

**MINUTES OF THE
HOUSE POLITICAL SUBDIVISIONS
STANDING COMMITTEE**
Room 223 - State Capitol Building
February 18, 2004

COMMITTEE MEMBERS: Rep. Kory M. Holdaway, Chair
Rep. Roger E. Barrus, Vice Chair
Rep. Ralph Becker
Rep. Duane E. Bourdeaux
Rep. D. Gregg Buxton
Rep. Brad L. Dee
Rep. Carl W. Duckworth
Rep. Ann W. Hardy
Rep. David L. Hogue
Rep. Joseph G. Murray

STAFF PRESENT: Joseph Wade, Policy Analyst
Karen Holt, Committee Secretary

Note: A list of visitors and a copy of handouts are filed with the committee minutes.

Vice-chair Barrus called the meeting to order at 8:07 a.m.

Motion: Rep. Hogue made a motion to approve the minutes of February 16, 2004. The motion passed unanimously with a vote of **7-0-3**, with Reps. Bourdeaux, Duckworth and Murray absent for the vote.

H.B. 137 Campaign Finance Disclosure in Municipal Elections *(Rep. J. Dougall)*

Motion: Rep. Hogue moved to delete in title and body H.B. 137 and to replace it with 1st Substitute H.B. 137. The motion passed unanimously with a vote of **9-0-1**, with Rep. Duckworth absent for the vote.

Rep. Dougall introduced 1st Substitute H.B. 137.

Motion: Rep. Hardy moved that the committee report a favorable recommendation on 1st Substitute H. B. 137. The motion passed unanimously with a vote of **10-0-0**.

Motion: Rep. Holdaway made a motion to place 1st Substitute H.B. 137 on the Consent Calender. The motion failed with a vote of **4-6-0**, with Reps. Becker, Bourdeaux, Hogue and Holdaway voting yes, and Reps. Barrus, Buxton, Dee, Duckworth, Hardy and Murray voting no.

H.B. 274 Municipal Weed Abatement (Rep. M. Morley)

Rep. Morley introduced the bill.

Motion: Rep. Bourdeaux moved that the committee report a favorable recommendation on H.B. 274. The motion passed unanimously with a vote of **10-0-0**.

Motion: Rep. Dee made a motion to place H.B. 274 on the Consent Calender. The motion passed unanimously with a vote of **10-0-0**.

H.B. 147 Municipal Code Condemnation Amendments (Rep. L. Christensen)

Rep. Christensen introduced the bill.

Motion: Rep. Hogue made a motion to adopt House Committee Amendment #1:

1. *Page 2, Lines 42 through 47:*

42 (3) In determining just compensation in a condemnation proceeding under this
43 section **in a municipality located in a county of the first class**
44 where a determination of market value of what is proposed to be taken is impractical because
45 there is no meaningful market for what is proposed to be taken, the value shall be **:**
46 **(a)** presumed to
47 be the amount the owner paid to acquire ownership of what is proposed to be taken, as
 adjusted
48 by a change in value due to post-acquisition deterioration and any other factor reasonably and
49 equitably bearing on the value of what is proposed to be taken **;** and
50 **(b) determined by applying equitable considerations including:**
51 **(i) whether the owner will be unjustly enriched;**
52 **(ii) whether the owner acquired the property by exaction or similar method; and**
53 **(iii) the extent to which the consideration the owner provided in acquiring the**
54 **property consists of an obligation to maintain the property and whether that obligation**
55 **will be assumed by the municipality because of the condemnation** .

Substitute Motion: Rep. Becker made a motion to adopt amendment #1, except for the following:

Line 42: After "this section" delete "**in a municipality located in a county of the first class**"

A Utah State trooper announced evacuation from the State Capitol building because of bomb threat.

Motion: A committee member made a motion to adjourn. The motion passed unanimously and the meeting adjourned at 8:35 a.m.

Bills not considered:

H.B. 288 **Process for Submitting Opinion Question to Ballot** (*Rep. R. Becker*)

H.J.R. 15 **Joint Resolution - Submitting Bonding for Open Space to Voters** (*Rep. R. Becker*)

Kory M. Holdaway, Chair