

**MINUTES OF THE SENATE GOV. OPERATIONS & POLITICAL SUBDIVISIONS  
STANDING COMMITTEE  
FEBRUARY 2003, 8:00 A.M.  
ROOM 403, STATE CAPITOL BUILDING**

Members Present: Sen. Carlene M. Walker, Chair

Sen. Beverly Ann Evans Sen. Patrice Arent  
Sen. Dan Eastman  
Sen. Beverly Evans  
Sen. Karen Hale

Members Excused: Sen. Bill Hickman  
Sen. Peter Knudson

Visitors List on File:

Staff Present: Richard North, Policy Analyst  
Nadine Woodhead, Secretary

Chair Walker called the meeting to order at 8:08 a.m.

**MOTION:** Sen. Hale moved to approve the minutes of February 18, 2003.

The motion passed unanimously with Sen. Evans absent for the vote.

Sen. Eastman assumed the chair.

**1. S. B. 184 Municipal Improvement District Amendments (C. Walker)**

**MOTION:** Sen. Walker moved to adopt the following amendments and explained the bill:

1. Page 1, Line 8: After "**certain**" insert "**cable television and**"
2. Page 2, Line 55: After "providing" insert "cable television service or"
3. Page 2, Line 56: After "10-18-102" delete the remainder of line 56 and insert a period
4. Page 2, Line 57: Delete line 57
5. Page 3, Line 72: After "(1)(p)" insert ":(a)"

6. Page 3, Line 74: After "assessment of the district" delete the period and insert:

": and

(b) notwithstanding Title 10, Chapter 18, Municipal Cable Television and Public Telecommunications Services, may not provide cable television service or public telecommunications service, as defined in Section 10-18-102."

The motion passed unanimously with Sen. Evans absent for the vote.

Craig Peterson, Sandy City, spoke for the bill.

**MOTION:** Sen. Hale moved to pass the bill with a favorable recommendation.

The motion passed unanimously with Sen. Evans absent for the vote.

Sen. Walker resumed the chair.

2. **1<sup>st</sup> Sub. S. B. 56 Local Government Boards of Examiners** (*J. Evans*)

Sen. Evans distributed the following amendments and explained the bill assisted by Raymond Hintze, Chief Deputy, Office of the Attorney General.

1. Page 1, Line 11: After "**city.**" insert "**The act authorizes cities and counties to pay claims presented to the board of examiners and approved by the legislative body. The act provides that a person who submits a claim to a city or county board of examiners waives all rights associated with that claim upon payment of the claim in accordance with the city or county's approval of the claim.**"

2. Page 4, Line 116: After line 116 insert:

"(7)(a) A city may pay a claim presented to the city board of examiners under this part and approved by the city legislative body.

(b) If a city legislative body approves fully or partially a claim submitted under this part and the city pays the claim in accordance with that approval, a person's acceptance of that payment constitutes a waiver of all the person's rights against the city relating to that claim."

3. Page 8, Line 217: After line 217 insert:

"(7) A county may pay a claim presented to the county board of examiners under this chapter and approved by the county legislative body.

(b) If a county legislative body approves fully or partially a claim submitted under this chapter and the county pays the claim in accordance with that approval, a person's acceptance of that payment constitutes a waiver of all the person's rights against the county relating to that claim."

Auston Johnson, Utah State Auditor, and Alan Edwards, Risk Manager, Department of Risk Management, spoke for the bill.

Sen. Walker suggested a correction to the third item of the amendment as follows:

3. Page 8, Line 217: After line 217 insert:

"(7)" insert "(a)"

**MOTION:** Sen. Hale moved to adopt the corrected amendments.

The motion passed unanimously with Sen. Evans absent for the vote.

Jodi Hoffman, Utah League of Cities and Towns, distributed and explained the following amendments:

1. Page 2, Line 42. After the word proceedings, insert a comma and the words:  
"including a rule, which requires all claimants to waive any and all legal claims against the city as a condition precedent to perfecting a claim with the Board of Examiners"
2. Page 5, Line 141. After the word proceedings, insert a comma and the words:  
"including a rule, which requires all claimants to waive any and all legal claims against the county as a condition precedent to perfecting a claim with the Board of Examiners"

John Soltis, Salt Lake City District Attorney, spoke against the bill.

Doug Mortensen, citizen, spoke for the bill.

**MOTION:** Sen. Eastman moved to move to the next item on the agenda.

The motion passed with Sens. Arent, Eastman, Evans, and Hale voting in favor, and Senator Walker voting against.

**3. S. B. 219 Governmental Immunity Act Amendments (L. Blackham)**

Sen. Blackham explained the bill assisted by Andrew Morse, Attorney, Fairview City.

Edward Havas, President, and Steve Sullivan, member, Utah Trial Lawyers Association, spoke against the bill.

Steven Peterson, Utah School Boards Association; Brent Burnett, Assistant Attorney General, Office of Attorney General; and Gary Crane, Attorney, Layton City, spoke for the bill.

**MOTION:** Sen. Evans moved to pass the bill with a favorable recommendation.

The motion passed unanimously.

**4. H. B. 155 Amendments to Election Law (B. Goodfellow)**

Rep. Goodfellow explained the bill.

**MOTION:** Sen. Evans moved to pass the bill with a favorable recommendation.

The motion passed unanimously.

**MOTION:** Sen. Eastman moved to adjourn.

The motion passed unanimously.

Meeting adjourned at 9:35 a.m.

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Sen. Carlene Walker, Committee Chair