

**PERMANENT COMMUNITY IMPACT FUND BOARD**

**AMENDMENTS**

2022 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Ronald M. Winterton**

House Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill addresses the Permanent Community Impact Fund Board.

**Highlighted Provisions:**

This bill:

- ▶ modifies the membership of the Permanent Community Impact Fund Board (impact board);
- ▶ designates the executive director of the Department of Workforce Services as a nonvoting member of the impact board;
- ▶ modifies requirements related to the selection, term, and responsibilities of the chair of the impact board;
- ▶ requires the majority vote of a quorum of the impact board to take action;
- ▶ directs the Department of Workforce Services to provide staff support to the impact board; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**



28 AMENDS:

29 **35A-8-304**, as last amended by Laws of Utah 2020, Chapters 352 and 373

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

32 Section 1. Section **35A-8-304** is amended to read:

33 **35A-8-304. Permanent Community Impact Fund Board created -- Members --**  
34 **Terms -- Chair -- Expenses.**

35 (1) There is created within the department the Permanent Community Impact Fund  
36 Board ~~[composed of 11 members as follows:]~~, consisting of nine voting members and one  
37 nonvoting member.

38 ~~[(a) the chair of the Board of Water Resources or the chair's designee;]~~

39 ~~[(b) the chair of the Water Quality Board or the chair's designee;]~~

40 ~~[(c) the director of the department or the director's designee;]~~

41 ~~[(d) the state treasurer;]~~

42 (2) The nine voting members of the impact board are:

43 (a) the State Treasurer;

44 ~~[(e)]~~ (b) the chair of the Transportation Commission or the chair's designee;

45 ~~[(f)]~~ (c) a locally elected official who resides in Carbon, Emery, Grand, or San Juan  
46 County;

47 ~~[(g)]~~ (d) a locally elected official who resides in Juab, Millard, Sanpete, Sevier, Piute,  
48 or Wayne County;

49 ~~[(h)]~~ (e) a locally elected official who resides in Duchesne, Daggett, or Uintah County;

50 ~~[(i)]~~ (f) a locally elected official who resides in Beaver, Iron, Washington, Garfield, or  
51 Kane County; [and]

52 ~~[(j) a locally elected official from each of the two counties that produced the most~~  
53 ~~mineral lease money during the previous four-year period, prior to the term of appointment, as~~  
54 ~~determined by the department.]~~

55 (g) a locally elected official from the county that produced the most mineral lease  
56 money related to oil extraction during the four-year period immediately preceding the term of  
57 appointment, as determined by the department at the end of each term;

58 (h) a locally elected official from the county that produced the most mineral lease

59 money related to natural gas extraction during the four-year period immediately preceding the  
 60 term of appointment, as determined by the department at the end of each term; and

61 (i) a locally elected official from the county that produced the most mineral lease  
 62 money related to coal extraction during the four-year period immediately preceding the term of  
 63 appointment, as determined by the department at the end of each term.

64 (3) The nonvoting member of the impact board is the executive director or the  
 65 executive director's designee.

66 ~~[(2)]~~ (4) (a) The members specified under Subsections [(1)(f) through (j) may not  
 67 reside in the same county and] (2)(c) through (i) shall be:

68 (i) nominated by the Board of Directors of the Southeastern Association of Local  
 69 Governments, the Six County Association of Governments, the Uintah Basin Association of  
 70 Governments, and the Five County Association of Governments, respectively, except that [a  
 71 ~~member under Subsection (1)(j)] the members specified under Subsections (2)(g) through (i)  
 72 shall be nominated by the Board of Directors of the Association of Governments from the  
 73 region of the state in which the county is located; and~~

74 (ii) appointed by the governor with the advice and consent of the Senate in accordance  
 75 with Title 63G, Chapter 24, Part 2, Vacancies.

76 (b) Except as required by Subsection ~~[(2)]~~ (4)(c), as terms of current board members  
 77 expire, the governor shall appoint each new member or reappointed member to a four-year  
 78 term.

79 (c) Notwithstanding the requirements of Subsection ~~[(2)]~~ (4)(b), the governor shall, at  
 80 the time of appointment or reappointment, adjust the length of terms to ensure that the terms of  
 81 board members are staggered so that approximately half of the board is appointed every two  
 82 years.

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

85 ~~[(3)]~~ (5) The terms of office for the members [of the impact board] specified under  
 86 Subsections [(1)(a) through (1)(e)] (2)(a), (b), and (3), shall run concurrently with the [terms]  
 87 term of office for the [councils, boards, committees, commission, departments, or offices]  
 88 commission, department, or office from which [the members come] each member comes.

89 ~~[(4) The executive director of the department, or the executive director's designee, is~~

90 ~~the chair of the impact board.]~~

91 (6) (a) The governor, with recommendations from the impact board, shall select a chair  
92 from among the impact board's members to serve a two-year term.

93 (b) The chair of the impact board is responsible for the call and conduct of meetings.

94 ~~[(5)] (7) A member may not receive compensation or benefits for the member's service,~~  
95 but may receive per diem and travel expenses in accordance with:

96 (a) Section 63A-3-106;

97 (b) Section 63A-3-107; and

98 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and  
99 63A-3-107.

100 ~~[(6)] (8) A member described in Subsections [(1)(f) through (j)] (2)(c) through (i) shall~~  
101 comply with the conflict of interest provisions described in Title 63G, Chapter 24, Part 3,  
102 Conflicts of Interest.

103 (9) (a) A majority of the voting members of the impact board constitutes a quorum.

104 (b) Action by a majority vote of a quorum of the impact board constitutes action by the  
105 impact board.

106 (10) The department shall provide staff support to the impact board.