

**MINUTES OF THE
POLITICAL SUBDIVISIONS INTERIM COMMITTEE**
Wednesday, July 13, 2016 – 12:50 p.m. – Room 25 House Building

Members Present:

Sen. Daniel W. Thatcher, Senate Chair
Rep. R. Curt Webb, House Chair
Sen. Wayne A. Harper
Sen. Jerry W. Stevenson
Rep. Joel K. Briscoe
Rep. Kim Coleman
Rep. Rich Cunningham
Rep. Timothy D. Hawkes
Rep. Don L. Ipson
Rep. Kraig Powell
Rep. Earl D. Tanner
Rep. John R. Westwood
Rep. Mark A. Wheatley

Members Absent:

Sen. Karen Mayne
Pres. Wayne L. Niederhauser
Rep. Johnny Anderson
Rep. Douglas V. Sagers

Staff Present:

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

1. Committee Business

Chair Webb called the meeting to order at 1:09 p.m.

MOTION: Rep. Cunningham moved to approve the minutes of the June 15, 2016, meeting. The motion passed unanimously. Rep. Tanner was absent for the vote.

2. Zoning for Substance Abuse Recovery Residences

Rep. LaVar Christensen discussed his role in dealing with substance abuse recovery residences as chair of the Judiciary Interim Committee. He reviewed some of the current legal implications surrounding these residences and what he plans to do to address them. He responded to questions from the committee.

Mr. Robert Wall, attorney, Sandy City, discussed the ways in which the federal government has become involved with regulatory procedures regarding land use and the challenges that ensue when local cities try to regulate these types of facilities. He responded to questions from the committee.

3. Short-Term Rentals

Rep. John Knotwell gave a brief overview of what short-term rentals entail and the impact on local municipalities. He also mentioned the concerns of the hospitality, tourism, and travel technology industries.

Ms. Jodi Hoffman, Land Use Analyst, Utah League of Cities and Towns, discussed her involvement in evaluating short-term rental laws across the state and clarified cities' perspectives and challenges regarding short-term rentals.

Rep. Knotwell and Ms. Hoffman responded to questions from the committee.

4. Local Building Authorities

Ms. Bolin gave a statutory overview of local building authorities and responded to questions from the committee.

Mr. Randy Sant, Economic Development Consultant, Tooele City, and Mr. Brad Patterson, Partner, Ballard Spahr LLP, expounded upon building authority debts and how they are structured. They responded to questions from the committee.

5. Limited Purpose Local Government Entities – Taxation and Fees

Ms. Gilbert presented “Limited Purpose Government Entities – Taxes and Fees.” She reviewed some court cases to demonstrate the ways in which the courts have distinguished between taxes and fees. She responded to questions from the committee.

Mr. LeGrand Bitter, Executive Director, Utah Association of Special Districts, discussed the various ways in which districts assess and define taxes and fees. He responded to questions from the committee.

Rep. Justin L. Fawson discussed some of his concerns regarding the transparency of the election process in districts and accountability with taxing authorities. He gave some examples using water conservancy districts. He responded to questions from the committee. Chair Webb asked Rep. Fawson to return for the next interim meeting to report on whether he intends to propose legislation.

6. Local District Dissolution Process

Ms. Bolin presented "Local District Dissolution Process." She described the differences between active and inactive local districts and briefly reviewed state statutes regarding the dissolution process.

Mr. Bitter described how the Utah Association of Special Districts has assisted municipalities and districts working through the dissolution process. He responded to questions from the committee.

7. Other Items/Adjourn

MOTION: Sen. Thatcher moved to adjourn the meeting. The motion passed unanimously with Sen. Harper and Sen. Stevenson absent for the vote.

Chair Webb adjourned the meeting at 2:37 p.m.