

**MINUTES OF THE
POLITICAL SUBDIVISIONS INTERIM COMMITTEE**
Wednesday, June 20, 2012 – 10:30 a.m. – Room 450 State Capitol

Members Present:

Sen. Casey O. Anderson, Senate Chair
Rep. R. Curt Webb, House Chair
Sen. Scott K. Jenkins
Sen. Karen Mayne
Rep. Stewart Barlow
Rep. David G. Butterfield
Rep. Jack R. Draxler
Rep. Rebecca P. Edwards
Rep. Jeremy A. Peterson
Rep. Keven S. Stratton

Members Absent:

Rep. Brian S. King
Rep. Mark A. Wheatley

Staff Present:

Mr. Joseph Wade, Policy Analyst
Ms. Victoria Ashby, Associate General Counsel
Ms. Chelsea B. Lloyd, Legislative Secretary

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Committee Business

Chair Webb called the meeting to order at 10:41 a.m.

MOTION: Rep. Draxler moved to approve the minutes of the May 16, 2012 meeting. The motion passed unanimously. Rep. Butterfield was absent for the vote.

2. Follow-up -- Definition of Rural

Rep. Menlove explained that this issue was discussed in the May 16, 2012 meeting. She distributed to the committee "Rural or Urban as Defined by State Statute or Administrative Rule," "Rural or Urban as Defined by State Statute or Administrative Rule -- Addendum," and "Rural and Urban Membership on Boards, Commissions, and Councils."

Ms. Ashby reviewed the documents and commented on several of the state and local entities and their corresponding definition of rural.

Mr. Wade distributed and presented "County Size vs Percent Urban," "Urban vs Rural -- by county," "How the Census Bureau Defines Urban vs. Rural," and "Population Density Map." He explained the U.S. Census Bureau's definition of 'rural' and presented a map showing areas throughout Utah classified as rural. He asked the presenters to comment on whether or not the definition of 'rural' could be standardized for state entities.

Mr. Gary Harter, Managing Director of Business Outreach and International Trade and Ms. Beverly Evans, Director of the Office of Rural Development, Governor's Office of Economic Development, explained that Utah Code Ann. 63M-1-904, Rural Fast Track Program, functions to assist individuals who live in disadvantaged rural counties of Utah. Ms. Evans explained that several of the boards who have rural memberships have not been funded in recent years.

Mr. Geoffrey Landward, General Counsel and Legislative Liaison, Department of Workforce Services, explained that "rural employer" is the only definition used by the Department of Workforce Services and that this definition was used for the rural employer representative on their state council.

Mr. Douglas Springmeyer, Assistance Attorney General, and Mr. Marc Babitz, Division Director, Division of Family Health and Preparedness, Utah Department of Health, explained the large number of definitions for

rural pertaining to healthcare and health-related programs and entities. Mr Springmeyer explained the potential issues with adopting a standardized definition of rural.

Mr. Adam Trupp, Utah Association of Counties, explained the issues involved with creating bright lines for a standardized definition of rural.

Mr. Lincoln Shurtz, Utah League of Cities and Towns, expressed concerns with using one definition of rural. He encouraged the committee to consider consolidating the definitions, rather than adopting a uniform definition.

The committee discussed the possibility of defining rural without tying it to county boundaries and the issues with trying to adopt a uniform definition.

3. Homeowner Association Amendments

Sen. Wayne Niederhauser introduced the topic and explained that 2011 General Session S.B. 167, "Condominium and Community Association Revisions," addressed many issues raised by constituents related to condominium associations, including insurance requirements for condominium buildings. He explained that additional items were needed to add to the bill in this coming general session.

Mr. John Morris, Community Association Institute, explained that the draft legislation for this coming session attempts to create consensus amongst the stakeholders involved with this issue. Along with clean-up issues associated with the draft legislation, it also will include some substantial changes related to default provisions and an open meeting and public notice requirement for homeowner association board meetings.

Mr. Ron Tanner, constituent, raised concerns about rental agreements rules changing between newer and older buyers within a condominium complex.

Mr. Chris Purcell, State Farm Insurance, explained the general support from homeowners associations boards concerning 2011 General Session S.B. 167, "Condominium and Community Association Revisions."

4. H.J.R. 13, Joint Resolution - Tax Opinion Question, 2012 General Session

Sen. Okerlund distributed and explained 2012 Fourth Special Session S.J.R. 401, "Joint Resolution - Repealing Tax Opinion Questions." He explained that the resolution would repeal the tax opinion question regarding whether to impose a state sales and use tax to support and enhance heritage, arts, culture, and museums that was scheduled to be on the regular general election ballot fall of 2012.

5. Other Items / Adjourn

MOTION: Rep. Peterson moved to adjourn the meeting. The motion passed unanimously. Sen. Mayne and Rep. Butterfield were absent for the vote.

Chair Webb adjourned the meeting at 12:04 p.m.