

**MINUTES OF THE  
HOUSE POLITICAL SUBDIVISIONS  
STANDING COMMITTEE**

Room W125, West Office Building, State Capitol Complex  
Tuesday, January 24, 2006

MEMBERS PRESENT:     Rep. Brad L. Dee, Chair  
                              Rep. M. Susan Lawrence, Vice Chair  
                              Rep. D. Gregg Buxton  
                              Rep. Julie Fisher  
                              Rep. Kerry W. Gibson  
                              Rep. Ann W. Hardy  
                              Rep. Kory M. Holdaway  
                              Rep. Brad King  
                              Rep. Ronda Rudd Menlove  
                              Rep. LaWanna Lou Shurtliff

MEMBERS ABSENT:     Rep. Ralph Becker

STAFF PRESENT:       Joseph Wade, Policy Analyst  
                              Doris Donat, Committee Secretary

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

Rep. Dee called the meeting to order at 2:09 p.m.

MOTION:     Rep. Buxton moved to approve the minutes of January 18, 2006. The motion passed unanimously, with Rep. Becker, Rep. Gibson, Rep. King, and Rep. Shurtliff absent for the vote.

**H.B. 123       Disaster Response and Recovery Act (Rep. J. S. Adams)**

Rep. Adams introduced and explained the bill to the committee, with the help of Gary O. McKean of the Davis County Attorney's Office. (handout)

MOTION:     Rep. Lawrence moved to amend H.B. 123 as follows:

*1. Page 4, Line 119 through Page 5, Line 124:*

119           (3) (a) If the chief executive is unavailable to issue an order for evacuation under  
120   Subsection (2)(c), the chief law enforcement officer having jurisdiction for the area may issue  
121   an urgent order for evacuation, for a period not to exceed {~~24~~ } ~~48~~ hours, if the order  
          is necessary for  
122   the preservation of life.

123           **(b) The chief executive officer may ratify, modify, or revoke the chief law enforcement**  
124   **officer's order { ~~during the 24-hour period~~ } .**

Rep. Gibson requested that the motion be divided by voting on the changes to line 121 and line 124 separately.

SUBSTITUTE MOTION: Rep. Hardy moved to amend the bill as follows:

*1. Page 4, Line 119 through Page 5, Line 124:*

119           **(3) (a) If the chief executive is unavailable to issue an order for evacuation under**  
120   **Subsection (2)(c), the chief law enforcement officer having jurisdiction for the area may issue**  
121   **an urgent order for evacuation, for a period not to exceed { ~~24~~ } 36 hours, if the order**  
          **is necessary for**  
122   **the preservation of life.**  
123           **(b) The chief executive officer may ratify, modify, or revoke the chief law enforcement**  
124   **officer's order { ~~during the 24-hour period~~ } .**

The motion passed with Rep. King voting in opposition, with Rep. Becker and Rep. Menlove absent for the vote.

Spoke to the bill: Sheriff Bud Cox, President Utah Sheriff's Association and Davis County Sheriff.

MOTION: Rep. Holdaway moved that the committee recommend H.B. 123 favorably as amended. The motion passed unanimously, with Rep. Becker and Rep. Menlove absent for the vote.

**H.B. 113           Auditing of Leases Related to Revenue Bonds (Rep. N. Hansen)**

Rep. Hansen introduced and explained the bill to the committee.

Spoke to the bill: Karl Hendrickson, Legal Counsel, Utah Association of Counties

MOTION: Rep. King moved to amend the bill as follows:

*1. Page 3, Lines 61 through 65:*

61           **(2) The local political subdivision shall ensure the independent assessment under**  
62   **Subsection (1)(a) is conducted:**  
63           **(a) prior to entering into a pledge, contract, or agreement;**

- 64 (b) at least annually on any existing contract, pledge, or agreement ; and  
65 (c) using audited financial statements provided by the private entity.

The motion passed unanimously, with Rep. Becker and Rep. Menlove absent for the vote.

MOTION: Rep. Lawrence moved to go to the next item on the agenda. The motion passed with Rep. Holdaway and Rep. Shurtliff voting in opposition and Rep. Becker absent for the vote.

**H.B. 57 County Officers Amendments (Rep. R. Menlove)**

Rep. Menlove introduced and explained the bill to the committee, with the help of Rep. Ferry.

MOTION: Rep. Menlove moved to amend the bill as follows:

1. *Page 1, Line 13:*

- 13 treasurer applicable to only counties of the first and second class;  
▶ extends a date by which counties must comply with a requirement to separate county offices that are prohibited from being consolidated; and

2. *Page 2, Lines 47 through 50:*

- 47 (a) enact an ordinance by February 1, { ~~2006~~ } 2010 , separating any county  
offices that are  
48 prohibited from consolidation by this section; and  
49 (b) publish, by February 15, { ~~2006~~ } 2010 , a notice once in a newspaper of  
general circulation  
50 in the county identifying the county offices that will be filled in the November  
{ ~~2006~~ } 2010 election.

The motion passed unanimously, with Rep. Becker absent for the vote.

Spoke to the bill: Brent Gardner, Executive Director, Utah Association of Counties  
MacRay Curtis, Utah State Auditor's Office

MOTION: Rep. Shurtliff moved that the committee recommend H.B. 57 favorably as amended. The motion passed unanimously, with Rep. Becker and Rep. King absent for the vote.

**S.B. 9            Open and Public Meetings Act Revisions (*Sen. P. Hellewell*) (Rep. D. Aagard)**

Sen. Hellewell introduced and explained the bill to the committee.

MOTION:        Rep. Holdaway moved that the committee recommend S.B. 9 favorably. The motion passed unanimously, with Rep. Becker, Rep. King, Rep. Menlove, and Rep. Shurtliff absent for the vote.

**S.B. 12            Electronic Meeting Amendment (*Sen. L. Hillyard*) (Rep. D. Aagard)**

Sen. Hillyard introduced and explained the bill to the committee.

MOTION:        Rep. Buxton moved that the committee recommend S.B. 12 favorably. The motion passed unanimously, with Rep. Becker, Rep. King, Rep. Menlove, and Rep. Shurtliff absent for the vote.

MOTION:        Rep. Holdaway moved to adjourn the meeting. The vote was unanimous. Rep. Dee adjourned the meeting at 3:28 p.m.

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Rep. Brad L. Dee, Chair