

Legislative Policy Committee February 8, 2016 Minutes

State Capitol

Mayor Steve Hiatt called the meeting and the minutes for January 11, 2016 were approved. Mayor Lewis from Bountiful and Dama Barbour of Taylorsville made motions to approve those. Approved by body.

Cameron Diehl and Mayor Hiatt welcomed everyone to the meeting.

Neil Abercrombie with USU presented the Utah Water conservation initiative. This initiative addresses a quickly growing population and the water needs associated with that growth. Chris Pengra, Eagle Mountain's Mayor, spoke on the importance of water conservation now, the need for infrastructure and how to problem solve this issue. He asked for everyone to contact their legislators and let them know you support it.

Karianne Lisonbee from Syracuse asked if required water metering would be in the proposal and Neil answered no.

Tom Hansen from Washington Terrace made a motion to support the appropriation and Mayor JoAnn Seghini from Midvale made a second of that motion. Approved by the body.

Roger Tew with the League discussed HB160 Justice Court Judge Requirements. The bill is out of committee and has changed significantly. New Judges are to be law trained, existing Judges are grandfathered in and cities of the 2nd and 3rd class counties are exempt.

Mayor Sonja Norton from Vernal asked if County clerks were part of this bill and Roger Tew answered that any city using a justice court judge would be affected by this bill.

Mark Christensen from Saratoga Springs supports the grandfather portion because of past experiences with great judges who were not law trained.

Staff recommendation is to support as amended (Brent Kelly of Hyde Park asked to amend bill that when a vacancy arises for a judge that the pool is law trained). South Weber city Manager Duncan Murray made a motion to support the bill and Beth Holbrook of Bountiful made a 2nd. Approved by the body.

Representative Tim Hawkes then addressed the body about the USU water conservation initiative. He spoke about the need for funding this initiative and the need for a supportive committee.

Lynn Pace of Holladay supports the new bill with a more clear population growth rate formula. Gil Miller of Mantua made a motion to support the bill and Gary Crane of Bountiful made a 2nd motion which was then approved by the body.

Representative Handy discussed HB 145 Municipal Energy Tax Rate Amendments. Large energy users feel disadvantaged and they feel they pay larger rates for the same service as low energy users. Concern is who pays the difference when the energy use is down. Large energy users are mostly located in unincorporated areas. Proposal to move to a volume usage fee with a complicated formula.

Rich Anderson from Logan asked how do we make up lost revenue. Roger Tew answered with that is the issue, either we lose money or pay up.

Nick Jarvis now discussed retirement sub-committee and the bills they reviewed. These bills were HB 47 Postretirement Employment Rural and Title I School Exceptions , HB 50 Postretirement Reemployment Amendments , HB86 Postretirement Employment Restrictions, HB117 Modifications to Postretirement Reemployment Restrictions and HB205 Tier II Retirement Amendments. The committee reached the conclusion that we would support the first four “post-retirement” bills (HB 47, HB 50, HB 86, and HB 117), but couldn’t support HB 205 as currently written.

Mark Johnson from Ogden said we support the time Representative Cunningham put into these bills and for including the League body. We will help look at tier II retirement and funding source. Mayor Ron Bigelow from West Valley City cautioned everyone to think for a long while before proceeding on any retirement bills because of the immediate effect it has on employees. Chip Dawson from South Jordan asked the body to please support their recommendations.

Mark Johnson from Ogden made motion to support the committee’s recommendations and Karianne Lisonbee made a 2nd. Lynn Pace from Holladay asked about the fiscal impact with HB86 and Mark Johnson from Ogden answered no, not unless you rehire a retiree back. Karianne Lisonbee asked what the global picture is with our choice we made. Cameron answered that all these bills will continue to be discussed this summer. John Hiskey from Sandy asked for HB50 clarification on total annual earnings, Nick answered \$20,000 with part time employees.

Mark Johnson again clarifies his motion to support 4 of the bills and to have further discussion on tier II Amendments. Cameron Diehl discussed how Senator Weiler and Senator Maynes bills parallel each other and that we are only discussing Cunningham’s bills. Voted on and passed by the body.

Cameron Diehl with the League discussed 2 body worn camera bills, Senator Thatcher’s SB94 and Representative McCay’s HB300. McCay’s body camera bill last year was concerning and would have been costly to smaller cities and towns. The League has been working with the Representative as well as Police Chiefs to make it a better bill. If McCay’s bill were passed today, 90% police fleets would be in compliance with the law. Representative McCay has sent Cameron a new draft; however, he has not had time to review it before LPC and there is a meeting scheduled with McCay, Police Chief Ross and Cameron Diehl following LPC.

Chief Ross of Bountiful now addressed the body. He thanked staff and the League members for working together on this issue with the Police Chief’s Association. His wish is to continue working with Representative McCay and Senator Thatcher on their bills and that this is a great opportunity to work so closely with them on legislation. Police chiefs are local experts on these issues and it’s a great opportunity to be included in the bill process.

Cameron’s staff recommendation on the issue is to remain neutral and allow for negotiations.

Dennis Cluff of Clinton commented that he feels better with SB94 because we trust POST to do their job. John Park of Cottonwood Heights asked Chief Ross about reasonable notice when entering a residence. Chief Ross replied police officers would prefer not to ask permission with body camera use when entering a home for a warrant or court action. McCay was open to this discussion.

Karianne Lisonbee of Syracuse had concerns with body camera use left to the discretion of police officers when they should be protecting the interest of the public as well. Motion made by her to support HB300. Cameron responded he wants the home team to work on the bill more before making that decision. Corinne from Syracuse made a 2nd to that motion. Gary Crane from Bountiful urged the LPC to stay neutral allowing for more work and negotiations to take place on the bills. Ron Bigelow of

West Valley City reiterated what Gary Crane said and Sally Orr also commented (online) she would like to stay neutral on the topic. This passed by a vote from the body.

Cameron spoke on Senator Madsen's bill on Marijuana and that the local land use component not lost.

Jodi Hoffman with the League now spoke to the body about land use issues. Jodi would be meeting at 2 pm this afternoon to oppose Senator Jenkins landscape amendments bill SB92. We have compromised on scenic byways. Paul Ray pulled his bill on impact fees and will work with the land use task force this summer. Gary Crane of Bountiful asked about Anderegg's HB132. Jodi and Cameron will be meeting with him to discuss the bill and the need to maintain home business licensing because his bill is too broad and it has already passed in committee 10-2 due to misinformation given to the committee members. Corrinne Buldock of Syracuse asked about bee keepers paying twice for bee keeping permits/licensing. Jodi answered Representative Roberts was working with licensing at a state level and local land use control would stay the same. It does not take away your land use authority.

Tom Hansen from Washington Terrace then asked about the Utah Division of Water Quality and new rules for storm water permits. The state wants retention of water or to detain it and Jodi replied she would weigh in on this with legislators.

Gary Crane asked about lateral sewer lines and insurance companies. Cameron said SB34 amended to annual notification instead of monthly and this has passed the Senate. Tom Hansen from Washington Terrace asked why is it important to mess with concern for insurance companies selling this protection, ratification of staff recommended.

Lynn Pace of Holladay asked a few questions of Jodi Hoffman. Is scenic byway language in bill acceptable to cities? Jodi answered yes. HB78 can we change this on the bill tracking portion on ulct.org from TBD to oppose? HB248 why are we listed as supporting this bill? SB92 we should oppose with no amendments. Greg Smith addressed HB248 question. Karianne Lisonbee of Syracuse is in opposition for HB22 and would like to support it then made motion to do so. Dave Spatafore, who represents the police chiefs, oppose HB22. In the State of Utah asset forfeiture don't go back to the city. On a federal level they go back to the entity. The feds refuse to share those assets and the police chiefs strongly oppose this bill. A 2nd motion was made by Corinne from Syracuse. Voted by the body and not passed. Motion made by City Manager Duncan from South Weber to oppose the bill and Don Christensen made a 2nd of that motion. Voted and passed by body.

Motion made to adjourn meeting by Shellie Baertsch and a 2nd made by Bren Bybee of Orem. Meeting adjourned.