

2-4-2021

Senate Government Operations and Political Subdivisions Committee

SB 15 Workforce Solutions for Air Quality

Sponsor: Senator McCay

Floor Sponsor: Representative Winder

UASD Position: Track

This Bill: enacts reporting and other requirements for the Department of Human Resource Management (DHRM) related to teleworking by state employees.

Discussion: Senator McCay stated that the primary goals of this Bill is to reduce traffic congestion, improve air quality and increase employee satisfaction while maintaining productivity. The Bill creates a mandatory action day, based on air quality, that requires state employees to telework. The accountability measurements for state employees working from home will be left to the individual departments. The sponsor believes that retention rates of state employees is important. Understanding employees desire to work from home versus the office will be studied. Breathe Utah is supportive of the substitute Bill because of the air quality benefits they believe will occur with fewer people driving to work. The Director of the Division of Air Quality testified about the expected air quality benefits from the passage and implementation of this Bill. The Wasatch Front Regional Council is supportive of this Bill and believe the state government will serve as a great example to local governments and private industries. 1st substitute SB 15 was amended and adopted by the Committee.

Yeas: 5

Nays: 0

N/V: 3

Outcome: 1st substitute SB 15 passed unanimously with a favorable recommendation.

HB 128 Local Accumulation Find Balance Amendments

Sponsor: Representative Winder

Floor Sponsor: Senator Harper

UASD Position: Track

This Bill: amends provisions related to local accumulated fund balances.

Discussion: Representative Winder stated that the Legislature doesn't want the government to take more money from the citizens than necessary, while also understanding that it is important to save money in a "rainy day fund". During the pandemic, some municipalities had a great year regarding sales tax income. Other cities, such as Park City and Moab, have lost high percentages of their sales tax income. Therefore, the sponsor believes that it is important to increase the cap allowed to be saved in a "rainy day fund". The League of Cities and Towns and the Utah Association of Counties are in support of this Bill. The Tax Payers Association stated its concern that local governments will tax more than necessary, while also understanding that reserves do need to be in place. The Weber County Auditor spoke in support of the Bill. He believes that smaller counties will benefit greatly from the enactment of this legislation.

Yeas: 7

Nays: 0

N/V: 1

Outcome: HB 128 passed unanimously with a favorable recommendation.

HB 141 Municipal Services Amendments

Sponsor: Representative Brooks

Floor Sponsor: Senator Winterton

UASD Position: Oppose

This Bill: modifies requirements for a municipality to furnish municipal electric service in an area being annexed by the municipality.

Discussion: Representative Brooks stated there is ongoing litigation dealing with the topic of the Bill. He said that lines 70-75 are important to the Bill because he believes those lines keep the current law in place prior to the Utah State Supreme Court hearing an appeal between three municipalities and a district. The negotiations between the parties stalled without a resolution. Jeff Peterson, with the Utah Rural Electrical Cooperatives, spoke to an agreement made between the electric power providers, municipalities and Rocky Mountain Power. The rural electric cooperatives are supportive of the language in this Bill. Senator Iwamoto wanted

to clarify that the legislation today won't interfere with the current litigation between the municipalities and the district. The sponsor stated that her understanding is correct. Representative Brooks said that the language in the Bill will have no impact on the case before the Utah Supreme Court. Payson, Spanish Fork and Salem are currently in litigation with SESD regarding providing electrical services.

Mark Morris, representing the South Valley Utah Electric Service District, stated that "cherry picking" services should be discouraged. The language in section 2A is fine. Section 2B carves out SESD from the statute protecting every other electrical service provider. He believes this Bill will encourage "cherry picking" by the three municipalities because it removes protection from only SESD. Only the cities within the South Valley Area will be able to "cherry pick" which houses and businesses to provide electrical services. Currently, there is an appeal before the Utah Supreme Court to hear this dispute. The attorney stated his belief that the legislation with lines 70-75 would have the effect of the Legislature interfering with the law as it was written when the legal dispute began before the Utah Supreme Court has a chance to rule on the appeal. SESD believes this language will interfere with the District's ability to plan and obtain bonds because only this District will not be protected from "cherry picking" when a municipality decides to provide the same electric services being provided by the District in the District's service area. It is Mr. Morris's belief that the District should not be carved out of the uniform treatment of every other electric service provider. He stated that Section 2B is only here to give the three municipalities an advantage in court.

Jon Cox, with Rocky Mountain Power, stated support for this Bill. A Spanish Fork City attorney thanked the sponsor and other electric providers for supporting this Bill. He stated the city is actively working with all parties involved outside of court. He said that the "cherry picking" isn't occurring as it was described by SESD's attorney. The City of Payson representatives testified of their support of the Bill and a desire to settle the issue with SESD.

Yeas: 7

Nays: 0

N/V: 1

Outcome: HB 141 passed out of Committee with a favorable recommendation.