

**MINUTES OF THE SENATE GOVERNMENT OPERATIONS & POLITICAL SUBDIVISIONS
STANDING COMMITTEE
FRIDAY, JANUARY 19, 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: Mark Shurtleff, Attorney General
 Dave Buhler, Assoc. Commissioner of Higher Education
 Dave Doty, Asst. Commissioner of Higher Education
 Sondra Lucas
 Gayle Ruzicka, Eagle Forum
 Dalane England, Eagle Forum
 Margaret Payne, ACLU
 Robin Schafer, League of Women Voters
 Gigi Brant, President, League of Women Voters
 David Spatafore

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

Committee Chair Knudson called the meeting to order at 2:03 p.m.

MOTION: Sen. Hickman moved to approve the minutes of the January 17, 2007 meeting.

The motion passed unanimously with Sen. Jenkins absent at the time of voting.

1. S.B. 110 Membership and Service of Utah Commissioners on National Conference of Commissioners on Uniform State Laws (L. Hillyard)

Sen. Hillyard explained the bill.

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

The motion passed unanimously with Sen. Jenkins absent at the time of voting.

2. **S.B. 111 Free Exercise of Religion Without Government Interference**
(D. C. Buttars)

Sen. Buttars explained the bill and proposed the bill be amended as follows:

1. Page 2, Line 28:

28 ▶ provides for the application of the requirements of the chapter; =
= ▶ **provides that the chapter does not apply to a law where violation of the law**
constitutes a criminal offense.

2. Page 6, Lines 165 through 168:

165 {~~(3) In determining whether or not a belief is sincerely held, a governmental~~
~~entity or~~
166 ~~court shall neither require nor determine that the act or refusal to act is motivated by~~
~~a central~~
167 ~~part or central requirement of the religious belief.~~
168 ~~—(4)}~~ **(3)** A government entity may substantially burden a person's exercise of
religion only if

3. Page 7, Lines 192 through 197:

192 63-90c-106. Application of chapter -- **Criminal offenses --** Constitutions and
establishment clause
193 unaffected -- Application to inmates.
194 (1) **(a)** Subject to {~~Subsection~~} **Subsections (1)(b) and** (2), this chapter
applies to all state laws and administrative
195 rules, all local laws and ordinances, and the implementation of those laws, rules, and
196 ordinances, whether statutory or otherwise, and whether enacted or adopted before, on, or
after
197 the effective date of this chapter. =
(b) This chapter does not apply to a law, rule, or ordinance where violation of
the law, rule, or ordinance would constitute a criminal offense.

The following individuals spoke against the bill.

Mark Shurtleff, Attorney General

Dave Buhler, Assoc. Commissioner of Higher Education
Dave Doty, Asst. Commissioner of Higher Education
Margaret Payne, ACLU

The following individuals spoke in support of the bill.

Sondra Lucas
Gayle Ruzicka, Eagle Forum
Dalane England, Eagle Forum

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

SUBSTITUTE MOTION: Sen. Romero moved to go to the next item on the agenda.

The substitute motion failed with Sen. Romero and Sen. McCoy voting in favor of the motion and with Sen. Jenkins absent at the time of voting.

The vote on the original motion passed with Sen. Romero and Sen. McCoy voting against the motion.

3. S.B. 116 Contribution Limits for State Constitutional Officers (G. Bell)

Sen. Bell introduced the bill.

The following individuals spoke in support of the bill.

Gigi Brant, President, League of Women Voters
Robin Schafer, League of Women Voters

The following individuals spoke against the bill.

Mark Shurtleff, Attorney General
Gayle Ruzicka, Eagle Forum

MOTION: Sen. Hickman moved to go to the next item on the agenda.

SUBSTITUTE BILL: Sen. McCoy moved to pass the bill out favorably.

The substitute motion passed with Sen. Romero, Sen. McCoy, and Chair Knudson voting in favor and with Sen. Buttars absent at the time of voting.

**4. S.B. 119 Municipal License Fee or Tax on Public Assembly Facilities
(B. Goodfellow)**

Sen. Goodfellow explained the bill.

Dave Spatafore spoke in support of the bill.

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

The motion failed with Sen. Romero and Sen. McCoy voting for the bill.

5. **S.B. 122 Administrative Rules Reauthorization** (*Sen. Stephenson*)

Sen. Stephenson explained the bill.

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

The motion passed unanimously.

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

The motion passed unanimously.

Committee Chair Knudson adjourned the meeting at 3:45 p.m.

Minutes reported by Nedra Duzett, Secretary

Sen. Peter C. Knudson, Committee Chair