></td>
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</tr>
<tr>
<td>School and Institutional Trust Lands Administration (SITLA)</td>
<td>The board shall &quot;annually report the director's compensation to the Legislature&quot; (Utah Code §53C-1-301(4)(a)(i)). The director shall &quot;submit to the board for public inspection an annual management budget and financial plan for operations of the administration and, after approval by the board, submit the budget to the governor&quot; (Utah Code §53C-1-303(1)(e)) and &quot;maintain appropriate records of trust activities to enable auditors appointed by appropriate state agencies or the board to conduct periodic audits of trust activities&quot; (Utah Code §53C-1-303(1)(k)). The director is also required to &quot;keep the board, beneficiaries, governor, Legislature, and the public informed about the work of the director and administration by reporting to the board in a public meeting at least once during each calendar quarter&quot; (Utah Code §53C-1-303(1)(m)).</td>
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<td>X</td>
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<tr>
<td>Organisation</td>
<td>Reporting Requirements</td>
<td>State Auditor Requirement</td>
<td>State Auditor Audit</td>
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<tr>
<td>School and Institutional Trust Fund Office (SITFO)</td>
<td><em>No later than September 1 of each year, the office shall provide to the Division of Finance financial information for the prior fiscal year that the Division of Finance requests for financial reporting purposes</em> (Utah Code §53D-1-201(4)).&lt;br&gt;<em>The board shall annually report the director’s compensation to the Legislature</em> (Utah Code §53D-1-303(3)(g)).&lt;br&gt;<em>At least annually, the director shall report in person to the Legislative Management Committee, the governor, and the Advocacy Office, concerning the office’s investments, performance, estimated distributions, and other activities</em> (Utah Code §53D-1-403(4)).</td>
<td>X</td>
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<tr>
<td>Utah Beef Council</td>
<td>“The council shall: (a) submit the council’s proposed budget and an end-of-year audited financial statement to the department and the Office of the State Auditor within 180 days of the end of each fiscal year; (b) provide the department, on an annual basis, with a detailed outline of the council’s plans for future publications and messaging; and (c) report, by October 1 of each year, to the Retirement and Independent Entities Interim Committee on the operations and activities of the council (Utah Code §4-21-105(2)).</td>
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<tr>
<td>Utah Communications Authority</td>
<td>*The Utah Communications Authority shall, following the close of each fiscal year, submit an annual report of its activities for the preceding year to the governor and the Legislature (Utah Code §63H-7a-804(1)).&lt;br&gt;<em>The state auditor shall at least once in each year audit the books and accounts of the Utah Communications Authority or shall contract with an independent certified public accountant for this audit</em> (Utah Code §63H-7a-804(2)).&lt;br&gt;The Utah Communications Authority is subject to requirements related to the Utah Public Finance Website (Utah Code §63H-7a-803(3)(b) and § 63A-3-402).</td>
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<tr>
<td>Utah Dairy Commission</td>
<td><em>The accounts of the commission shall be audited once annually by a licensed accountant selected by the commission and approved by the state auditor. The results of the audit shall be submitted to the: (i) commissioner; (ii) commission; and (iii) Division of Finance. It is the responsibility of the commission to send annually a financial report to each producer</em> (Utah Code §4-22-202(5)). The Commission is subject to Title 63A, Ch 3, Part 4, Utah Public Finance Website (Utah Code §4-22-107(2)).</td>
<td>X</td>
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<tr>
<td>Independent Entity</td>
<td>Reporting Requirements from Statute</td>
<td>Annual Audit Required</td>
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<tr>
<td>Utah Energy Infrastructure Authority</td>
<td><em>The state auditor may audit or contract with an independent certified public accountant to audit the books and accounts of the authority, including compliance with this chapter</em> *(Utah Code §63H-2-503(1)). Reporting requirements of the Governor’s Office of Energy Development related to High Cost Infrastructure Tax Credits are described in <em>(Utah Code §63M-4-605.)</em></td>
<td></td>
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<tr>
<td>Utah State Railroad Museum Authority</td>
<td><em>The authority is subject to audit by the state auditor pursuant to Title 67, Chapter 3, Auditor, and by the legislative auditor general pursuant to Section 36-12-15</em> *(Utah Code §63H-5-108(2)(b)). The authority is subject to requirements related to the Utah Public Finance Website <em>(Utah Code § 63H-5-108(2)(a) and §63A-3-402).</em></td>
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<tr>
<td>Utah State Retirement Systems</td>
<td>The Utah State Retirement Office “shall prepare an annual report of public fund investments in scrutinized companies” *(Utah Code § 49-11-306(3)) and “the report shall be provided to the governor, the board, the president of the Senate, the speaker of the House of Representatives, and to each member and staff of the Retirement and Independent Entities Committee created under Section 63E-1-201” *(Utah Code §49-11-306(5)). “The office shall report the funded status of the Utah State Retirement Investment Fund to the Retirement and Independent Entities Committee created under Section 63E-1-201” <em>(Utah Code §49-11-307 (1)).</em></td>
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| Military Installation Development Authority | *(The authority shall comply with the audit requirements of Title 51, Chapter 2a, Accounting Reports from Political Subdivisions, Interlocal Organizations, and Other Local Entities Act)* *(Utah Code §63H-1-704).*  
*(The authority shall, within 180 days after the end of the authority's fiscal year, file a copy of the audit report with the county auditor, the State Tax Commission, the State Board of Education, and each taxing entity that levies a tax on property from which the authority collects tax increment)* *(Utah Code §63H-1-705).* |
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| Utah Housing Corporation | *(The corporation shall, following the close of each fiscal year, submit by October 1 an annual report of its activities for the preceding year to the governor and the Retirement and Independent Entities Interim Committee)*  
*“at least once each year, an independent certified public accountant shall audit the books and accounts of the corporation” *(Utah Code §63H-8-406).*  
*The Corporation is subject to Title 63A, Ch 3, Part 4, Utah Public Finance Website *(Utah Code §63H-8-204(2)9b)).* |
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| Utah State Fair Corporation | *(The corporation shall, following the close of each fiscal year, submit an annual report of its activities for the preceding year to the governor and the Legislature, including audited financial statements)* *(Utah Code §63H-6-106).*  
*The Corporation is subject to Title 63A, Ch 3, Part 4, Utah Public Finance Website *(Utah Code §63H-6-103(7)(c)).* |
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| Utah Capital Investment Corporation | *(The corporation shall, in consultation with the board, publish on or before September 1 an annual report of the activities conducted by the Utah Fund of Funds, and submit the report to the governor; the Business, Economic Development, and Labor Appropriations Subcommittee; the Business and Labor Interim Committee; and the Retirement and Independent Entities Committee)* *(Utah Code §63N-6-301(6)).*  
*“Each calendar year, an audit of the activities of the Utah fund of funds” shall be conducted by the state auditor or an auditor engaged by the state auditor *(Utah Code §63N-6-405).* |
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</table>
# Executive Director Contact Sheet

<table>
<thead>
<tr>
<th>Independent Entity</th>
<th>Contact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Heber Valley Historic Railroad Authority</td>
<td>Mark Nelson, Executive Director</td>
</tr>
<tr>
<td></td>
<td>Office: 435-654-5601 x4020</td>
</tr>
<tr>
<td></td>
<td>Cell: 801-376-8028</td>
</tr>
<tr>
<td></td>
<td>Fax: 435-654-3667</td>
</tr>
<tr>
<td></td>
<td><a href="mailto:mark@hebervalleyrr.org">mark@hebervalleyrr.org</a></td>
</tr>
<tr>
<td>School and Institutional Trust Fund Office (SITFO)</td>
<td>Peter Madsen, Director, Chief Investment Officer</td>
</tr>
<tr>
<td></td>
<td>Office: 801-355-0558</td>
</tr>
<tr>
<td></td>
<td>Cell: 801-520-5288</td>
</tr>
<tr>
<td></td>
<td><a href="mailto:petermadsen@utah.gov">petermadsen@utah.gov</a></td>
</tr>
<tr>
<td>School and Institutional Trust Lands Administration</td>
<td>David Ure, Director</td>
</tr>
<tr>
<td>(SITLA)</td>
<td>Office: 801-538-5100</td>
</tr>
<tr>
<td></td>
<td>Cell: (385) 549-7193</td>
</tr>
<tr>
<td></td>
<td><a href="mailto:dure@utah.gov">dure@utah.gov</a></td>
</tr>
<tr>
<td>Utah Beef Council</td>
<td>Brent Tanner, Executive Director</td>
</tr>
<tr>
<td></td>
<td>Office: (801) 355-0063</td>
</tr>
<tr>
<td></td>
<td>Cell: (801) 540-8297</td>
</tr>
<tr>
<td></td>
<td><a href="mailto:brent@utahbeef.org">brent@utahbeef.org</a></td>
</tr>
<tr>
<td>Utah Communications Authority (UCA)</td>
<td>David Edmunds, Executive Director</td>
</tr>
<tr>
<td></td>
<td>Office: 801-840-4200</td>
</tr>
<tr>
<td></td>
<td><a href="mailto:dedmunds@uca911.org">dedmunds@uca911.org</a></td>
</tr>
<tr>
<td>Utah Dairy Commission</td>
<td>Jenn Harrison, CEO</td>
</tr>
<tr>
<td></td>
<td>Office: 801-487-9976</td>
</tr>
<tr>
<td></td>
<td>Cell: 801-376-8028</td>
</tr>
<tr>
<td></td>
<td><a href="mailto:jenn@dairycouncilutnv.com">jenn@dairycouncilutnv.com</a></td>
</tr>
<tr>
<td>Utah Energy Infrastructure Authority</td>
<td>Contact for Governor's Office of Energy Development</td>
</tr>
<tr>
<td></td>
<td>Laura Nelson, Executive Director, Governor's Energy Adviser</td>
</tr>
<tr>
<td></td>
<td>Office: 801-538-8732</td>
</tr>
<tr>
<td></td>
<td><a href="mailto:lnelson@utah.gov">lnelson@utah.gov</a></td>
</tr>
<tr>
<td>Utah State Railroad Museum Authority</td>
<td>Contact for Ogden Union Station:</td>
</tr>
<tr>
<td></td>
<td>Holly Andrew, Museums and Programs Manager</td>
</tr>
<tr>
<td></td>
<td>Office: 801-487-9976</td>
</tr>
<tr>
<td></td>
<td><a href="mailto:hollya@ogdencity.com">hollya@ogdencity.com</a></td>
</tr>
<tr>
<td>Utah State Retirement Systems</td>
<td>Daniel D. Andersen, Executive Director</td>
</tr>
<tr>
<td></td>
<td>Office: 801-366-7309</td>
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<tr>
<td></td>
<td><a href="mailto:dan.andersen@urs.org">dan.andersen@urs.org</a></td>
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<tr>
<td>Independent Entity</td>
<td>Contact</td>
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</tr>
<tr>
<td>Military Installation Development Authority</td>
<td>Paul Morris, Executive Director</td>
</tr>
<tr>
<td></td>
<td>Office: 801-593-2246</td>
</tr>
<tr>
<td></td>
<td><a href="mailto:paulmorris@outlook.com">paulmorris@outlook.com</a></td>
</tr>
<tr>
<td>Utah Housing Corporation</td>
<td>Grant Whitaker, President and CEO</td>
</tr>
<tr>
<td></td>
<td>Office: 801-902-8290</td>
</tr>
<tr>
<td></td>
<td>Cell: 801-550-5853</td>
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<td><a href="mailto:gwhitaker@uthc.org">gwhitaker@uthc.org</a></td>
</tr>
<tr>
<td>Utah State Fair Corporation</td>
<td>Larry R. Mullenax, Executive Director</td>
</tr>
<tr>
<td></td>
<td>Office: 801-538-8400</td>
</tr>
<tr>
<td></td>
<td>Cell: 385-242-6641</td>
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<tr>
<td></td>
<td><a href="mailto:lmullenax@utahstatefair.com">lmullenax@utahstatefair.com</a></td>
</tr>
<tr>
<td>Utah Capital Investment Corporation</td>
<td>Bret Jepsen, Managing Director</td>
</tr>
<tr>
<td></td>
<td>Office: 801-432-7667</td>
</tr>
<tr>
<td></td>
<td><a href="mailto:bret@utahcap.com">bret@utahcap.com</a></td>
</tr>
</tbody>
</table>
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Independent Entities
Details
Heber Valley Historic Railroad
450 South 600 West
Heber City, UT 84032
Website: hebervalleyrr.org

Mark Nelson, Executive Director
Office: 435-654-5601 x101
Cell: 801-376-8028
mark@hebervalleyrr.org

Purpose
Operate and maintain a scenic and historic railroad in and around Heber Valley (Utah Code §63H-4-106).

History
The Heber Valley Historic Railroad’s history began in 1899, when trains served the pioneers who first settled the valley. In the early 1970s, the railroad became the "Heber Creeper," a tourist passenger train operating on a seasonal basis. It now operates as a nonprofit organization focused on tourism, education, and the restoration of historical railroad equipment (hebervalleyrr.org).

Origin
The independent entity was initially created as an independent state agency by statute in 1992. The creating statute was repealed in 2009, but reenacted in 2010 (Utah Code Annotated §63H-4-102).

State Involvement
The authorizing statute provides that the agency does not have the authority to incur liability on behalf of the state (Utah Code §63H-4-107).

Reporting Requirements
The authority is subject to audit by the state auditor pursuant to Title 67, Chapter 3, Auditor, and by the legislative auditor general pursuant to Section 36-12-15 (Utah Code §63H-4-108(2)).

The authority is subject to requirements related to the Utah Public Finance Website. (See Utah Code §§63H-4-108(2) and 63A-3-402.)

Budget and Financial
Financial information and audit information can be found at transparent.utah.gov and auditor.utah.gov/audit_reports.
Current Board

<table>
<thead>
<tr>
<th>Board Members</th>
<th>Qualification</th>
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<tbody>
<tr>
<td>Steve Farrell</td>
<td>Wasatch County Council</td>
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<tr>
<td>Alan McDonald</td>
<td>Mayor of Heber City</td>
</tr>
<tr>
<td>Colleen Bonner</td>
<td>Mayor of Midway City</td>
</tr>
<tr>
<td>Justin Schellenberg</td>
<td>UDOT</td>
</tr>
<tr>
<td>Fred Hayes</td>
<td>Utah State Parks</td>
</tr>
<tr>
<td>Ryan Starks</td>
<td>Wasatch County Tourism</td>
</tr>
<tr>
<td>Charlene Christensen</td>
<td>Utah County Tourism</td>
</tr>
<tr>
<td>Tom Jacobson</td>
<td>Attorney &amp; Railroad Experience</td>
</tr>
</tbody>
</table>

Composition of the Governing Board

(Utah Code §63H-4-102)

Eight total members:
- One member from the county legislative body of Wasatch County
- Mayor of Heber City
- Mayor of Midway
- Executive director of the Department of Transportation or designee
- Executive director of Parks and Recreation or designee
- Three public members appointed by the Governor:
  - One representative from each of the tourism industries of Wasatch and Utah counties

Terms

(Utah Code §63H-4-102)

Board members serve four-year staggered terms where one-half of members’ terms expire every two years. Members may not serve more than two full consecutive terms.

State Services Used

- May participate in the state’s Risk Management Fund
- Utah Retirement Systems (noncontributory plan)

Exemptions

(See Utah Code §§63H-4-108 and 63H-4-111)

Exempt from the following statutes:
- Budgetary Procedures Act (Title 63J, Ch. 1)
- Funds Consolidation Act (Title 51, Ch. 5)
- Utah Administrative Services Code (Title 63A), but is subject to provisions related to the Utah Public Finance Website
- Utah Procurement Code (Title 63G, Ch. 6a)
- Utah State Personnel Management Act (Title 67, Ch. 19)
- Sales and Use Tax Act (Title 59, Ch. 12)
Purpose

Manage the trust fund consisting of money from the sale or use of land granted to the state under the Utah Enabling Act and other proceeds, revenue, and assets (Utah Code §§53C-3-102 and 53D-1-201(3)).

Provide board members and the director of the school children’s trust section access to all office records and personnel as necessary for board members and the director of the school children’s trust section to fulfill their responsibilities to ensure that the office is in full compliance with applicable law and policies (Utah Code § 53D-1-202).

Origin

The office was created by statute during the 2014 General Legislative Session as an independent state agency within the executive branch (Utah Code §53D-1-201(2)).

State Involvement

The attorney general shall represent the board, director, and office in any legal action relating to the trust fund (Utah Code §53D-1-104).

Reporting Requirements

"No later than September 1 of each year, the office shall provide to the Division of Finance financial information for the prior fiscal year that the Division of Finance requests for financial reporting purposes” (Utah Code §53D-1-201(4)).

"The board shall annually report the director’s compensation to the Legislature” (Utah Code §53D-1-303(3)(g)).

"At least annually, the director shall report in person to the Legislative Management Committee, the governor, and the State Board of Education, concerning the office’s investments, performance, estimated distributions, and other activities" (Utah Code §53D-1-403).

Budget and Financial

Current Board of Trustees

<table>
<thead>
<tr>
<th>Board Members</th>
<th>Qualification</th>
</tr>
</thead>
<tbody>
<tr>
<td>David Damschen—Chair</td>
<td>Utah State Treasurer</td>
</tr>
<tr>
<td>Kent A. Misner—Vice Chair</td>
<td>Appointed by State Treasurer</td>
</tr>
<tr>
<td>David R. Nixon</td>
<td>Appointed by State Treasurer</td>
</tr>
<tr>
<td>John Lunt</td>
<td>Appointed by State Treasurer</td>
</tr>
<tr>
<td>Jason Gull</td>
<td>Appointed by State Treasurer</td>
</tr>
</tbody>
</table>

Composition of Governing Board

(Utah Code §53D-1-301)

Five total members:
- The state treasurer
- Four additional members appointed by the state treasurer with expertise in institutional investment management

Terms

(Utah Code §53D-1-301)

Appointed board members serve nonconsecutive, staggered terms of six years.

Exemptions

(Utah Code §53D-1-103)

Exempt from the following provisions of the Utah Administrative Rulemaking Act (Title 63G, Chapter 3): Utah Code §§63G-3-301(4)(b), (6), and (7); and §63G-3-601. Exempt from some provisions of the Utah State Personnel Management Act (See Utah Code §53D-1-103(7)).

SITFO is subject to the Open and Public Meetings Act, the Government Records Access and Management Act, and the Utah Public Finance Website (Utah Code §53D-1-103).
School and Institutional Trust Lands Administration (SITLA)

675 East 500 South
Suite 500
Salt Lake City, UT 84102
Website: trustlands.utah.gov

Purpose
Manage lands that Congress granted to the state for the support of common schools and other beneficiary institutions (Utah Code §53C-1-201).

History
In 1785, prior to passage of the U.S. Constitution, the Continental Congress reserved one square mile out of every thirty-six square mile township "for the maintenance of public schools." Beginning in 1850, two square miles were granted to schools. Then, in 1894, with Utah, Arizona, and New Mexico, four square miles per township were granted. Utah accepted the responsibilities of trustee, requiring the state to act with undivided loyalty in the best interest of the schools and other institutions that also received lands. Proceeds from the lands were to be placed in permanent funds to support the schools (trustlands.utah.gov).

Origin
The administration was initially created by statute in 1993. It was established as an independent state agency by statute in 1994 (Utah Code Annotated §53C-1-201).

State Involvement
The authorizing statute provides that the attorney general shall represent the board, director, or administration in any legal action (Utah Code §53C-1-305).

Reporting Requirements
The board shall "annually report the director's compensation to the Legislature" (Utah Code §53C-1-301(4)).

The director shall "submit to the board for public inspection an annual management budget and financial plan for operations of the administration and, after approval by the board, submit the budget to the governor" (Utah Code §53C-1-303(1)(e)) and "maintain appropriate records of trust activities to enable auditors appointed by appropriate state agencies or the board to conduct periodic audits of trust activities" (Utah Code §53C-1-303(1)(k)).

The director is also required to "keep the board, beneficiaries, governor, Legislature, and the public informed about the work of the director and administration by reporting to the board in a public meeting at least once during each calendar quarter" (Utah Code §53C-1-303(1)(m)).
Current Board of Trustees

<table>
<thead>
<tr>
<th>Board Members</th>
<th>Term Ends</th>
<th>Qualification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lonnie M. Bullard-Chair</td>
<td>6/30/2020</td>
<td>Nominee</td>
</tr>
<tr>
<td>Roger E. Barrus-Vice Chair</td>
<td>6/30/2021</td>
<td>Nominee</td>
</tr>
<tr>
<td>Scott O. Ruppe</td>
<td>6/30/2019</td>
<td>Nominee</td>
</tr>
<tr>
<td>Donald G. Foot</td>
<td>6/30/2022</td>
<td>Nominee</td>
</tr>
<tr>
<td>W. Richards Woodbury</td>
<td>6/30/2023</td>
<td>Nominee</td>
</tr>
<tr>
<td>David Donegan</td>
<td>6/30/2024</td>
<td>Nominee</td>
</tr>
<tr>
<td>Michael Mower</td>
<td>N/A</td>
<td>Governor's Designee</td>
</tr>
</tbody>
</table>

Composition of Governing Board

(Utah Code §53C-1-202)  
Seven total members:  
- Six appointed by governor from Nominations Committee’s list  
- One member appointed by governor  

Members must represent:  
- Nonrenewable resource management or development  
- Renewable resource management or development  
- Real estate

Terms

(Utah Code §53C-1-202)  
Board members serve nonconsecutive terms of six years.

State Services Used

- Fuel dispensing services  
- Motor pool services  
- Risk management fund  
- Travel services  
- Purchasing services  
- Utah Retirement Systems  
- Information technology services - uses database, desktop management, network, and telecommunications services offered by the Department of Technology Services

Exemptions

(See Utah Code §53C-1-201)  
Board-approved exemptions possible for:  
- Utah Procurement Code (Title 63G, Ch. 6a)  
- Utah State Personnel Management Act (Title 67, Ch. 19)

Certain business proposals may be classified as protected under GRAMA (§63G-2-305)  
Not subject to certain provisions of Utah Administrative Rulemaking Act (§§63G-3-301(6) and (7) and §63G-3-601)

Budget and Financial

Financial information and annual reports can be found on the entity’s website: trustlands.utah.gov/resources/public-document-search/
Utah Beef Council

150 600 E #10-B
Salt Lake City, UT 84102
Website: https://www.utahbeef.org/

Purpose
(Utah Code §4-21-105(1))
Promote the beef industry of the state and encourage local, national, and international use of Utah beef.

History & Origin
The Utah Beef Council originally existed as a non-profit organization. In the 2018 General Session, the Utah Beef Council became an independent state agency charged with the promotion and marketing of beef and beef products in Utah. The organization is directed by a 10-member board that represents the state’s cattle producers (www.utahbeef.org; Utah Code §4-21-103(1)).

State Involvement
The state is not liable for the acts or omissions of the council, council officers, agents, or employees (Utah Code §4-21-301).

The attorney general is not the legal advisor for the council and has no obligation to defend the council or the council's members in an action or proceeding brought against the council, but the attorney general may choose to represent the council or its members if requested to do so (Utah Code §4-21-303).

Reporting Requirements
(Utah Code §4-21-105(2))
The council shall submit the council's proposed budget and an end-of-year audited financial statement to the department and the Office of the State Auditor within 180 days of the end of each fiscal year; provide the department, on an annual basis, with a detailed outline of the council's plans for future publications and messaging; and report, by October 1 of each year, to the Retirement and Independent Entities Interim Committee on the operations and activities of the council.

Brent Tanner, Executive Director
Office: (801) 355-0063
(801) 540-8297
brent@utahbeef.org
## Current Board

<table>
<thead>
<tr>
<th>Board Members</th>
<th>Qualification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mark Wintch</td>
<td>Utah Cattlemen’s Association President</td>
</tr>
<tr>
<td>Joe Fuhriman</td>
<td>Utah Cattlemen’s Association appointee</td>
</tr>
<tr>
<td>Tracy Hatch</td>
<td>Utah Cattlemen’s Association Vice President</td>
</tr>
<tr>
<td>Hal Olsen</td>
<td>Utah Dairy Commission Appointee</td>
</tr>
<tr>
<td>Deb Richards</td>
<td>Utah Cattlemen’s Association President</td>
</tr>
<tr>
<td>Wallace Schulthess</td>
<td>USDA National Cattlemen’s Beef Promotion and Research Board Appointee</td>
</tr>
<tr>
<td>Luann Adams</td>
<td>Utah Department of Agriculture and Food Commissioner</td>
</tr>
<tr>
<td>Laurie Munns</td>
<td>Non-voting, advisory only member</td>
</tr>
<tr>
<td>Vacant (to be determined by Jan. 1st 2019 governor appointments)</td>
<td>Three at-large producer appointees</td>
</tr>
</tbody>
</table>

In addition to the members listed in Subsection (2), the council may appoint nonvoting members (Utah Code §4-21-103(3)).

## Composition of Governing Board

(Utah Code §4-21-103(2))

Ten total members:
- The commissioner of the Utah Department of Agriculture and Food, or the commissioner's designee;
- The president of the Utah Cattlemen’s Association (UCA);
- The vice president of the UCA;
- A member of the UCA’s board of directors, chosen by the UCA;
- The U.S. Secretary of Agriculture appointed Utah appointee on the national beef checkoff Cattlemen’s Beef Promotion and Research Board;
- The president of the Utah Cattlemen’s Association;
- A member of the Utah Dairy Commission, chosen by the Utah Dairy Commission; and
- Three at-large producers from the state of Utah, appointed as described in §4-21-103(4)

In addition to the members listed in Subsection (2), the council may appoint nonvoting members (Utah Code §4-21-103(3)).

## Terms

Governor appointed at-large members serve three-year, staggered terms (Utah Code §4-21-103(5)).

## Exemptions

(Utah Code §4-21-106(1))

The council is exempt from the Funds Consolidation Act (Title 51, Ch. 5); the Utah Administrative Services Code (Title 63A, but is subject to provisions related to the Utah Public Finance Website); the Budgetary Procedures Act (Title 63J, Ch. 1); and the Utah State Personnel Management Act (Title 67, Ch. 19).

## State Services Used

The council is not eligible to receive coverage under the state’s Risk Management Fund (Utah Code §4-21-302).

## Budget and Financial

Future financial and audit information can be found at transparent.utah.gov and auditor.utah.gov/audit_reports.
Purpose

Establish and maintain a statewide public safety communications network and provide administrative and financial support for statewide 911 emergency services (Utah Code §63H-7a-102).

History

The Utah Communications Agency Network (UCAN) was originally established by executive order of the governor on June 6, 1996 (Laws of Utah 1997).

During the 2014 General Session, legislation changed UCAN to the Utah Communications Authority, expanding the overall purpose, incorporating the state 911 program, and redefining the board structure.

Origin

Initially created as an independent state agency by statute in 1997 (Utah Code Annotated §63C-7-102), it was renamed and redefined during the 2014 General Legislative Session and subsequent sessions.

Reporting Requirements

The Utah Communications Authority shall, following the close of each fiscal year, submit an annual report of its activities for the preceding year to the governor and the Legislature (Utah Code §63H-7a-804).

"The state auditor shall at least once in each year audit the books and accounts of the Utah Communications Authority or shall contract with an independent certified public accountant for this audit" (Utah Code §63H-7a-804).

Budget and Financial

Financial and audit information can be found at auditor.utah.gov/audit_reports
Current Board

<table>
<thead>
<tr>
<th>Board Members</th>
<th>Term Ends</th>
<th>Qualification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dean Cox</td>
<td>8/1/2022</td>
<td>Utah Association of Counties representative</td>
</tr>
<tr>
<td>Lance D. Davenport-Chair</td>
<td>8/1/2019</td>
<td>Governor appointee</td>
</tr>
<tr>
<td>Craig Dearden</td>
<td>8/1/2019</td>
<td>Utah Association of Counties representative</td>
</tr>
<tr>
<td>John Park</td>
<td>8/1/2019</td>
<td>Utah League of Cities and Towns representative</td>
</tr>
<tr>
<td>Randy Swalberg</td>
<td>8/1/2022</td>
<td>Governor appointee</td>
</tr>
<tr>
<td>Clinton D. Topham</td>
<td>8/1/2022</td>
<td>Governor appointee</td>
</tr>
<tr>
<td>Gary Whatcott</td>
<td>8/1/2022</td>
<td>Utah League of Cities and Towns representative</td>
</tr>
</tbody>
</table>

Composition of Governing Board

(Utah Code §63H-7a-203)

- Three members appointed by governor with consent of Senate
- One member appointed by speaker of the House of Representatives
- One member appointed by president of the Senate
- Two members nominated by an association that represents cities and towns and appointed by the governor with the consent of the Senate
- Two members nominated by an association that represents counties and is appointed by the governor with the consent of the Senate.

State Services Used

- Surplus property services
- Risk Management Fund
- Travel services
- Purchasing Services
- Utah Retirement Systems (noncontributory plan)
- Information technology services

Exemptions

(See Utah Code §63C-7-210)

Exempt from the following statutes:
- Administrative Procedures Act (Title 63G, Ch. 4)
- Budgetary Procedures Act (Title 63J, Ch. 1)
- Utah Administrative Services Code (Title 63A), but is subject to provisions related to the Utah Public Finance Website and may participate in the Risk Management Fund as described in Utah Code §63A-4-205.5
- Utah Procurement Code (Title 63G, Ch. 6a),
- Utah State Personnel Management Act (Title 67, Ch. 19)

Terms

(Utah Code §63H-7-203 (3)(a)(i))

Six of the state representatives shall be appointed by the governor, with two of the positions having an initial term of two years, two having an initial term of three years, and one having an initial term of four years.
Purpose

Investigate and participate in studies of problems peculiar to dairy producers in Utah and take action to promote, protect, and stabilize the state dairy industry (Utah Code §4-22-106).

History

Since 1915, the National Dairy Council has led the country in dairy nutrition research, education, and communication and is a nationally recognized leader in educating school children – most recently through its Fuel Up to Play 60 Program. Founded in 1953, the Dairy Council of UT/NV is one of 18 state and regional organizations that works with the national office to conduct research and communicate with media and health professionals (www.utahdairy council.com).

"The Dairy Council and Dairy Producers are legally separate entities but for all practical purposes function as a part of the Commission and are an integral part of the financial activity of the Commission" (2010 Financial Statements, page 3).

Origin

Initially created as an independent state agency by statute in 1979.

State Involvement

The authorizing statute states that "the state is not liable for the acts or omissions of the commission, its officers, agents, or employees" (Utah Code §4-22-301).

Reporting Requirements

"The accounts of the commission shall be audited once annually by a licensed accountant selected by the commission and approved by the state auditor. The results of the audit shall be submitted to the: (i) commissioner (of the Utah Department of Agriculture and Food); (ii) commission; and (iii) Division of Finance. It is the responsibility of the commission to send annually a financial report to each producer" (Utah Code §4-22-202).
Current Board of Directors

State Services Used

• Authorizing statute states that the Utah Dairy Commission is not eligible for coverage under the Risk Management Fund (Utah Code §4-22-302).
• Utah Retirement Systems (noncontributory plan)

Exemptions

(See Utah Code §4-22-107)
Exempt from the following statutes:
• Budgetary Procedures Act (Title 63J, Ch.1)
• Funds Consolidation Act (Title 51, Ch. 5)
• State Money Management Act (Title 51, Ch. 7)
• Utah Administrative Services Code (Title 63A), but is subject to provisions related to the Utah Public Finance Website
• Utah State Personnel Management Act (Title 67, Ch. 19)

Composition of Governing Board

(Utah Code §4-22-103)
Thirteen members:
• Commissioner of Agriculture and Food
• Dean of the College of Agriculture at Utah State University
• President of Utah Dairy Women’s Association
• Elected producer representatives from each of 10 districts

Elected members must be active milk producers with five consecutive years of experience in Utah.

Terms

(Utah Code §4-22-103)
Elected board members serve terms of four years.

Budget and Financial

Financial and auditing information available at transparent.utah.gov and auditor.utah.gov/audit_reports.

Board Members | Qualification
--- | ---
Kyle Anderson | Central Cache
Jason Bateman | Salt Lake, Tooele, Davis
Jennifer Clark | Weber, Morgan
Chace Fullmer | Sevier, Piute, Wayne, Garfield
Jeff Hardy | Box Elder, Chairman
Malarik Harrison | Wasatch, Summit, Uintah, Duchesne, Daggett
Matt Leak | North Cache
Louise Nielsen | Dairy Women
Hal Olsen | South Cache
David Roberts | Millard, Beaver, Iron, Washington
Scott Ericson | Utah Department of Agriculture and Food
Don McMahon | Utah State University
Purpose

The Utah Energy Infrastructure Authority and the Utah Energy Infrastructure Authority Board are generally tasked with helping build or enhance the state's energy delivery infrastructure and studying energy transmission projects (Utah Code §63H-2-201).

History

The Utah Generated Renewable Energy Electricity Network (UGREEN) was created by the 2009 Utah Legislature as a bonding authority to support the development of renewable energy transmission projects. In 2012 the Utah State Legislature expanded the scope of UGREEN to include energy delivery projects that facilitate the responsible development of any of the state’s energy resources. At that time the entity was renamed the Utah Energy Infrastructure Authority.

Despite the creation of the Utah Energy Infrastructure Authority in statute, as a practical matter, the authority has never been organized as a functioning independent entity. However, the related Utah Energy Infrastructure Authority Board is active (Utah Code §63H-2-202) and plays a role in approving High Cost Infrastructure Tax Credits described in Title 63M, Chapter 4, Part 6, High Cost Infrastructure Development Tax Credit Act. The board is staffed by the Governor’s Office of Energy Development.

Origin

It was initially created as an independent state agency by statute in 2009 (Utah Code Annotated §63H-2-201). During the 2012 General Session it was renamed the Utah Energy Infrastructure Authority (Energy Changes, HB 137, 2012 General Session, Utah Legislature).

State Involvement

The authorizing statute states that “unless expressly provided in this chapter, the state is not liable for an obligation, expense, debt, or liability of the authority” (Utah Code §63H-2-201).
Reporting Requirements

“The state auditor may audit or contract with an independent certified public accountant to audit the books and accounts of the authority, including compliance with this chapter” (*Utah Code* §63H-2-503).

Reporting requirements of the Governor's Office of Energy Development related to High Cost Infrastructure Tax Credits are described in *Utah Code* §63M-4-605.

### Composition of Governing Board

(*Utah Code* §63H-2-202)

Nine members appointed by Governor:

- The energy advisor, who serves as board chair
- Director of SITLA
- One representative from the Governor’s Office of Economic Development (GOED)
- Two representatives of business entities that produce energy
- One member of the general public
- Three members from public utilities chose from recommendations by each of the following:
  - Investor-owned electric corporation
  - Wholesale electric cooperative
  - Electric interlocal entity

### Exemptions

(*Utah Code* §63H-2-504)

This entity is subject to all state laws that apply to state agencies.

---

### Current Board

<table>
<thead>
<tr>
<th>Board Members</th>
<th>Qualification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dr. Laura Nelson</td>
<td>Chair, Governor's Energy Advisor</td>
</tr>
<tr>
<td>Colleen L. Bell</td>
<td>Electric Interlocal</td>
</tr>
<tr>
<td>Cameron J. Cuch</td>
<td>General public with relevant industry or community experience</td>
</tr>
<tr>
<td>Scott A. Gutting</td>
<td>General public with relevant industry or community experience</td>
</tr>
<tr>
<td>Ben Hart</td>
<td>GOED representative</td>
</tr>
<tr>
<td>Lynn Jackson</td>
<td>Rural Representative with energy industry experience representing the economic development interests of rural communities</td>
</tr>
<tr>
<td>Laura D. Lewis</td>
<td>Public Member</td>
</tr>
<tr>
<td>Gregory Todd</td>
<td>County Commissioner representing the economic development interests of rural communities</td>
</tr>
<tr>
<td>David Ure</td>
<td>SITLA</td>
</tr>
</tbody>
</table>

### Terms

(*Utah Code* §63H-2-202)

Board members serve four-year staggered terms where one-half of members’ terms expire every two years.
Purpose
Perform the following in and around Weber and Box Elder counties: facilitate or operate and maintain a scenic and historic railroad and one or more railroad history museums; facilitate the restoration, preservation, and display of railroad artifacts and heritage; and facilitate the restoration, preservation, and operation of historically significant railroad-related properties (Utah Code §63H-5-106).

At this time, it is unclear whether the authority is functional.

Origin
It was initially created as an independent state agency by statute in 2010 (Utah Code Annotated §63H-5-102).

State Involvement
The authorizing statute provides that the obligations or liabilities of the authority do not constitute debts or liabilities or the loaning of credit of the state or any of its political subdivisions (Utah Code §63H-5-107).

Reporting Requirements
“The authority is subject to audit by the state auditor pursuant to Title 67, Chapter 3, Auditor, and by the legislative auditor general pursuant to Section 36-12-15” (Utah Code §63H-5-108(2)).
**Board of Directors (not current)**

<table>
<thead>
<tr>
<th>Board Members</th>
<th>Qualification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vacant</td>
<td>Corinne Historical Society representative</td>
</tr>
<tr>
<td>LuAnn Adams</td>
<td>County Legislative Member appointed by Box Elder County</td>
</tr>
<tr>
<td>Matthew G. Bell</td>
<td>County Legislative Member appointed by Weber County</td>
</tr>
<tr>
<td>Robert L. Crane</td>
<td>Public Member appointed by governor</td>
</tr>
<tr>
<td>Frederick K. Doehring</td>
<td>UDOT Director or Designee</td>
</tr>
<tr>
<td>Joan Hammer</td>
<td>Tourism Representative from Box Elder Co. appointed by governor</td>
</tr>
<tr>
<td>Steven E. Jones</td>
<td>Public at-large</td>
</tr>
<tr>
<td>Jack Mcdonald</td>
<td>Golden Spike Heritage Foundation Representative appointed by gov.</td>
</tr>
<tr>
<td>Norman Nelson</td>
<td>Golden Spike Association Representative appointed by governor</td>
</tr>
<tr>
<td>Lee K. Secrist</td>
<td>Railroad &amp; Locomotive Historical Society Golden Spike Chapter rep.</td>
</tr>
<tr>
<td>Brian K. Shaffer</td>
<td>County Legislative Member appointed by Box Elder County</td>
</tr>
<tr>
<td>Sara V. Toliver</td>
<td>Tourism Representative from Weber Co. appointed by governor</td>
</tr>
</tbody>
</table>

**Composition of Governing Board**

*Utah Code §63H-5-102*

Twelve members:
- One member of the county legislative body of Box Elder County
- One member of the county legislative body of Weber County
- One member of the city legislative body of Ogden City
- Executive Director of UDOT or designee

Eight public members appointed by Governor who represent each of the following:
- Public at-large
- Tourism industry in Box Elder County
- Tourism industry in Weber County
- Railroad and Locomotive Historical Society Golden Spike Chapter
- Golden Spike Heritage Foundation
- Golden Spike Association
- Ogden Union Station
- Corinne Historical Society

**Terms**

*Utah Code §63H-5-102*

Appointed board members serve four-year staggered terms where one-half of members’ terms expire every two years. An appointed board member may not serve more than two full consecutive terms.

**Exemptions**

*Utah Code §63H-5-108*

Exempt from the following statutes:
- Budgetary Procedures Act (Title 63J, Ch. 1)
- Funds Consolidation Act (Title 51, Ch. 5)
- Utah Administrative Services Code (Title 63A), but is subject to requirements related to the Utah Public Finance Website
- Utah Procurement Code (Title 63G, Ch. 6a)
- Utah State Personnel Management Act (Title 67, Ch. 19)
Purpose
Administer the systems, plans, and programs of the Utah State Retirement Systems (Utah Code §49-11-201).

History
There have been various retirement systems for public employees throughout the twentieth century. Originally conceived as local systems for teachers, other systems were added to cover other classes of public employees over the years. In 1963, a single board for all retirement systems was created and in 1967 the separate school and public retirement systems were consolidated and the Retirement Board was established as the trustee of the retirement trust funds (www.urs.org).

Origin
Utah Retirement Systems was established as an independent state agency by statute in 1987 (Utah Code Annotated §49-11-201).

Reporting Requirements
The Utah State Retirement Office “shall prepare an annual report of public fund investments in scrutinized companies” (Utah Code §49-11-307 (3)) and “the report shall be provided to the governor, the board, the president of the Senate, the speaker of the House of Representatives, and to each member and staff of the Retirement and Independent Entities Committee created under Section 63E-1-201” (Utah Code §49-11-307 (5)).

“The office shall report the funded status of the Utah State Retirement Investment Fund to the Retirement and Independent Entities Committee created under Section 63E-1-201” (Utah Code §49-11-307 (1)).

State Services Used
Utah Retirement Systems (noncontributory plan)
Current Board of Directors

<table>
<thead>
<tr>
<th>Board Members</th>
<th>Qualification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ryan G. Hessentaler</td>
<td>Represents Investment Community</td>
</tr>
<tr>
<td>Laura O. Houston, Vice</td>
<td>Represents Investment Community</td>
</tr>
<tr>
<td>President</td>
<td></td>
</tr>
<tr>
<td>Roger G. Donohoe, Pres</td>
<td>Represents Education Employees</td>
</tr>
<tr>
<td>Sheri K. Nelson</td>
<td>Represents Public Employees</td>
</tr>
<tr>
<td>Edward T. Alter</td>
<td>Represents Investment Community</td>
</tr>
<tr>
<td>David C. Damschen</td>
<td>Ex-Officio Member/State Treasurer</td>
</tr>
<tr>
<td>William W. Wallace</td>
<td>Represents Investment Community</td>
</tr>
</tbody>
</table>

Composition of the Governing Board

(Utah Code §49-11-202)

Seven members:
- State Treasurer
- Six members appointed by Governor:
  - Four from the general public with experience in investments or banking
  - One school employee from nominations by school employees’ association
  - One public employee from nominations by public employee association

Terms

(Utah Code §49-11-202)

Appointed board members serve four-year staggered terms where one-half of members’ terms expire every two years.

Exemptions

(Utah Code §49-11-201)

Exempt from all acts that are applicable to state and other governmental entities.
Purpose
Facilitate the development of military land within one or more project areas, including the ongoing operation of facilities within a project area (Utah Code §63H-1-201).

Origin
It was initially created as an independent public corporation by statute in 2007 (Utah Code Annotated §63H-1-201).

State Involvement
The state is not liable for the corporation’s obligations, expenses, debts, and liabilities (Utah Code §63E-2-111).

Reporting Requirements
“The authority shall comply with the audit requirements of Title 51, Chapter 2a, Accounting Reports from Political Subdivisions, Interlocal Organizations, and Other Local Entities Act” (Utah Code §63H-1-704).

“The authority shall, within 180 days after the end of the authority's fiscal year, file a copy of the audit report with the county auditor, the State Tax Commission, the State Board of Education, and each taxing entity that levies a tax on property from which the authority collects tax increment” (Utah Code §63H-1-705).

Budget and Financial
Financial information can be found at transparent.utah.gov and auditor.utah.gov/audit_reports.

State Services Used
- Travel services
- Utah Retirement Systems (noncontributory plan)
Current Board

<table>
<thead>
<tr>
<th>Board Members</th>
<th>Qualification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Michael Ostermiller</td>
<td>House Appointee</td>
</tr>
<tr>
<td>Stuart Adams</td>
<td>Chair, Senate Appointee</td>
</tr>
<tr>
<td>Jerry Stevenson</td>
<td>Vice Chair, Member Supporting Military Efforts</td>
</tr>
<tr>
<td>Gary Harter</td>
<td>State Agency Representative</td>
</tr>
<tr>
<td>Mark Shepherd</td>
<td>Mayor of Clearfield</td>
</tr>
<tr>
<td>Joe Ritchie</td>
<td>Former Mayor of Roy</td>
</tr>
<tr>
<td>Derk Timothy</td>
<td>Mayor of Bluffdale</td>
</tr>
<tr>
<td>Ben Hart</td>
<td>GOED representative</td>
</tr>
</tbody>
</table>

Exemptions

(See Utah Code §§63H-1-202 and 63E-2-109)

Exempt from the following statutes:
- Municipal Land Use, Development, and Management Act (Title 10, Ch. 9a)
- County Land Use, Development, and Management Act (Title 17, Ch. 27a)
- Corporation Exemptions (63E-2-109):
  - Funds Consolidation Act (Title 51, Ch. 5)
  - State Money Management Act (Title 51, Ch. 7)
  - Utah Administrative Services Code (Title 63A), but is subject to requirements related to the Utah Public Finance Website
  - Utah Administrative Rulemaking Act (Title 63G, Ch. 3)
  - Administrative Procedures Act (Title 63G, Ch. 4)
  - Utah Procurement Code (Title 63G, Ch. 6a)
  - Budgetary Procedures Act (Title 63J, Ch. 1)
  - Revenue Procedures and Control Act (Title 63J, Ch. 2)
  - Utah Personnel Management Act (Title 67, Ch. 19)

Composition of Governing Board

(Utah Code §63H-1-302)

Seven total members:
Five members appointed by Governor:
- One member interested in supporting military efforts
- Three members are mayors or members of legislative bodies of municipalities or counties adjacent or close to project area
- One member from the executive branch or state agency involved with military issues

Two members appointed by Legislature:
- One member appointed by the President of the Senate
- One member appointed by the Speaker of the House

Terms

(Utah Code §53C-1-202)

Appointed board members serve nonconsecutive terms of six years.
Purpose
Assist in providing housing for low- and moderate-income individuals who otherwise could not achieve decent, safe, and sanitary housing (Utah Code §63H-8-102).

History
Utah Housing Corporation (UHC) was created by state legislation in 1975 to raise funds to assist in the creation of affordable housing opportunities for lower-income Utah households. UHC does not receive any funding from the state of Utah. It is totally self-supporting and each year raises hundreds of millions of dollars to fund its first-time homebuyer mortgage and multifamily programs and other programs. UHC forms partnerships with private sector banking and lending institutions, developers, real estate agents, and others to bring the maximum amount of expertise together in administering these extremely complex and sophisticated programs. (utahhousingcorp.org/HTML/abtOrganizationOverview.shtml)

Origin
It was initially created by statute in 1975 (Utah Code Annotated §35A-8-704).

State Involvement
The state is not liable for the corporation’s obligations, expenses, debts, and liabilities (Utah Code §§63H-8-406 and 63E-2-111).

Reporting Requirements
“The corporation shall, following the close of each fiscal year, submit by October 1 an annual report of its activities for the preceding year to the governor and the Retirement and Independent Entities Interim Committee” and “at least once each year, an independent certified public accountant shall audit the books and accounts of the corporation” (Utah Code §63H-8-406).
Composition of Governing Board

(Utah Code §63H-8-201)

Nine total members:
- Executive director of Department of Workforce Services or designee
- Commissioner of Department of Financial Institutions or designee
- State treasurer or designee
- Six public members appointed by Governor:
  - Two people from each of the following industries:
    - Mortgage lending
    - Homebuilding and real estate
    - Public at large

Terms

(Utah Code §63H-8-201)

Appointed board members serve four-year staggered terms where one-half of members’ terms expire

State Services Used

- Archive Services—Uses Public Notice Website Only
- Utah Retirement Systems (noncontributory and contributory plans and PEHP)

Exemptions

(See Utah Code §§63H-8-204 and 63E-2-109)

Exempt from the following statutes:
- Revenue Procedures and Control Act (Title 63J, Ch. 2)
- Corporation Exemptions (35A-8-707):
  - Budgetary Procedures Act (Title 63J, Ch. 1)
  - Funds Consolidation Act (Title 51, Ch. 5)
  - State Money Management Act (Title 51, Ch. 7)
  - Utah Administrative Services Code (Title 63A), but is subject to provisions related to the Utah Public Finance Website
  - Utah Procurement Code (Title 63G, Ch. 6a)
  - Utah Personnel Management Act (Title 67, Ch. 19)

Budget and Financial

Financial information can be found on the Utah Housing Corporation website, utahhousingcorp.org, and transparent.utah.gov.
Purpose
Manage, supervise, and control all activities relating to the state fair and other state expositions (Utah Code §63H-6-103).

History
Nine years after the pioneers arrived in the Salt Lake Valley, they held a fair in October of 1856, then called the "Deseret Fair." Although the exhibits were described as "meager," the public showed keen interest and eagerly sought space to display some of the finest products from their own homes, shops, and fields. In 1902, the Legislature purchased the 65 acres of the current Fairpark, originally called "Agriculture Park." The Legislature privatized the Utah State Fair Organization in 1995, giving the gubernatorial-appointed board of directors a mandate to make the fair profitable. The desire was to allow the fair to no longer be subsidized by taxpayers (www.utahstatefair.com).

Origin
It was initially created as an independent public corporation by statute in 1995 (Utah Code Annotated §63H-6-103).

State Involvement
The state is not liable for the corporation's obligations, expenses, debts, and liabilities (Utah Code §63E-2-111).

Reporting Requirements
"The corporation shall, following the close of each fiscal year, submit an annual report of its activities for the preceding year to the governor and the Legislature (Utah Code §63H-6-106).

State Services Used
- Risk Management
- Utah Retirement Systems (noncontributory plan)
- Information Technology Services (Telecommunications)
- Purchasing services
- Motor pool services

Terms
(Utah Code §63H-6-104)
Appointed board members serve four-year staggered terms where one quarter of members’ terms expire every year.
Current Board

<table>
<thead>
<tr>
<th>Board Members</th>
<th>Qualification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roger Beattie, Chair</td>
<td></td>
</tr>
<tr>
<td>Clay Nielsen, Vice Chair</td>
<td></td>
</tr>
<tr>
<td>Jim Russell</td>
<td>DFCM</td>
</tr>
<tr>
<td>LuAnn Adams</td>
<td>Department of Agriculture</td>
</tr>
<tr>
<td>Jennifer Selig</td>
<td></td>
</tr>
<tr>
<td>David Lewis</td>
<td></td>
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<tr>
<td>Traci Cowdell</td>
<td></td>
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<tr>
<td>Ted Lewis</td>
<td></td>
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<tr>
<td>Ginger Casper</td>
<td></td>
</tr>
<tr>
<td>Nicholas Priskos</td>
<td></td>
</tr>
<tr>
<td>Mike Kohler</td>
<td></td>
</tr>
<tr>
<td>Paula Martin</td>
<td></td>
</tr>
</tbody>
</table>

Composition of Governing Board

(Utah Code §63H-8-201)

Up to 14 total members:

- Director of Division of Facilities Construction and Management or designee
- Commissioner of Agriculture or designee
- Two members, appointed by the president of the Senate, who have business experience
- Two members, appointed by the speaker of the House, who have business experience
- Five members appointed by the governor:
  - Two members who represent agricultural interests
  - Two members who have business-related experience
  - One member who is recommended by the Utah Farm Bureau Federation
- One member appointed by mayor of Salt Lake City who is a resident of the neighborhood next to the state fair park
- One representative of Salt Lake County, if Salt Lake County is party to an executed lease agreement with the corporation
- One representative of the Days of '47 Rodeo, if the Days of '47 Rodeo is party to an executed lease agreement with the corporation.

Exemptions

(See Utah Code §§63H-6-103 and 63E-2-109)

Exempt from the following statutes:

- Corporation Exemptions (Utah Code §63E-2-109)
- Budgetary Procedures Act (Title 63J, Ch. 1)
- Funds Consolidation Act (Title 51, Ch. 5)
- Revenue Procedures and Control Act (Title 63J, Ch. 2)
- Utah Administrative Rulemaking Act (Title 63G, Ch. 3)
- Administrative Procedures Act (Title 63G, Ch. 4)
- State Money Management Act (Title 51, Ch. 7)
- Utah Administrative Services Code (Title 63A), but is subject to the applicable provisions of the Utah Public Finance Website and requirements for new facilities (Utah Code Subsection 63H-6-103(7)(c))
- Utah Procurement Code (Title 63G, Ch. 6a)
- Utah Personnel Management Act (Title 67, Ch. 19)

Budget and Financial

Financial information available at transparent.utah.gov and auditor.utah.gov/audit_reports.
Purpose
The purposes of the corporation are to:

• Organize the Utah Fund of Funds;
• Select an investment fund allocation manager to make venture capital and private equity fund investments by the Utah fund of funds;
• Negotiate the terms of a contract with the investment fund allocation manager;
• Execute the contract with the selected investment fund manager on behalf of the Utah Fund of Funds;
• Receive funds paid by designated investors for the issuance of certificates by the board for private investment in the Utah Funds of Funds; and
• Establish the redemption reserve to be used by the corporation to redeem certificates (Utah Code §63N-6-301).

History & Origin
Initially created as an independent quasi-public corporation by statute in 2003, the Utah Fund of Funds is a state of Utah economic development program aimed at providing access to alternative or non traditional capital to Utah entrepreneurs. The Utah Fund of Funds invests in venture capital and private equity funds that commit to establishing a working relationship with the Utah Fund of Funds and Utah’s start-up and business community. (Utah Code Annotated §63M-1-1207).

State Involvement
According to the authorizing statute, the obligations of the corporation are not obligations of the state or any political subdivision of the state within the meaning of any constitutional or statutory debt limitations, but are obligations of the corporation payable solely and only from the corporation’s funds. However, loans and investments in the Utah Funds of Funds are guaranteed by contingent tax credits, which are in turn guaranteed by the state (Utah Code §63N-6-301).

Terms
(Utah Code §63N-6-202 and §63N-6-303)
Appointed members of the Utah Capital Investment Board and members of the Utah Capital Investment Corporation Board of Directors serve four-year staggered terms.

Budget and Financial
Annual Reports available at utahcap.com.
**Current Board**

<table>
<thead>
<tr>
<th>Utah Capital Investment Board</th>
<th>Utah Capital Investment Corporation Board of Directors</th>
</tr>
</thead>
<tbody>
<tr>
<td>Samuel Straight, Chair</td>
<td>Scott Peterson, Chair</td>
</tr>
<tr>
<td>David Damschen</td>
<td>Ed Alter</td>
</tr>
<tr>
<td>Val Hale</td>
<td>Ed Esber</td>
</tr>
<tr>
<td>Pam McComas</td>
<td>Mel Lavitt</td>
</tr>
<tr>
<td>Derek Miller</td>
<td>Bob More</td>
</tr>
<tr>
<td></td>
<td>Brad Wilson, Board Observer</td>
</tr>
<tr>
<td></td>
<td>Steve Young, Board Observer</td>
</tr>
</tbody>
</table>

**Composition of Governing**

(Utah Code §§63N-6-201 and 202; §63N-6-303)

Two boards provide oversight for the Utah Capital Investment Corporation.

The Utah Capital Investment Board is created within the Governor’s Office of Economic Development and consists of five members:
- The state treasurer
- The executive director of the Governor’s Office of Economic Development
- Three members appointed by the governor with expertise in:
  - The supervision of investment managers;
  - Fiduciary management of investment funds; or
  - The management and administration of tax credit allocations programs

The Board of Directors of the Utah Capital Investment Corporation consists of at least five members with expertise in:
- The selection and supervision of investment managers;
- Fiduciary management of investment funds; or
- Other areas of expertise considered appropriate

**Exemptions**

(See Utah Code §63N-6-412)

Exempt from the following statutes:
- Open and Public Meetings Act (Title 52, Ch. 4)
- GRAMA (Title 63G, Ch. 2)
- Corporation Exemptions (63E-2-109)
- Funds Consolidation Act (Title 51, Ch. 5)
- State Money Management Act (Title 51, Ch. 7)
- Utah Administrative Services Code (Title 63A), but the corporation is subject to the applicable statutory provisions related to the Utah Public Finance Website (Utah Code §63E-2-109(2)(b))
- Utah Administrative Rulemaking Act (Title 63G, Ch. 3)
- Administrative Procedures Act (Title 63G, Ch. 4)
- Utah Procurement Code (Title 63G, Ch. 6a)
- Budgetary Procedures Act (Title 63J, Ch. 1)
- Revenue Procedures and Control Act (Title 63J, Ch. 2)
- Utah Personnel Management Act (Title 67, Ch. 19)

**Reporting Requirement**

activities conducted by the Utah fund of funds, and submit the report to the governor; the Business, Economic Development, and Labor Appropriations Subcommittee; the Business and Labor Interim Committee; and the Retirement and Independent Entities Committee* (Utah Code §63N-6-301).

Each calendar year, an audit of the activities of the Utah fund of funds shall be conducted by the state auditor or an auditor engaged by the state auditor (Utah Code §63N-6-405).