

2018 LEGISLATIVE SESSION WRAP-UP

S.B. 136 SUB.6 -- TRANSPORTATION GOVERNANCE AMENDMENTS (HARPER/SCHULTZ)

Senate Bill 136 is a significant, positive step forward for the future of our region and state. Utah is growing and changing, and with that comes the need to efficiently use resources to provide transportation choices for our communities.

S.B. 136 authorizes funding for transit and local needs, and enhances the coordination of transportation, land use, and economic development. Here are a few of the bill's key provisions: changes name of UTA to Transit District of Utah (as resources allow); replaces 16-member UTA Board with 3 full-time members and a 9-member advisory board starting November 1st; creates a new Transit Transportation Investment Fund (TTIF) and will transfer funding each year starting in FY19 with \$5M; includes land use and economic development considerations in project prioritization and strategic initiatives; phases in an increase of registration fees on alternative fuel vehicles; and modifies local option sales taxes. Click [here](#) for a more detailed summary of the bill.

S.B. 71 SUB.4 -- ROAD TOLLS PROVISIONS (NIEDERHAUSER/SCHULTZ)

Senate Bill 71 is one approach to Utah's ongoing issues related to population growth within a limited geography and the pressures this places on our transportation infrastructure and limited funds for transportation investment.

S.B. 71 allows UDOT to toll existing, new or expanding roads with approval from Utah's Transportation Commission. It makes rules for failure to pay a toll and allows for the use of technology to monitor a tollway and electronically collect payment. It requires revenues to be used for acquisition of right-of-way and the design, construction, reconstruction, operation, maintenance, enforcement of state transportation systems and facilities, including operating improvements to the tollway, and other facilities. The bill requires a study to be completed that analyzes and develops strategies to collect tolls or penalties from rental cars and persons from out of state. Note that the ability to toll existing interstates is very limited and requires federal approval.

Click [here](#) for an article about this bill.

H.J.R. 20 SUB.1 -- JOINT RESOLUTION SUBMITTING A QUESTION TO VOTERS (EDWARDS/FILLMORE)

This joint resolution is a result of the Legislature and Our Schools Now coming together to increase revenue for our public education system and local roads.

The resolution directs the Lieutenant Governor to present an opinion question to voters at the 2018 regular general election on November 6, 2018, to see if voters support a 10-cents per gallon gas tax increase. The tax would generate approximately \$170M in the first year (estimate cost to the average driver is \$48/year). That revenue would be split by the standard formula, 30% to "B&C" city and county roads (approx. \$50M), and 70% to the state's transportation fund (approx. \$120M); this increase in gas tax revenues for state roads would allow the same amount of state sales tax funds to not be directed to roads, and instead remain in the state's general fund to be used for state public education. If approved by voters, the gas tax and other transfers would still need to be enacted by the 2019 legislature.

The Our Schools Now also negotiated adjusting the property tax rate for public education funding which increases the pool by an estimated \$299M in FY19 (the estimated cost is less than \$3/\$100,000 in home value).

Click [here](#) for an article describing the initiative.

H.B. 259 SUB.4 -- MODERATE INCOME HOUSING AMENDMENTS (WILDE/BRAMBLE)

House Bill 259 is one of two moderate-income housing bills that came out of the session with a goal of addressing Utah's growing land and housing prices to help mitigate homelessness and ensure moderate-income families can afford to buy a home.

H.B. 259 requires cities with a population of at least 5,000 have a moderate-income housing element in their general plan. Cities must provide a realistic opportunity to meet the need for additional moderate-income housing and a variety of housing within the next 5 years. The bill outlines the types of persons, regulations, programs, zoning, and planning that should be considered. Cities should coordinate with and consider utilizing the programs administered by the AOG's including WFRC. (H.B. 259 supersedes H.B. 15 Community Reinvestment Agency Amendments.)

The other bill, [House Bill 430](#), creates a 20-member Commission on Housing Affordability in the Department of Workforce Services to study ways to address housing affordability in the state.

S.B. 234 SUB.4 -- UTAH INLAND PORT AUTHORITY (STEVENSON/GIBSON)

Senate Bill 234 creates a new Inland Port Authority. The concept of creating an Inland Port has broad support, but the legislative process on this bill, Authority Board composition, and other provisions have generated significant controversy.

The Authority will encourage and facilitate development of the authority jurisdictional land to maximize the long-term economic and other benefits for the state. It seeks to create an inland port and establish a foreign trade zone. It defines 22,000ish acres in Salt Lake City, West Valley City, and Magna including the area that will house the new correctional facility. It will develop publicly owned infrastructure and improvements. It requires UDOT to complete 2550 S. (from 5600 W. to 8000 W.) using TIF and Salt Lake County matching funds; and Salt Lake County to study a connection of 7200 W. (between SR 201 and I-80). The Authority will have an 11-member board (2- Governor appointed to include someone from Governor's Office of Economic Development (GOED), 2- legislators, 2- Salt Lake County including Regional Economic Development Director, 1- Community Impact Board (CIB), 1- Salt Lake International Airport, 1- Salt Lake City Council, 1- West Valley City, and 1- UDOT Exec. Dir.). It gives the Authority 100% of the tax increment for up to 25 years.

S.B. 139 -- PUBLIC-PRIVATE PARTNERSHIP AMENDMENTS (HARPER/SCHULTZ)

Senate Bill 139 provides a process to submit an unsolicited proposal for a public-private partnership including: requirements for an unsolicited proposal; process for considering and evaluating unsolicited proposals; limitations on a procurement unit's awarding a contract. It identifies what constitutes a protected record and instruction on submitting a proposal.

H.B. 372 SUB.1 -- POINT OF THE MOUNTAIN STATE LAND AUTHORITY (SNOW/STEVENSON)

House Bill 372 creates a board made up of policy makers, a representative from higher education, and state and local governments to develop the land of the current state prison.

H.B. 372 creates the Point of the Mountain State Land Authority and authorizes it to plan, manage, and implement the development of point of the mountain state land and land in the vicinity of the current state correctional facility, approximately 700 acres in Draper. It provides for the membership, authority, and responsibilities of an 11-member board as well as budgeting, reporting, and auditing requirements. The Authority will develop a plan and funding mechanism for 'world class' mass transit infrastructure to service the area. It specifies that the bill does not remove land from the service area where water, sewer, and other municipal services are currently provided. The bill requires the new Authority to consult with applicable planning entities including WFRC, Draper City, and Salt Lake County, and consider the recommendations developed through the Point of the Mountain Development Commission that was created in the 2017 legislative session.

S.B. 120 -- LOCAL GOVERNMENT FEES AND TAXES AMENDMENTS (HENDERSON/LISONBEE)

Senate Bill 120 codifies in statute for the first time a municipal transportation utility fee. Such fees have been used by some communities to ensure that all property owners who are using or benefiting from the transportation system are contributing to funding that system, even if they are government or non-profit entities. S.B. 120 prohibits municipalities from imposing that fee on county-owned property.

WHAT DIDN'T PASS...

- Legislation establishing standards for autonomous vehicles in Utah was put on hold for a year. H.B. 371 sponsored by Rep. Robert Spendlove, will be analyzed over the interim with an expectation that we will see this bill next session.
- Bicyclists must continue to come to a complete stop at a red light. H.B. 58 which would have allowed bicyclists to come to a rolling stop at a red light if the “coast was clear” did not pass, to the disappointment of avid cyclists.
- Our state will not have a scenic highway named after our current president. H.B. 481 sponsored by Rep. Mike Noel would have named several scenic highways in southern Utah after President Donald Trump.
- A \$100M bond bill to finance affordable housing projects failed.

IN OTHER NEWS...

- Merging Utah’s Metropolitan Statistical Areas (MSA’s). H.C.R.14 is a concurrent resolution recognizing Utah’s robust economic growth and urbanization sponsored by Rep. Brad Wilson. The resolution requests the U.S. Office of Management and Budget to review Utah’s MSA designations – in hopes of merging them.
- A noteworthy air quality bill. H.B. 331 passed requiring all driver’s education students and driver license applicants to be educated on ways to help improve air quality and the harmful effects of vehicle emissions.
- Jordan River gets funding for projects. H.B. 216 Jordan River Recreation Area, sponsored by Rep. Mike Winder, passed appropriating \$500,000 in ongoing funds and \$500,000 in one-time funds for Jordan River improvement projects.

- Utah passed a resolution to bid for another Olympic games – allocating \$8.5 million to spruce up our existing facilities.
- There will be new leadership in both the House and Senate. Speaker Hughes is not running for re-election and Senate President Niederhauser has indicated that he will run for Senate but likely not for President.
- 4 Senators have announced their departures: Jim Dabakis, Howard Stephenson, Peter Knudson, and Kevin Van Tassell.
- 15 Representatives have announced their departures, seven from the Wasatch Front area: Dan McCay (who is running for the Senate), Rebecca Chavez-Houck, Rebecca Edwards, Dixon Pitcher, Jeremy Peterson, Gage Froerer, and Justin Fawson.
- S.C.R. 1 is a concurrent resolution that replaces Philo Farnsworth, the inventor of television, with Dr. Martha Hughes Cannon, the first female state senator in the United States, at the U.S. Capitol. We reached out to Mr. Farnsworth for comments but he was stone faced with nothing to say.



*A. Gruber, WFRC; P. Farnsworth, Father of TV;
Commissioner B. Millburn, Davis Co.*