

**MINUTES OF THE  
POLITICAL SUBDIVISIONS INTERIM COMMITTEE**  
Wednesday, October 21, 2015 – 8:30 a.m. – Room 25 House Building

**Members Present:**

Sen. Daniel W. Thatcher, Senate Chair  
Rep. R. Curt Webb, House Chair  
Sen. Wayne A. Harper  
Sen. Karen Mayne  
President Wayne L. Niederhauser  
Sen. Jerry W. Stevenson  
Rep. Joel K. Briscoe  
Rep. Kim Coleman  
Rep. Rich Cunningham  
Rep. Don L. Ipson  
Rep. Michael S. Kennedy  
Rep. Kraig Powell  
Rep. Douglas V. Sagers

Rep. Earl D. Tanner  
Rep. John R. Westwood

**Members Absent:**

Rep. Johnny Anderson  
Rep. Mark A. Wheatley

**Staff Present:**

Ms. Megan L. Bolin, Policy Analyst  
Ms. Christine R. Gilbert, Associate General  
Counsel  
Mr. Joshua Weber, Legislative Assistant

**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](http://www.le.utah.gov).

**1. Committee Business**

Chair Thatcher called the meeting to order at 8:33 a.m.

**MOTION:** Sen. Harper moved to approve the minutes of the August 19, 2015, meeting. The motion passed unanimously. Pres. Niederhauser Rep. Briscoe, and Rep. Kennedy were absent for the vote.

**2. Political Subdivisions Ethics Review Commission Annual Report**

Ms. Brooke Harkness, Executive Director, Political Subdivisions Ethics Review Commission, presented "Political Subdivisions Ethics Review Commission Annual Report." She discussed some of the complaints brought forward to the commission and what has been done to address them. She responded to the committee's questions.

**3. Lateral Sewer Lines (draft legislation)**

Sen. Mayne and Mr. LeGrand Bitter, Executive Director, Utah Association of Special Districts, presented draft legislation "Sewer Lateral Disclosures" (2016FL-0520/006).

Rep. Kennedy asked if there would be any costs to implement the proposed disclosure. Mr. Bitter responded saying there could be some costs depending on the sewer service provider's billing system. Rep. Kennedy also asked why lateral sewer lines are being singled out and addressed with this bill. Sen. Mayne responded that lateral sewer lines are often overlooked when purchasing homeowners insurance, and many people are not aware that the lateral line is their responsibility. She said the bill is intended to raise awareness and create transparency that benefits both the customer and sewer service provider.

**MOTION:** Sen. Mayne moved for the committee to recommend draft legislation "Sewer Lateral Disclosures" (2016FL-0520/006). The motion passed unanimously. Sen. Stevenson, Rep. Coleman, and Rep. Sagers were absent for the vote.

#### **4. Good Landlord Program (draft legislation)**

Rep. Gage Froerer presented draft legislation "Good Landlord Program Amendments" (2016FL-0294/008). He spoke to recent developments and changes to the bill.

Rep. Webb asked whether the bill addresses the fees that municipalities charge landlords and how those fees are determined. Rep. Froerer replied that fees must be justified by a study conducted by the municipality, and that this bill does not make any changes to the process of establishing the fees.

Rep. Powell said he is concerned that the language in the bill does not clearly define whether it applies to only cities that have a Good Landlord Program or to all cities. Rep. Froerer replied that the intent is for it to apply to those cities that have a Good Landlord Program. Rep. Powell recommended that Rep. Froerer amend the language so that there is less ambiguity.

Rep. Tanner asked what legal context exists to allow cities to prohibit landlords that participate in the Good Landlord Program from renting to felons. The committee requested that staff research this issue further.

The public was invited to comment.

Mr. Michael Hadden, Deputy, Department of Corrections, said that the language regarding what is considered an offense for which a landlord may deny tenancy is too broad and asked that further discussion regarding the necessity of the list take place.

Mr. Ron Gordon, Executive Director, Commission on Criminal and Juvenile Justice, echoed Mr. Hadden's remarks. Mr. Gordon also said a list of offenses for the bill is unnecessary and harmful.

Mr. Andrew Riggle, Public Policy Advocate, Disability Law Center, expressed concern regarding individuals whose crimes are directly related to their substance abuse or mental health needs. Mr. Riggle said that because these individuals are allowed to request reasonable accommodations through the Fair Housing Act, he is wary that the program is discriminatory.

Ms. Marina Lowe, Legislative and Policy Counsel, American Civil Liberties Union of Utah, mentioned that stakeholders have been meeting and discussing the bill. She urged the committee to let the working group continue to discuss this issue and find a solution that will work for all parties involved.

Ms. Jean Hill, Government Liaison, Catholic Diocese of Salt Lake City, also expressed concern about the list of offenses that prevent former criminals from obtaining housing, and the difficulties these individuals have in obtaining housing. She asked that more be taken into consideration when evaluating these individuals.

Mr. Steve Erickson, Utah Chapter of the National Association of Housing and Redevelopment Officials, said he will take the draft legislation and discuss it with his general counsel to ensure that there are no conflicts with federal regulations.

Rep. Froerer said that he was not looking for a committee vote at this time. Rep. Froerer said that he and Rep. Brian King will continue to work with stakeholders to find consensus, particularly on the issue of renting to ex-felons. Rep. Froerer said he will bring a revised draft back to the committee in November.

Chair Thatcher turned the gavel over to Rep. Webb.

## **5. Subdivision Base Parcel Tax Amendments**

Chair Webb gave a brief update on draft legislation "Subdivision Base Parcel Tax Amendments" (2016FL-0328/009). He said that although the committee voted to recommend the bill at its August meeting, additional issues have arisen that he wants to address. He concluded that he will present a revised draft to the committee in November.

## **6. Subdivision Bonding**

Chair Webb briefly discussed how local entities require surety bonds to ensure the completion of a development project, but that a bond is not required to ensure payment. He said that he has determined that there is insufficient support to study this item any further.

**MOTION:** Chair Webb moved to conclude that there is insufficient support to further study this item. The motion passed unanimously. Sen. Mayne, Sen. Thatcher, Rep. Briscoe, and Rep. Kennedy were absent for the vote.

## **7. Transferable Development Rights**

Rep. Powell gave a brief update regarding whether legislation is needed to allow a city and a county to establish a transferable development rights program between the jurisdictions. He said that after studying the issue, he determined that current statute would allow this type of joint endeavor under an interlocal agreement. He concluded that the Legislature does not need to address the issue.

**MOTION:** Rep. Powell moved to conclude that this item is not recommended policy for the Legislature to address. The motion passed unanimously. Sen. Mayne, Sen. Thatcher, Rep. Briscoe, and Rep. Kennedy were absent for the vote.

## **8. Other Items/Adjourn**

**MOTION:** Rep. Cunningham moved to adjourn the meeting. The motion passed unanimously. Sen. Mayne, Sen. Thatcher, Rep. Briscoe, and Rep. Kennedy were absent for the vote.

Chair Webb adjourned the meeting at 10:01 a.m.