

1 **UTAH STATE FAIR BOARD AMENDMENTS**

2 2018 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Mike Schultz**

5 Senate Sponsor: Kevin T. Van Tassell

7 **LONG TITLE**

8 **General Description:**

9 This bill addresses the membership of the Utah State Fair Corporation board of
10 directors.

11 **Highlighted Provisions:**

12 This bill:

13 ▶ amends provisions related to the membership of the board of directors of the Utah
14 State Fair Corporation.

15 **Money Appropriated in this Bill:**

16 None

17 **Other Special Clauses:**

18 None

19 **Utah Code Sections Affected:**

20 AMENDS:

21 **63H-6-104**, as last amended by Laws of Utah 2017, Chapter 256

23 *Be it enacted by the Legislature of the state of Utah:*

24 Section 1. Section **63H-6-104** is amended to read:

25 **63H-6-104. Board of directors -- Membership -- Term -- Quorum -- Vacancies --**

26 **Duties.**

27 (1) The corporation is governed by a board of directors.

28 (2) The board is composed of members as follows:

29 (a) the director of the Division of Facilities Construction and Management or the

30 director's designee;

31 (b) the commissioner of agriculture and food or the commissioner's designee;

32 (c) two members, appointed by the president of the Senate[-];

33 (i) who have business related experience [~~and are not legislators~~]; and

34 (ii) of whom only one may be a legislator, in accordance with Subsection (3)(e);

35 (d) two members, appointed by the speaker of the House[-];

36 (i) who have business related experience [~~and are not legislators~~]; and

37 (ii) of whom only one may be a legislator, in accordance with Subsection (3)(e);

38 (e) five members, of whom only one may be a legislator, in accordance with

39 Subsection (3)(e), appointed by the governor with the consent of the Senate as follows:

40 (i) two members who represent agricultural interests;

41 (ii) two members who have business related experience; and

42 (iii) one member who is recommended by the Utah Farm Bureau Federation;

43 (f) one member, appointed by the mayor of Salt Lake City with the consent of the

44 Senate, who is a resident of the neighborhood located adjacent to the state fair park;

45 (g) a representative of Salt Lake County, if Salt Lake County is party to an executed

46 lease agreement with the corporation; and

47 (h) a representative of the Days of '47 Rodeo[~~, if the Days of '47 Rodeo is party to an~~

48 ~~executed lease agreement with the corporation]~~.

49 (3) (a) (i) Except as provided in Subsection (3)(a)(ii), a board member appointed under

50 Subsection (2)(c), (d), (e), or (f) shall serve a term that expires on the December 1 four years

51 after the year that the board member was appointed.

52 (ii) In making appointments to the board, the president of the Senate, the speaker of the

53 House, the governor, and the mayor of Salt Lake City shall ensure that the terms of

54 approximately 1/4 of the appointed board members expire each year.

55 (b) Except as provided in Subsection (3)(c), appointed board members serve until their

56 successors are appointed and qualified.

57 (c) (i) If an appointed board member is absent from three consecutive board meetings

58 without excuse, that member's appointment is terminated, the position is vacant, and the
59 individual who appointed the board member shall appoint a replacement.

60 (ii) The president of the Senate, the speaker of the House, the governor, or the mayor of
61 Salt Lake City, as applicable, may remove an appointed member of the board at will.

62 (d) The president of the Senate, the speaker of the House, the governor, or the mayor of
63 Salt Lake City, as appropriate, shall fill any vacancy that occurs on the board for any reason by
64 appointing an individual in accordance with the procedures described in this section for the
65 unexpired term of the vacated member.

66 (e) No more than a combined total of two legislators may be appointed under
67 Subsections (2)(c), (d), and (e).

68 (4) The governor shall select the board's chair.

69 (5) A majority of the members of the board is a quorum for the transaction of business.

70 (6) The board may elect a vice chair and any other board offices.

71 (7) The board may create one or more subcommittees to advise the board on any issue
72 related to the state fair park.

73 (8) In carrying out the board's duties under this chapter, the board shall cooperate with
74 and, upon request, appear before the State Fair Park Committee.

75 (9) No later than November 30 of each year, the board shall provide the following to
76 the State Fair Park Committee:

77 (a) a report on the general state of the financial and business affairs of the corporation;

78 (b) a report on that year's annual exhibition described in Subsection [63H-6-103\(4\)\(j\)](#),
79 including the exhibition's attendance, operations, and revenue;

80 (c) any appropriation request that the board plans to submit to the Legislature; and

81 (d) any other report that the State Fair Park Committee requests.