

SALT LAKE CITY CORPORATION

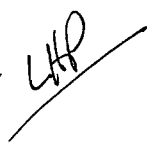
LAW DEPARTMENT

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MEMORANDUM

TO: Mayor Ross C. Anderson
Salt Lake City Council

FROM: Lynn H. Pace, Deputy City Attorney 

DATE: January 12, 2007

SUBJECT: 2007 Legislation

The following is an outline and very brief summary of the bills that have been filed as of January 11, 2007, which may have some impact upon Salt Lake City. This memorandum is not intended to be a complete summary of these bills, nor is it intended to reflect the City's position on any of these bills, rather it is merely a list of the bills filed thus far that we intend to monitor as the session proceeds.

Retirement Bills

H.B. 7 - Post-retirement Benefits Trust Fund (Rep. Clark, D.)
H.B. 8 - Retirement Office Amendments (Rep. Clark, D.)
H.B. 12 - Additional State Retirement Benefit (Rep. Shurtliff, L.)
H.B. 198 - Public Safety Retirement (Rep. Bigelow, R.)
S.B. 39 - Public Safety Retirement Death Benefit Modifications (Sen. Greiner, J.)

We have not yet completed our review or analysis of these bills. That information will be forthcoming at a later date.

Amendments to Utah Open Meetings Act

H.B. 10 - Open and Public Meetings Act Amendments (Rep. Harper, W.)

Requires a summary of all comments made by members of the public body and by members of the public.

H.B. 204 - Modifications to Open and Public Meetings (Rep. Wyatt, S.)

Provides that at the discretion of the presiding member, topics raised by the public may be discussed at a meeting even if they have not been placed on the agenda, provided that no final action is taken.

H.B. 222 - Open and Public Meetings - Electronic Notice (Rep. Dougall, J.)

Requires that notice of meetings be posted on the internet.

H.B. 14 - Election Law Revisions (Rep. Aagard, D.)

Modifies language relating to municipal ballot formatting to be more consistent with electronic ballot requirements.

H.B. 27 - Sales and Use Tax Modifications (Rep. Ferry, B.)

Addresses the tax rates at which a seller may voluntarily collect and remit sales and use taxes.

H.B. 30 - Renewable Energy Tax Credit (Rep. Allen, S.)

Extends the availability of the renewable energy tax credit until 2012 and expands the renewable energy tax credit to include some geothermal sources.

Proposed Exemptions from Sales and Use Tax

H.B. 33 - Sales and Use Tax Exemptions for Vehicles, Boats, Boat Trailers, or Outboard Motors Not Registered in the State (Rep. Painter, P.)

H.B. 34 - Sales and Use Tax Exemptions for Certain Property Brought into the State (Rep. Lockhart, R.)

H.B. 41 - Sales and Use Tax - Common Carriers (Rep. Harper, W.)

H.B. 42 - Sales and Use Tax Exemption for Authorized Carriers (Rep. Harper, W.)

S.B. 22 - Sales and Use Tax Exemptions for Certain Governmental Entities and Entities Within the State Systems of Public and Higher Education (Sen. Stephenson, H.)

S.B. 37 - Sales and Use Tax - Dental Prostheses (Sen. Knudson, P.)

S.B. 96 - Sales and Use Tax Exemption for Disposable Home Medical Equipment or Supplies (Sen. Killpack, S.)

We have not yet completed our review or analysis of these bills. That information will be forthcoming at a later date.

H.B. 38 - Tourism, Recreation, Cultural, and Convention Facilities Tax Amendments (Rep. Newbold, M.)

Amends the tourism, recreation, cultural, and convention facilities tax to clarify that only a county of the first class may impose the tax on certain accommodations and services.

H.B. 46 - Disaster Recovery Funding (Rep. Oda, C.)

Modifies provisions related to funding state and local government recovery efforts in cases of declared disasters and addresses emergency expenditures by local governments.

H.B. 69 - County and Municipal Land Use Provisions Regarding Schools (Rep. Wiley, L.)

Modifies county and municipal land use provisions regarding schools and charter schools.

H.B. 73 - Price Controls During Emergencies Act (Rep. Shurtliff, L.)

Allows invocation of price controls during an emergency declared by the chief executive officer of a political subdivision.

H.B. 74 - School Impact Fees (Rep. Mascaro, S.)

Authorizes school districts to impose an impact fee, subject to voter approval.

H.B. 78 - Property Tax Deferral - Senior Citizens (Rep. Froerer, G.)

Requires a county to grant a deferral of a certain portion of a claimant's residential property taxes for individuals 70 years of age or older or an unmarried surviving spouse.

H.B. 98 - County Option Sales and Use Tax for Highways, Fixed Guideways, or Systems of Public Transit Amendments (Rep. Frank, C.)

Provides that a local political subdivision may issue bonds to pay for new construction, renovation or improvements to a state highway or an environmental study within the political subdivision boundaries.

Water Bills

H.B. 99 - Water Loan Program Amendments (Rep. Painter, P.)

S.B. 28 - Water Conveyance Easements (Sen. Stowell, D.)

S.B. 29 - Instream Flow to Protect Trout Habitat (Sen. Knudson, P.)

S.B. 95 - Permanent Instream Flow to Preserve Water Quality (Sen. Dmitrich, M.)

These bills have not yet been reviewed. Additional information will be forthcoming at a later date.

H.B. 201 - Governance of Local Ordinances Regarding Smoking (Rep. Ray, P.)

Supersedes any local ordinance regulating smoking in private clubs.

H.B. 203 - Local Option Distribution Formula for the Distribution of the Local Option Sales and Use Tax (Rep. Wyatt, S.)

Establishes a procedure for modifying the formula for the distribution of sales tax within certain counties.

H.B. 226 - Sales and Use Tax - Highways and Public Transportation Amendments (Rep. Dougall, J.)

Provides that a city is not required to be located within a transit district to impose certain local option sales and use taxes for highways, public transportation and fixed guideway systems.

H.B. 233 - Environmentally Restricted Zoning Districts (Rep. Morley, M.)

Imposes significant restrictions on a municipality's ability to regulate land development in environmentally sensitive areas and shifts the burden of proof on such issues.

H.B. 238 - Municipal Telecommunications License Tax Amendments (Rep. Harper, W.)

Reduces the municipal telecommunications license tax rate from a maximum rate of 4% to a maximum rate of 3.5%.

S.B. 13 - Tax Credits for Alternate Power Generation (Sen. Stephenson, H.)

Amends and extends the renewable energy tax credit.

S.B. 98 - Governmental Immunity for Trails (Sen. Buttars, D.C.)

Provides governmental immunity for pedestrian or equestrian trails along a ditch or canal regardless of ownership or operation if the trail is designed under a general plan adopted by a municipality.

S.B. 108 - Workers' Compensation - Time Limitations (Sen. Mayne, E.)

Deletes the three year statute of limitations for workers' compensation claims.

S.B. 111 - Free Exercise of Religion Without Government Interference (Sen. Buttars, D.C.)

Provides that a city must justify a law or action that substantially burdens a person's free exercise of religion by clear and convincing evidence that the law or action is essential to further a compelling governmental interest and is the least restrictive means of furthering that interest, even if the law is generally applicable to all persons.

S.B. 112 - Methamphetamine Precursor Access Amendments (Sen. Butters, D.C.)

Enacts restrictions to the quantity of products containing ephedrine or pseudo-ephedrine that may be sold or possessed at one time and requires that retail distributors limit customers' access to such products.

S.B. 119 - Municipal License Fee or Tax on Public Assembly Facilities (Sen. Goodfellow, B.)

Increases the maximum per ticket license fee or tax that a municipality may impose on a public assembly facility from \$1 to \$5.

In addition to the foregoing list, attached please find a summary list of bills effecting cities and towns which has been prepared by the Utah League of Cities & Towns.

We can discuss any of these bills in further detail at the next council legislative briefing.

LHP:ss
Attachment

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2007 Legislative Session ULCT Tracking List (Jan 11)

		Bill Title	Sponsor	Category	Staff	Status	Position
HB	7	Post-retirement Benefits Trust Fund	Clark, D.	Retirement	Lincoln		
HB	8	Retirement Office Amendments	Clark, D.	Retirement	Lincoln		
HB	10	Open and Public Meetings Act Amendments	Harper	Municipal	Lincoln		
HB	12	Additional State Retirement Benefit	Shurtliff	Retirement	Lincoln		
HB	14	Election Law Amendments	Aagard	Elections	Lincoln		
HB	21	Public Safety Retirement Conversion Window	Newbold	Retirement	Lincoln		
HB	26	Property Tax Exemption for Personal Property	Dougall	Tax	Roger		
HB	27	Sales and Use Tax Modifications	Ferry	Tax	Roger		
HB	38	Tourism, Recreation, Cultural and Convention facilities tax and	Newbold	Tax	Roger		
HB	46	Disaster Recovery Funding	Oda	Emergency	Lincoln		
HB	61	Election Law Revisions	Aagard	Elections	Lincoln		
HB	69	County and Municipal land use provisions regarding schools	Wiley	Land Use	Jodi		
HB	74	School Impact Fees	Mascaro	Impact fees	Lincoln		
HB	76	Public Safety Dispatcher Compensation	Bowman	Retirement	Lincoln		
HB	78	Property Tax Deferral--Senior Citizens	Froerer	Tax	Roger		
HB	81	Highway Jurisdictional Transfer	Bird	Transportation	Lincoln		
HB	98	County Option Sales and Use Tax for Highways, Fixed Guide	Frank	Tax/transport	Roger/Lincoln		
HB	99	Water Loan Program Amendments	Painter	Water	Jodi		
HB	198	Public Safety Retirement (COLA)	Bigelow	Retirement	Lincoln		
HB	201	Governance of Local Ordinances Regarding Smoking	Ray	Municipal	Lincoln		
HB	203	Local option distribution formula for the distribution of the local	Wyatt	Tax	Roger		
HB	204	Modifications to open and public meetings	Wyatt	Municipal	Lincoln		
HB	216	Division of facilities construction and management amendme	Buxton	Municipal	Jodi		
HB	222	Open and Public Meetings--Electronic Notice	Dougall	Municipal	Lincoln		
HB	226	Sales and Use Tax--Highways and Public Transportation Am	Dougall	Tax/transport	Roger/Lincoln		
HB	233	Environmentally Restricted Zoning Districts	Morley	Land Use	Jodi		
HB	238	Municipal Telecommunications License Tax amendments	Harper	Tax/telecom	Roger/Lincoln		
HB	243	Energy Policy Amendments	Barrus	Municipal	Roger		
HB		Charter School Amendments	Bigelow	Land Use	Jodi		
HB		Standardized Accounting for Government Entities	Bigelow	Municipal	Lincoln		
HB		Transportation Study--Salt Lake County East-West corridor	Bigelow	Transportation	Lincoln		
HB		Certain County Debt Repealed	Clark, D.	Finances	Roger		
HB		Sales Tax on Food	Curtis	Tax	Roger/Lincoln		
HB		Emergency Communication Funding	Dee	Emergency	Roger/Lincoln		
HB		Special and Local Districts Amendments	Dee	Tax	Jodi/Lincoln		
HB		Highway Safety Amendments	Dougall	Transportation	Lincoln		
HB		Eminent Domain for Trails	Dougall	Land Use	Jodi		
HB		Regulation of Franchise Fees	Dougall	Tax	Roger		
HB		Siting of public schools	Dougall	Land Use	Jodi		
HB		Local Option Sales and Use Tax Amendments	Frank	Tax	Roger		

HB		School Fee Limitations	Frank	Tax/transport			
HB		Political Subdivisions--Rev and Tax Modifications	Froerer	Tax	Roger		
HB		Subdivision amendments	Froerer	Land Use	Jodi		
HB		Prohibition of Citation Quotas	Hansen	Municipal	Lincoln		
HB		Sales and Use Tax amendments	Harper	Tax	Roger		
HB		Government Boundary Changes	Holdaway	Land Use	Jodi		
HB		Energy Sales and Use Tax Modifications	Hughes	Tax	Roger/Lincoln		
HB		Election Law Modifications	Johnson	Elections	Lincoln		
HB		Local Landscaping Ordinances	King	Land Use	Jodi/Lincoln	abandoned	
HB		Dedicated Sales Tax for Transportation Investment Fund	Lockhart	Tax/transport	Lincoln		
HB		Eminent Domain for RDAs	Urquhart	Land Use	Lincoln		
HB		Telecommunications Reform	Urquhart	Telecom	Roger/Lincoln		
HB		Planning for Regional Facilities	Urquhart	Land Use	Jodi/Lincoln		
HB		Property tax rate freeze	Wiley	Tax	Roger		
HB		Fee in Lieu of Personal Property Tax amendments	Wheeler	Tax	Roger/Lincoln		
HB		County and Municipalities Boundary Adjustments	Wimmer	Land Use	Jodi		
HB		Sales and Use Tax incentive payment by a county or municip	Wyatt	Tax	Roger		
SB	12	Funding for Purchase of State Highway Rights of Way	Stephenso	Transportation	Lincoln		
SB	22	Sales and Use Tax Exemptions for Certain Governmental En	Stephenso	Tax	Roger		
SB	29	Instream Flow to Protect Trout Habitat	Knudson	Water	Jodi/Lincoln		
SB	30	Creation of new school district amendments	Walker	Land Use	Jodi		
SB	39	Public Safety Retirement death benefit modifications	Greiner	Retirement	Lincoln		
SB	41	Forms of Municipal Government	Walker	Municipal	Lincoln		
SB	93	Governor's rural partnership board amendments	Hickman	Rural	Lincoln		
SB	95	Permanent Instream flow to preserve water quality	Dmitrich	Water	Jodi		
SB	98	Governmental Immunity for Trails	Buttars	Land Use	Lincoln		
SB		Retirement and Independent Entities Committee	Bramble	Retirement	Lincoln		
SB		State Franchising Authority for Video Services	Bramble	Municipal	Lincoln		
SB	119	Municipal License Fee or Tax on Public Assembly Facilities	Goodfellow	Tax/municipal	Lincoln		
SB		Multi-channel Video or Audio Service Tax--County or Municip	Niederhaus	Tax	Roger		
SB		City and public utility regulation	Mayne	Utilities	Jodi/Lincoln		
SB		Local Community Rail Security Act	Mayne	Land Use	Jodi		
SB		Waste Amendments	Peterson	Municipal	Jodi/Lincoln		
SB		Political Activities of Public Entities Act	Stephenso	Municipal	Lincoln		
SB		Purchase of Rights of Way by Department of Transportation	Stephenso	Transportation	Lincoln		
SB		Sexually Oriented Business and Escort Service Amendments	Stephenso	Municipal	Lincoln		
SB		Charter School Revisions	Stephenso	Land Use	Jodi		
SB		Disclosure of Property Tax Information	Stephenso	Tax	Roger		
SB		Political activities of public entities act	Stephenso	Municipal	Lincoln		
SB		Alcoholic beverages and treatment enforcement account am	Waddoups	Public safety	Lincoln		