

**MINUTES OF THE
HOUSE POLITICAL SUBDIVISIONS
STANDING COMMITTEE**
Room 223 - State Capitol Building
February 20, 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. Duckworth made a motion to approve the minutes of February 18, 2004. The motion passed unanimously with a vote of 6-0-4, with Reps. Bourdeaux, Buxton, Dee and Hogue absent for the vote.

HB0288 **Process for Submitting Opinion Question to Ballot** *(Rep. R. Becker)*

Rep. Becker introduced the bill.

A handout was distributed.

Chad Vanderlinden, Utah Taxpayers Association, spoke against the bill.

Christopher Robinson, rancher, spoke for the bill.

Craig Peterson, Utah Farm Bureau, spoke for the bill.

Sterling Brown, Utah Farm Bureau, spoke to the bill.

Chris Kyler, Utah Association of Realtors, spoke against the bill.

Motion: Rep. Duckworth moved that the committee report a favorable recommendation on H.B. 288. The motion passed with a vote of **4-3-3**, with Rep. Becker, Bourdeaux, Duckworth and Hogue voting yes, and Reps. Barrus, Buxton and Holdaway voting no, with Reps. Dee, Hardy and Murray absent for the vote.

HJR015 **Joint Resolution - Submitting Bonding for Open Space to Voters** (Rep. R. Becker)

Rep. Becker introduced the bill.

Motion: Rep. Bourdeaux moved that the committee report a favorable recommendation on H.J.R. 15. The motion passed with a vote of **4-3-3**, with Rep. Becker, Bourdeaux, Duckworth and Hogue voting yes, and Reps. Barrus, Buxton and Holdaway voting no, with Reps. Dee, Hardy and Murray absent for the vote.

HB0147 **Municipal Code Condemnation Amendments** (Rep. L. Christensen)

Rep. Christensen introduced the bill.

Motion: Rep. Hogue made a motion to adopt the following amendments:

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** .

The motion passed unanimously with a vote of **6-0-4**, with Reps. Becker, Dee, Hardy and Murray absent for the vote.

Motion: Rep. Hogue moved that the committee report a favorable recommendation on H.B. 147 as amended. The motion passed unanimously with a vote of **6-0-4**, with Reps. Becker, Dee, Hardy and Murray absent for the vote.

HB0311 **Redevelopment Agency Amendments** (Rep. J. S. Adams)

Rep. Buxton represented the sponsor of the bill.

Motion: Rep. Buxton moved to delete in title and body H.B. 311 and to replace it with 1st Substitute H.B. 311. The motion passed unanimously with a vote of **6-0-4**, with Reps. Becker, Dee, Hardy and Murray absent for the vote.

Alice Larkin Steiner, Salt Lake City Redevelopment Agency, further explained the bill.
A handout was distributed.

Rep. Adams, sponsor of the bill, continued to make the presentation.

Motion: Rep. Dee made a motion to adopt the following amendments:

1. *Page 13, Lines 374 through 375:*

374 (B) the project area budget, as it is proposed to be amended, provides for tax increment
375 to be paid to the agency for more than [[~~five~~]] six years; and

2. *Page 16, Lines 476 through 477:*

476 (B) the project area budget provides for the agency to be paid tax increment for over
[[~~15~~]] 16
477 years; and

3. *Page 19, Lines 567 through 569:*

567 (b) Under a project area budget adopted after June 30, 2004 that provides for tax
568 increment to be paid to the agency for over [[~~five~~]] six years, each school district in
which the project
569 area is located shall be paid:

The motion passed unanimously with a vote of **9-0-1**, with Rep. Hogue absent for the vote.

Arnie Vandegraaff, Utah Association of Counties, spoke against the bill.

Chad Vanderlinden, Utah Taxpayers Association, spoke against the bill.

A handout was distributed.

McKell Withers, Salt Lake City School District, spoke for the bill.

Larry Newton, State Office of Education, spoke for the bill.

Steve Erickson, Utah Housing Coalition, spoke for the bill.

Gary Crane, Layton City, spoke for the bill.

Motion: Rep. Holdaway moved that the committee report a favorable recommendation on 1st Substitute H.B. 311 as amended. The motion passed unanimously with a vote of **9-0-1**, with Rep. Hogue absent for the vote.

Motion: Rep. Duckworth made a motion to adjourn. The motion passed unanimously and the meeting adjourned at 9:45 a.m.

Kory M. Holdaway, Chair