

493 (b) (i) The board shall negotiate and enter into an agreement with a municipality  
 494 providing municipal services, as described in Subsection (7)(a), with respect to the appropriate  
 495 amount of property tax differential the authority should share with the municipality to cover the  
 496 cost of providing those municipal services.

497 (ii) Under an agreement described in Subsection (7)(b)(i), the board and municipality  
 498 shall establish a method of determining the amount of property tax differential the authority  
 499 shares over time with a municipality to cover the cost of providing municipal services, taking  
 500 into account:

501 (A) the cost of those services as documented in the audited financial statements under  
 502 Subsection (7)(c); and

503 (B) the variable level of need for those services within the authority jurisdictional land  
 504 depending on the level, amount, and location of development and other relevant factors.

505 (c) A municipality providing municipal services, as described in Subsection (7)(a),  
 506 shall, as requested by the board, provide the board audited financial statements documenting  
 507 the cost of the municipal services the municipality provides within the authority jurisdictional  
 508 land.

509 (8) The board may consult with ~~H~~→ [or convene] ←~~H~~ other taxing entities, in addition to a  
 510 municipality under Subsection (7), for the purpose of receiving input from those taxing entities  
 511 on the appropriate allocation of property tax differential, considering the needs of the authority  
 512 and the needs of the other taxing entities.

513 (9) ~~H~~→ (a) ←~~H~~ The board shall ~~H~~→ [periodically, at intervals determined by  
 513a the board;] ←~~H~~ review and  
 514 reassess the amount of property tax differential the authority retains and the amount the  
 515 authority shares with other taxing entities so that the authority retains property tax differential it  
 516 reasonably needs to meet its responsibilities and purposes and adjusts the amount the authority  
 517 shares with other taxing entities accordingly.

517a **~~H~~→ (b) The board shall meet with taxing entities to review and reassess, as provided in**  
 517b **Subsection (9)(a):**

517c **(i) before December 31, 2020; and**

517d **(ii) at least every other year after 2020.** ←~~H~~

518 Section 8. Section 11-58-302 is amended to read:

519 **11-58-302. Number of board members -- Appointment -- Vacancies.**

520 (1) The authority's board shall consist of 11 members, as provided in Subsection (2).

521 (2) (a) The governor shall appoint two board members, one of whom shall be an  
 522 employee or officer of the Governor's Office of Economic Development, created in Section  
 523 63N-1-201.

710 panel for its review and consideration; and

711 (ii) provide for de novo review by the appeals panel.

712 ~~[(b)] (3) [An appeal of a land use]~~ An appeals panel may not consider an inland port  
 713 use appeal decision under this section [may not be considered unless it] unless the appeal of the  
 714 inland port use appeal decision is submitted to the appeals panel in writing within [10] 20  
 715 calendar days after the date of the [land use] inland port use appeal decision being appealed.

716 ~~[(3)] (4)~~ In deciding an appeal of [a land use] an inland port use appeal decision, an  
 717 appeals panel [may hold an informat] shall:

718 (a) hold a public hearing to receive information and hear arguments from the parties[-];

719 (b) provide prior notice of a hearing under Subsection (4)(a) to the parties to the appeal  
 720 and the public;

721 (c) respect the due process rights of the parties to the appeal;

722 (d) require the land use applicant, if the land use applicant is the person who submits  
 723 the appeal, to provide to the appeals panel a brief explanation in writing containing any  
 724 applicable information concerning:

725 (i) whether the proposed development that is the subject of the inland port use  
 726 application under consideration on appeal will meet or exceed applicable state and federal  
 727 regulations;

728 (ii) (A) any potential environmental impact the proposed development will have,  
 729 including on air quality ~~§~~, surface water, ~~§~~ and ground water; and

730 (B) how the land use applicant proposes to mitigate any impacts, including the extent  
 731 to which the proposed development will apply the best available technology or systems to  
 732 mitigate any environmental impacts of the development;

733 (iii) the potential impact of the proposed development on abutting property owners ~~§~~ or  
 733a on a migratory bird production area, as defined in Section 23-28-102, ~~§~~ and  
 734 how the land use applicant proposes to mitigate those impacts;

735 (iv) the municipal requirements that the proposed development will be unable to  
 736 comply with and whether alternative means or an alternative method will produce a  
 737 comparable result; and

738 (v) how the proposed development implements or furthers the policies and objectives  
 739 stated in Subsection 11-58-203(1); and

740 (e) consider the information provided under Subsection (4)(d).