

**MINUTES OF THE SENATE STATE AND LOCAL AFFAIRS  
STANDING COMMITTEE  
THURSDAY, FEBRUARY 19, 1998  
ROOM 403, STATE CAPITOL BUILDING**

Members Present: Sen. Mont Evans, Chair  
Sen. LeRay McAllister  
Sen. Robert Muhlestein  
Sen. Millie Peterson  
Sen. Blaze Wharton

Members Absent: Sen. Craig Peterson

Staff present: Richard North, Research Analyst  
Crelley Mackey, Secretary

List of others present on file.

Committee Chair Evans called the meeting to order at 8:45 p.m.

**1. S.B. 191, TOWNSITE STATUTE MODIFICATION (Sen. Muhlestein )**

Sen. Muhlestein introduced SB 191 to the committee.

**MOTION:** Sen. Wharton moved to pass the bill out favorably.

The motion passed unanimously. Sen. C. Peterson was absent at the time of voting.

**2. S.B. 189 PLANNING COORDINATION (Sen. McAllister)**

Sen. McAllister distributed an amendment.

**MOTION:** Sen. McAllister moved to that the committee accept the distributed amendment that follows:

1. Page 1, Line 10: After "RESOURCES;" delete "AND" and after "CHANGES" insert "; AND MAKING TECHNICAL CORRECTIONS"
2. Page 1, Line 13: Delete line 13 and insert "**10-9-204**, as enacted by Chapter 235, Laws of Utah 1991 "
3. Page 1, Line 14: Delete line 14 and insert "**17-27-204**, as last amended by Chapter 3, Laws of Utah 1997, Second Special Session"
4. Page 2, Lines 2-29: Delete lines 2 through 29 and insert:

"Section 1. Section **10-9-204** is amended to read:

**10-9-204. Powers and duties.**

The planning commission shall:

- (1) prepare and recommend a general plan and amendments to the general plan to the legislative body as provided in this chapter;
- (2) recommend zoning ordinances and maps, and amendments to zoning ordinances and maps, to the legislative body as provided in this chapter;
- (3) administer provisions of the zoning ordinance, where specifically provided for in the zoning ordinance adopted by the legislative body;
- (4) recommend subdivision regulations and amendments to those regulations to the legislative body as provided in this chapter;
- (5) recommend approval or denial of subdivision applications as provided in this chapter;
- (6) advise the legislative body on matters as the legislative body directs;
- (7) hear or decide any matters that the legislative body designates, including the approval or denial of, or recommendations to approve or deny, conditional use permits;
- (8) give notice under Section 11-38-301 when required by that section;
- ~~[(8)]~~ (9) exercise any other powers[:] delegated to it by the legislative body; and
- ~~[(a)]~~ (10) exercise any other powers that are necessary to enable it to perform its ~~[function; or (b) delegated to it by the legislative body]~~ functions."

5. Page 7, Lines 18-31: Delete lines 18 through 31 and insert:

"Section 14. Section **17-27-204** is amended to read:

**17-27-204. Powers and duties.**

- (1) Each countywide or township planning commission shall, with respect to the county or township, as the case may be:
- (a) prepare and recommend a general plan and amendments to the general plan to the county legislative body as provided in this chapter;
  - (b) recommend zoning ordinances and maps, and amendments to zoning ordinances and maps, to the county legislative body as provided in this chapter;
  - (c) administer provisions of the zoning ordinance, if specifically

provided for in the zoning ordinance adopted by the county legislative body;

(d) recommend subdivision regulations and amendments to those regulations to the county legislative body as provided in this chapter;

(e) recommend approval or denial of subdivision applications as provided in this chapter;

(f) advise the county legislative body on matters as the county legislative body directs;

(g) hear or decide any matters that the county legislative body designates, including the approval or denial of, or recommendations to approve or deny, conditional use permits;

(h) give notice under Section 11-38-301 when required by that section;

~~[(h)]~~ (i) exercise any other powers delegated to it by the county legislative body; and

~~[(i)]~~ (j) exercise any other powers that are necessary to enable it to perform its functions.

(2) The planning commission of a township under this part may recommend to the legislative body of the county in which the township is located:

(a) that the county legislative body support or oppose a proposed incorporation of an area located within the township, as provided in Subsection 10-2-105(4); or

(b) that the county legislative body file a protest to a proposed annexation of an area located within the township, as provided in Subsection 10-2-407(1)(b)."

6. Page 8, Lines 1-13: Delete lines 1 through 131. Page 1, Line 10: After "RESOURCES;" delete "AND" and after "CHANGES" insert "; AND MAKING TECHNICAL CORRECTIONS"

The motion passed unanimously. Sen. C. Peterson was absent at the time of voting.

**MOTION:** Sen. McAllister moved to accept the following amendment:

1. Page 3, Line 28: After "functions:" delete "and"
2. Page 3, Line 30: After "county" Insert ";and"  
After line 30, Insert  
"(e) each township located within a county"

The motion passed unanimously. Sen. C. Peterson was absent at the time of voting.

Sen. Wharton declared a conflict of interest.

**MOTION:** Sen. M. Peterson moved that the committee pass the bill out favorably as amended.

The motion passed with Sen. Evans, Sen. McAllister, Sen. Muhlestein, Sen. M. Peterson voting yea. Sen. Wharton voted nea. Sen. C. Peterson was absent at the time of voting.

Sen. Evans said the sponsor of SB 201 requested the bill to be held.

**3. S.B. 154, REPORTING ELECTED OFFICIAL FUNDS (Sen. Mayne)**

Sen. Mayne introduced SB 154 to the committee.

Committee discussion followed.

Cassie Dipppo, Utah Common Cause, spoke in support of the bill.

**MOTION:** Sen. Wharton moved to pass the bill out favorably.

The motion passed unanimously. Sen. C. Peterson and Sen. McAllister were absent at the time of voting.

**4. S.B. 162, ELECTION RESPONSIBILITIES (Sen. Poulton)**

Sen. Poulton introduced SB 162 to the committee.

Brent Gardner, Utah Association of Counties, spoke in support of the bill.

**MOTION:** Sen. M. Peterson moved to adopt 1<sup>st</sup> Sub. S.B. 162.

The motion passed unanimously. Sen. C. Peterson and Sen. McAllister were absent at the time of voting.

**MOTION:** Sen. Wharton moved to pass 1<sup>st</sup> Sub. S.B. 162 out favorably.

The motion passed unanimously.

Sen. Evans stated the sponsor of HB 275 requested the bill held.

5. **H.B. 73S1, DATES FOR BOND ELECTIONS (Rep. Way)**

Rep. Way distributed 2<sup>nd</sup> Sub. H.B. 73.

Committee discussion followed.

**MOTION:** Sen. Muhlestein moved to adopt 2<sup>nd</sup> Sub. H.B. 73.

The motion passed unanimously. Sen. C. Peterson and Sen. McAllister were absent at the time of voting.

**MOTION:** Sen. Wharton moved to pass the bill out favorably.

The motion passed unanimously. Sen. C. Peterson and Sen. McAllister were absent at the time of voting.

**MOTION:** Sen. M. Peterson moved to adjourn.

The motion passed unanimously. Sen. C. Peterson and Sen. McAllister were absent at the time of voting.

The meeting adjourned at 8:35 a.m.

Minutes reported by Crelley Mackey

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Sen. R. Mont Evans, Chair