

Representative Gordon E. Snow proposes the following substitute bill:

COMMUNITY IMPACT AMENDMENTS

2006 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Gordon E. Snow

Senate Sponsor: Beverly Ann Evans

LONG TITLE

General Description:

This bill modifies provisions of Title 9, Community and Culture, related to the Permanent Community Impact Fund Board.

Highlighted Provisions:

This bill:

► provides that the Permanent Community Impact Fund Board shall elect one of its members to serve as its chair for a two-year term.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

9-4-304, as last amended by Chapters 130 and 148, Laws of Utah 2005

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

Section 1. Section **9-4-304** is amended to read:

9-4-304. Permanent Community Impact Fund Board created -- Members --



26 **Terms -- Chair -- Expenses.**

27 (1) There is created within the Department of Community and Culture the Permanent
28 Community Impact Fund Board composed of 11 members as follows:

- 29 (a) the chair of the Board of Water Resources or the chair's designee;
- 30 (b) the chair of the Water Quality Board or the chair's designee;
- 31 (c) the director of the department or the director's designee;
- 32 (d) the state treasurer;
- 33 (e) the chair of the Transportation Commission or the chair's designee;
- 34 (f) a locally elected official who resides in Carbon, Emery, Grand, or San Juan County;
- 35 (g) a locally elected official who resides in Juab, Millard, Sanpete, Sevier, Piute, or
36 Wayne County;
- 37 (h) a locally elected official who resides in Duchesne, Daggett, or Uintah County;
- 38 (i) a locally elected official who resides in Beaver, Iron, Washington, Garfield, or Kane
39 County; and
- 40 (j) a locally elected official from each of the two counties that produced the most
41 mineral lease monies during the previous four-year period, prior to the term of appointment, as
42 determined by the Department of Community and Culture.

43 (2) (a) The members specified under Subsections (1)(f) through (j) may not reside in
44 the same county and shall be:

45 (i) nominated by the Board of Directors of the Southeastern Association of
46 Governments, Central Utah Association of Governments, Uintah Basin Association of
47 Governments, and Southwestern Association of Governments, respectively, except that a
48 member under Subsection (1)(j) shall be nominated by the Board of Directors of the
49 Association of Governments from the region of the state in which the county is located; and

50 (ii) appointed by the governor with the consent of the Senate.

51 (b) Except as required by Subsection (2)(c), as terms of current board members expire,
52 the governor shall appoint each new member or reappointed member to a four-year term.

53 (c) Notwithstanding the requirements of Subsection (2)(b), the governor shall, at the
54 time of appointment or reappointment, adjust the length of terms to ensure that the terms of
55 board members are staggered so that approximately half of the board is appointed every two
56 years.

57 (d) When a vacancy occurs in the membership for any reason, the replacement shall be
58 appointed for the unexpired term.

59 (3) The terms of office for the members of the impact board specified under
60 Subsections (1)(a) through (1)(e) shall run concurrently with the terms of office for the
61 councils, boards, committees, commission, departments, or offices from which the members
62 come.

63 (4) (a) The [executive director of the department, or the executive director's designee,]
64 impact board shall [be] elect one of its members to serve as the chair of the [impact] board.

65 (b) The chair's term of office is for two years and until a successor is elected.

66 (5) (a) (i) Members who are not government employees shall receive no compensation
67 or benefits for their services, but may receive per diem and expenses incurred in the
68 performance of the member's official duties at the rates established by the Division of Finance
69 under Sections 63A-3-106 and 63A-3-107.

70 (ii) Members may decline to receive per diem and expenses for their service.

71 (b) (i) State government officer and employee members who do not receive salary, per
72 diem, or expenses from their agency for their service may receive per diem and expenses
73 incurred in the performance of their official duties from the board at the rates established by the
74 Division of Finance under Sections 63A-3-106 and 63A-3-107.

75 (ii) State government officer and employee members may decline to receive per diem
76 and expenses for their service.

77 (c) (i) Local government members who do not receive salary, per diem, or expenses
78 from the entity that they represent for their service may receive per diem and expenses incurred
79 in the performance of their official duties at the rates established by the Division of Finance
80 under Sections 63A-3-106 and 63A-3-107.

81 (ii) Local government members may decline to receive per diem and expenses for their
82 service.

Fiscal Note
Bill Number HB0097S01

Community Impact Amendments

10-Feb-06

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State Impact

No fiscal impact.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst