

WATER COMMISSIONER AMENDMENTS

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Scott H. Chew

Senate Sponsor: Margaret Dayton

LONG TITLE

General Description:

This bill modifies the acceptable uses of the Water Commissioner Fund.

Highlighted Provisions:

This bill:

§→ [→→ exempts the state engineer from Title 63G, Chapter 6a, Utah Procurement Code, for the purpose of Section 73-5-1.5;] ←§

▶ requires the Division of Finance, in consultation with the state engineer, to establish a rule governing reimbursement for damages and wear and tear to a water commissioner's personal vehicle incurred while the water commissioner fulfills the water commissioner's official duties;

▶ states that the state engineer shall use money in the Water Commissioner Fund to:

• pay the expense of a water commissioner if a distribution system committee approves the expense; and

• pay a reasonable administrative expense of a distribution system committee;

▶ describes the requirements for a distribution system committee to approve an expense; and

▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:



28 None

29 **Utah Code Sections Affected:**

30 AMENDS:

31 **73-5-1.5**, as last amended by Laws of Utah 2015, Chapter 401

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

34 Section 1. Section **73-5-1.5** is amended to read:

35 **73-5-1.5. Water Commissioner Fund.**

36 (1) There is created an expendable special revenue fund known as the "Water
37 Commissioner Fund."

38 (2) The fund consists of assessments paid to the state engineer by water users pursuant
39 to Subsection 73-5-1(3).

40 (3) (a) The fund shall earn interest.

41 (b) Interest earned on fund money shall be deposited into the fund.

42 (4) (a) ~~§~~ → [For the purpose of this section, the state engineer is exempt from Title 63G,
43 Chapter 6a, Utah Procurement Code;

44 ~~(b)~~ ← ~~§~~ The state engineer shall, in accordance with this section and Title 63G, Chapter 3,
45 Utah Administrative Rulemaking Act, establish rules governing the use of the fund.

46 ~~§~~ → [(c)] (b) ← ~~§~~ By July 1, ~~Ĥ~~ → [2017] 2018 ← ~~Ĥ~~ , the Division of Finance shall, in
46a1 consultation with the

46a state

47 engineer, establish a rule governing reimbursement for damages and wear and tear to a water
48 commissioner's personal vehicle incurred while the water commissioner fulfills the water
49 commissioner's official duties.

50 [(4)] (5) The state engineer shall use fund money to pay:

51 (a) for salary and [~~expenses of water commissioners and other~~] benefits of a water
52 commissioner;

53 (b) expenses related to the distribution of water specified in Subsection 73-5-1(3)[-],
54 including general operating expenses, equipment repairs, purchasing, and other expenses
55 required for proper water distribution, if:

56 (i) the expense has been approved by the water commissioner's distribution system
57 committee, in accordance with Subsection (6);

58 (ii) the distribution system committee provides to the state engineer accurate