

1 **PUBLIC TRANSIT DISTRICT BOARD AMENDMENTS**

2 2013 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Merrill F. Nelson**

5 Senate Sponsor: _____

7 **LONG TITLE**

8 **General Description:**

9 This bill modifies provisions relating to a public transit district board of trustees.

10 **Highlighted Provisions:**

11 This bill:

12 ▶ adds ~~H→~~ **[a nonvoting member]** two voting members ~~←H~~ who

12a ~~H→~~ **[represents]** represent ~~←H~~ all municipalities within the district that
13 are located within a county that is not annexed into the public transit district to the
14 board of trustees of a public transit district serving a population of more than
15 200,000 people;

16 ▶ establishes procedures for municipalities to appoint the ~~H→~~ **[nonvoting member]**

16a voting members ~~←H~~ to the
17 board of trustees of the public transit district; and

18 ▶ makes technical corrections.

19 **Money Appropriated in this Bill:**

20 None

21 **Other Special Clauses:**

22 None

23 **Utah Code Sections Affected:**

24 AMENDS:

25 **17B-2a-807**, as last amended by Laws of Utah 2011, Chapters 106 and 297

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



59 (ii) three members appointed as described in Subsection (4); [~~and~~]

60 (iii) one voting member appointed as provided in Subsection (11)[-]; and

61 (iv) ~~H→~~ [~~one nonvoting member~~] two voting members ~~←H~~ appointed as provided in
61a Subsection (12).

62 (b) Except as provided in Subsections (2)(c) and (d), the board shall apportion voting
63 members to each county within the district using an average of:

64 (i) the proportion of population included in the district and residing within each county,
65 rounded to the nearest 1/11 of the total transit district population; and

66 (ii) the cumulative proportion of transit sales and use tax collected from areas included
67 in the district and within each county, rounded to the nearest 1/11 of the total cumulative transit
68 sales and use tax collected for the transit district.

69 (c) The board shall join an entire or partial county not apportioned a voting member
70 under this Subsection (2) with an adjacent county for representation. The combined
71 apportionment basis included in the district of both counties shall be used for the
72 apportionment.

73 (d) (i) If rounding to the nearest 1/11 of the total public transit district apportionment
74 basis under Subsection (2)(b) results in an apportionment of more than 11 members, the county
75 or combination of counties with the smallest additional fraction of a whole member proportion
76 shall have one less member apportioned to it.

77 (ii) If rounding to the nearest 1/11 of the total public transit district apportionment
78 basis under Subsection (2)(b) results in an apportionment of less than 11 members, the county
79 or combination of counties with the largest additional fraction of a whole member proportion
80 shall have one more member apportioned to it.

81 (e) If the population in the unincorporated area of a county is at least 140,000, the
82 county executive, with the advice and consent of the county legislative body, shall appoint one
83 voting member to represent the population within a county's unincorporated area.

84 (f) If a municipality's population is at least 160,000, the chief municipal executive,
85 with the advice and consent of the municipal legislative body, shall appoint one voting member
86 to represent the population within a municipality.

87 (g) (i) The number of voting members appointed from a county and municipalities
88 within a county under Subsections (2)(e) and (f) shall be subtracted from the county's total
89 voting member apportionment under this Subsection (2).

183 a nonvoting, ex officio member; and

184 (b) for a public transit district serving a population of more than 200,000 people, shall
 185 appoint a commissioner of the Transportation Commission to serve on the board of trustees as
 186 a voting member.

187 (12) (a) The board of trustees of a public transit district serving a population of more
 188 than 200,000 people shall include ~~H→~~ [a nonvoting member] two voting members ~~←H~~ who
 188a ~~H→~~ [~~represents~~] represent ~~←H~~ all municipalities and
 189 unincorporated areas within the district that are located within a county that is not annexed into
 190 the public transit district.

191 (b) The ~~H→~~[nonvoting member] voting members ~~←H~~ representing the combination
 191a of municipalities and
 192 unincorporated areas described in Subsection (12)(a) shall be designated and appointed by a
 193 weighted vote of the majority of the chief executive officers of the municipalities described in
 194 Subsection (12)(a).

195 (c) Each municipality's vote under Subsection (12)(b) shall be weighted using the
 196 proportion of the public transit district population that resides within that municipality and the
 197 adjacent unincorporated areas within the same county.

198 [~~12~~] (13) (a) (i) Each member of the board of trustees of a public transit district is
 199 subject to recall at any time by the legislative body of the county or municipality from which
 200 the member is appointed.

201 (ii) Each recall of a board of trustees member shall be made in the same manner as the
 202 original appointment.

203 (iii) The legislative body recalling a board of trustees member shall provide written
 204 notice to the member being recalled.

205 (b) Upon providing written notice to the board of trustees, a member of the board may
 206 resign from the board of trustees.

207 (c) Except as provided in Section 17B-2a-807.5, if a board member is recalled or
 208 resigns under this Subsection [~~12~~] (13), the vacancy shall be filled as provided in Subsection
 209 (6).