

**MINUTES OF THE SENATE GOVERNMENT OPERATIONS & POLITICAL SUBDIVISIONS  
STANDING COMMITTEE  
FRIDAY, FEBRUARY 2, 2007  
ROOM W020, WEST OFFICE BUILDING, CAPITOL BUILDING**

Members Present:            Sen. Peter C. Knudson, Chair  
                                      Sen. D. Chris Buttars  
                                      Sen. John W. Hickman  
                                      Sen. Scott K. Jenkins  
                                      Sen. Scott D. McCoy  
                                      Sen. Ross I. Romero

Staff Present:                Rich North, Policy Analyst  
                                      Nedra Duzett, Secretary

Public Speakers Present:    Eric Jergensen, Salt Lake City Council  
                                      Russell Klien, North Salt Lake resident  
                                      D.M. Nielson, Attorney, North Salt Lake  
                                      Adam Trupp, Legal Counsel, Utah Assn. of Counties  
                                      Gigi Brandt, League of Women Voters  
                                      Craig White, General Manager, South Valley Sewer District  
                                      LeGrand Bitter, Director, Utah Assn. Special Districts  
                                      Lynn Crane, Herriman City Mayor  
                                      Mike Stidham  
                                      Jon Shear, CIO, University of Utah  
                                      Kim Oliver, Administrator, Unclaimed Property  
                                      Lt. Perry, Utah Highway Patrol

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

Committee Chair Knudson called the meeting to order at 2:10 p.m.

**MOTION:** Sen. Jenkins moved to approve the minutes of the January 29, 2007 and January 31, 2007 meetings.

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

**1.    S.B. 211 Election Law Changes (H. Stephenson)**

The bill was not considered.

**2.    S.B. 63 State Zero-based Budgeting (W. Niederhauser)**

Sen. Niederhauser asked the committee to adopt the following amendment to the bill.

1. Page 2, Lines 52 through 56:

52 (1) (a) The committee shall be composed of ~~{11 legislators}~~ nine  
permanent legislative members and at least two ex officio, voting members.  
(b) The committee's permanent members shall be appointed as follows:  
53 ~~{(a)}~~ (i) - ~~{four}~~ three senators appointed by the president of the  
Senate, with one senator from the  
54 minority party; and  
55 ~~{(b)}~~ (ii) - ~~{seven}~~ six representatives appointed by the speaker of  
the House of Representatives,  
56 with two representatives from the minority party.

2. Page 3, Lines 60 through 65:

60 (3) When the committee reviews a budget entity's activities, services,  
programs, and budget, the chairs shall invite the Senate and House chairs of each  
appropriations subcommittee that reviews the budget for that budget entity to serve  
as ex officio voting members of the committee.

(4) Permanent ~~{Committee}~~ committee members serve for two years but  
may be reappointed by the speaker or  
61 president.  
62 ~~{(4)}~~ (5) In conducting all of its business, the committee shall comply with  
interim rules.  
63 ~~{(5)}~~ (6) The committee shall meet at least monthly during the interim and  
at the call of the  
64 chairs.  
65 ~~{(6)}~~ (7) The Legislative Fiscal Analyst shall provide staff services to the  
committee.

**MOTION:** Sen. Buttars moved to adopt the amendment.

The motion passed unanimously.

Sen. Niederhauser explained the amended bill.

**MOTION:** Sen. Buttars moved to pass the bill out favorably as amended.

The motion passed with Sen. Jenkins voting in opposition to the bill.

**3. S.B. 72 County Recorder Amendments (D. Stowell)**

The bill was not considered.

**4. S.B. 130 Municipal Code Amendments (D. Eastman)**

Sen. Eastman asked the committee to adopt the following amendment to the bill.

1. *Page 1, Line 14:*

14 petition if the area is has been owned for at least 30 years by and  
is contiguous to the municipality;

2. *Page 1, Line 15:*

15 ▶ for disconnections occurring during a specified period, eliminates a  
provision requiring a petitioner seeking to disconnect an area from a

3. *Page 1, Line 20:*

20 from a municipality during a specified period has met the petitioner's burden of  
proof.

4. *Page 2, Lines 48 through 50:*

48 (iii) the area to be annexed ~~{is}~~ ;  
49 (A) has been owned by the municipality for at least 30 years ; and  
50 (B) is contiguous to the municipality.

5. *Page 5, Line 132:*

132 previous years; ~~{or}~~

6. *Page 5, Lines 134 through 135:*

134 function as a municipality; ~~{+}~~ or ~~{+}~~ ~~{and}~~  
135 ~~{+}~~ (iii) for a disconnection before April 30, 2007 or on or after February  
15, 2008, leave or create one or more islands or peninsulas of unincorporated territory;

and {+}

7. *Page 5, Line 151:*

151 (b) for a disconnection before February 15, 2008, whether the proposed  
disconnection will leave or create one or more islands or

**MOTION:** Sen. Hickman moved to adopt the amendment.

The motion passed with Sen. Jenkins voting in opposition.

Sen. Eastman explained the amended bill.

The following individuals spoke in opposition to the bill.

Eric Jergensen, Salt Lake City Council  
Russell Klien, North Salt Lake resident

Michael Nielson, Attorney, North Salt Lake, spoke in support of the bill.

**MOTION:** Sen. Hickman moved to pass the bill out favorably as amended.

The motion passed with Sen. McCoy and Sen. Romero voting in opposition.

5. **S.B. 141 Commission and Council Seats in Counties of the First and Second Class**  
*(S. Killpack)*

Sen. Killpack explained the bill has been substituted and asked the committee to adopt the substitute bill.

**MOTION:** Sen. Hickman moved to delete S.B. 141 in title and body and replace it with 1st Substitute S.B. 141.

The motion passed with Sen. Buttars absent for the vote.

Sen. Killpack explained the substitute bill.

The following individuals spoke in opposition to the bill.

Adam Trupp, Legal Counsel, Utah Assn. of Counties  
Gigi Brandt, League of Women Voters

**MOTION:** Sen. Hickman moved to pass 1st Substitute S.B. 141 out favorably.

The motion failed with Sen. Hickman and Chair Knudson voting for the bill and with Sen. Buttars absent for the vote.

**6. S.B. 172 Municipal Land Use, Development, and Management Changes**  
(S. Killpack)

Sen. Killpack asked the committee to adopt the following amendment to the bill.

1. *Page 1, Lines 14 through 15:*

- 14       ▶     excludes a permitted or conditional use water or sewer facility from a  
                  municipality's
- 15     land use and other requirements under certain circumstances **; and**  
**▶ provides a repeal date for Subsection 10-9a-305(8)** .

2. *Page 1, Lines 21 through 22:*

- 21     AMENDS:
- 22       10-9a-305, as last amended by Chapter 364, Laws of Utah 2006  
**63-55b-110, as last amended by Chapter 28, Laws of Utah 2005**

3. *Page 5, Line 124:*

- 124   municipality in which the facility is located; ~~{and}~~

4. *Page 5, Line 127:*

- 127   facility ~~{.~~ **; and**  
**(d) is located in a county of the first class.**  
**Section 2. Section 63-55B-110 is amended to read:**  
**63-55b-110. Repeal dates -- Title 10.**  
**(1) Subsection 10-9a-305(8), and references to it, are repealed January 1,**  
**2009.**  
**(2) Section 10-2-427 is repealed July 1, 2010.**

**MOTION:** Sen. Romero moved to adopt the amendment.

The motion passed with Sen. Butters and Sen. Hickman absent for the vote.

Sen. Killpack explained the amended bill.

The following individuals spoke in support of the bill.

Craig White, General Manager, South Valley Sewer District  
LeGrand Bitter, Director, Utah Assn. Special Districts  
Lynn Crane, Herriman City Mayor

**MOTION:** Sen. Romero moved to pass the bill out favorably as amended.

The motion passed with Sen. Jenkins voting in opposition and with Sen. Buttars absent for the vote.

**7. S.B. 167 Utah Sports Authority (M. Dmitrich)**

Sen. Dmitrich explained the bill has been substituted and asked the committee to adopt the substitute bill.

**MOTION:** Sen. Hickman moved to delete S.B. 167 in title and body and replace it with 1st Substitute S.B. 167.

The motion passed unanimously with Sen. Buttars and Sen. McCoy absent for the vote.

Sen. Dmitrich explained the substitute bill.

Mike Stidham spoke to the bill.

**MOTION:** Sen. Hickman moved to pass 1st Substitute S.B. 167 out favorably.

The motion passed with Sen. Buttars and Sen. McCoy absent for the vote.

**8. S.B. 197 Local Initiative and Petition Ballot Titles (P. Knudson)**

The bill was not considered.

9. **S.B. 60 Uniform Prudent Management of Institutional Funds** (*L. Hillyard*)

Sen. Hillyard and John Shear, Chief Investment Officer, University of Utah, explained the bill.

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

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

**MOTION:** Sen. Jenkins moved to place the bill on the Consent Calendar.

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

10. **H.B. 204 Modifications to Open and Public Meetings** (*S. Wyatt*)

Rep. Wyatt explained the bill.

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

The motion passed with Sen. Hickman and Sen. McCoy absent for the vote.

11. **H.B. 219 Unclaimed Property Act Provisions** (*F. Hunsaker*)

Rep. Hunsaker explained the bill with the assistance of Kim Oliver, Administrator, Unclaimed Property.

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

The motion passed unanimously with Sen. Buttars and Sen. Hickman absent for the vote.

12. **H.B. 253 Allowing State Memorials on State Property** (*W. Harper*)

Sen. Harper explained the bill.

Lt. Perry, Highway Patrol Association, spoke in support of the bill.

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

The motion passed unanimously with Sen. Buttars and Sen. Hickman absent for the vote.

**MOTION:** Sen. McCoy moved to place the bill on the Consent Calendar.

The motion passed with Sen. Buttars and Sen. Hickman absent for the vote.

Committee Chair Knudson adjourned the meeting at 3:50 p.m.

Minutes reported by Nedra Duzett, Secretary

---

Sen. Peter C. Knudson, Committee Chair