

Legislative Policy Committee Minutes

February 1, 2016

The State Capitol, W030

Approx. attendance: 130 in person and 46 online

Steve Hiatt brought the meeting to order and the meeting began with introductions throughout the room.

Cameron Diehl and Brandon Smith with the League: Welcome and discussion on daily leg updates as well as bill tracking and how to find this information. Tracking 157 bills, many have a league staff recommendation. Representative Cunningham has 5 retirement bills this session (4 post retirement and 1 a tier II). He has amendments on them for a 5 year sunset. Here is a breakdown of each bill.

- HB47 Postretirement Employment Rural and Title 1
- HB50 Postretirement Reemployment Amendments
- HB86 Postretirement Employment Restrictions
- HB117 Modifications to postretirement reemployment
- HB205 Tier II Retirement Amendments

Fiscally what does this mean for cities and towns? 3.2 million for cities and towns which is lower than they expected. Incentive of who will be retiring?? How do we know how this will effect behavior?? Any questions on this?

Steve Thacker with Centerville question: 3 bills combined into 1 and please explain graph better please- orange is reduction in a cities payments and the blue is what would be paid in long term (more). HB117 is neutral, on 47 and 86 that reduction would result in paying more.

Mark from Saratoga Springs-How long is the mortgage? These are costs per year.

Next up on agenda from Cameron: We had successes in the first week and they were; defeating a form of government bill and a referendum bill.

Rep. Cunningham arrived and spoke. The biggest question is why 5 bills? HB86 is similar to HB77 last year which would have reversed many of the 2010 reforms. URS provides conflicting data about the "double dippers" out there. There was a working group this summer going through data and looked at Senate bills passed previously. One thing that happened is that promises were made that raises would come and that did not happen and as a result when we look to hire public employees, we now have severe problems. With teachers in rural areas, for example, the teachers were hired who were not qualified to teach in urban areas. Retirement reasons and competitive pay are the reasons. HB47 1st substitute is specifically for rural Utah. Rep. Cunningham also offered a 5 year sunset for all bills. Released fiscal note this morning and that will be in committee next week on HB205 on tier II. Questions??

Additionally, URS has been charging more in contribution rates, they are up 81% and he knows that cities are feeling that. Every dept he talked to is feeling that fiscal impact. Unfunded liability will be increased by numerous situations (lots of factors change that number). Why have these been raised??

Unfunded liability chart explanation? The new HB47 will take out title 1 schools and he changed the population portion because of a couple cities. If URS has better returns, then the unfunded liability will go down. The unfunded liability will go up no matter what bill passes or doesn't pass.

We need to monitor if this incentive makes employees retire early. Hence, the 5 year sunset to keep track of data. Retirement is the 2nd largest budget crisis in Utah. People double dip from 62 -65 years old until they can collect social security and medicare.

No recommendation from staff yet on these, what does the body want to do??

Gary Hill bountiful-explain tier II: HB205

Cameron: HB 205 changes not the number of years but changes the multiplier to 50%, not years served (stays at 25 years).

Midvale Mayor JoAnn Seghini: how is it different than before? HB 50 would increase amount to \$20000 and the city who would be rehiring would not pay retirement on new job and a post-retired employee could return to new job in 60 days.

Mark Johnson from Ogden: Ogden is in favor of supporting this. He also urges using the next year to find funding source. Support him and help him find a way to fund this extra cost. Skeptical of URS numbers.

Holladay's Lynn Pace: the fiscal impact is scary and Rep. Cunningham is good to work with so he suggests a working committee of 5-6 who know what they are talking about on retirement and made the motion to do so.

Bear River's Gil Miller 2nd that motion and passed. Those interested please talk to Cameron to join committee.

Cameron: Law enforcement issues. BWC bills McCay vs Thatcher bills. McCay's bill has moved considerably from last year's bill (HB 386) and we have come a long way. The biggest sticking point is the minimum of when to use camera and how to wear camera and submitting report. GRAMA policy still being negotiated at this point. The two bills will likely have similar GRAMA points. Questions??

Question about the difference between 2 bills regarding failure of camera and when it is not supposed to be activated?-McCay's bill states officer has duty to report and does not provide a punishment to officer or agency if the camera fails.

Thatcher's bill says let DPS make standard policy. POST has done a model pursuit policy but not required to adopt. The bill (McCay) will be made public this afternoon so we can't vote on it yet. Are we comfortable with POST or the state in code making the rules?

Question from Herriman Mayor Carmen Freeman: What happens when officer forgets to turn on camera?-Thatcher's is no he is not in trouble. Ditto with McCay.

Question from Holladay Mayor Rob Dahle: Where is law enforcement on this Bill?

ULCT's Nick Jarvis:- the LELC voted to support Thatcher's bill (police chiefs).

Mark Christensen from Saratoga Springs: I'm leaning towards POST standard because technology is constantly changing and they can be better addressed with POST other than the legislators.

Motion made from John Park from Cottonwood Heights to support Thatcher's bill and a 2nd made (unknown). Passed the body.

Medicinal Marijuana from Cameron: Madsen's bill (SB 73) preempts local ordinances regulating an establishment, preempts local zoning that prohibits an establishment from operating on the sole basis that it is an establishment and local government shall allow establishment as a permitted use in industrial, manufacturing or ag zone. Sen Vickers and Rep Daw specifically say it does not preempt local zoning and regulation (SB 89). Questions? LELC opposed Madsen's and supported Vickers' with drafting changes needed.

Transportation: Cameron presented slides about HB 183 and HB 215. HB362 allocation would be changed with Draxler's bill (HB 183) from .10 to transit to .025 to transit with the county and city agreeing upon the remaining .075 which could go to county, city, or transit. What doesn't go to transit is divided 50/50 between county and cities. The bill only would apply to Cache, Duchesne, Iron, Summit and Uintah where they have small transit systems.

HB215 (Greene) would affect every county in Utah and would change to .20 to cities and towns and exclude a direct allocation to transit.

These bill sponsors have approached key players to ask for support. We made a deal last year and voted on HB362 and other stakeholders are standing by HB 362 and not supporting HB 215. Questions?

Sandy Mayor Tom Dolan said that we should not throw UTA under the bus and made a motion to not support any changes to HB 362 compromise. Holladay's Lynn Pace 2nd the motion.

Syracuse Council Member Karianne Lisonbee said this might be a good move to wait.

Substitute motion made: Don Shelton from South Jordan to hold off until we see how these bills play out. 2nd by Matt Jensen from North Salt Lake. The motion failed.

Back to the original motion to support the HB 362 commitment-Passed.

Audio Visual Problems.

ULCT's Jodi Hoffman: SB92 Municipal Landscape bill would prohibit requirements for landscaping with grass. Is that acceptable? Storm water requirements, this would prohibit that as well. The bill would prevent landscape requirements for businesses if they are hidden behind a fence. The staff recommendations are to not support these changes. Motion made and 2nd made to not support these bills. Millheim: amendment to motion is because they haven't been worked out by those that know land use-oppose bills which haven't been through the land use task force (LUTF). 2nd made. Passed.

Cameron: 2nd week challenges now- HB132 addresses how we license home based businesses. Expecting the bill to be out of committee and have floor fight because it's an attack on local government. We have opposed it the last 3 years. HB52 wants a league endorsement that cities can access funds for trails, playgrounds, sidewalks-an appropriation. Handout provided to the LPC.

HB52 position? Mayor Dave Sakrison from Moab to support this bill, 2nd motion made. Passed.

Adjourn.