

**MINUTES OF THE SENATE GOVERNMENT OPERATIONS &  
POLITICAL SUBDIVISIONS STANDING COMMITTEE  
WEDNESDAY, FEBRUARY 18, 2009, 8:00 A.M.  
ROOM 415 STATE CAPITOL**

Members Present:            Sen. Peter C. Knudson, Chair  
                                  Sen. Greg Bell  
                                  Sen. John Greiner  
                                  Sen. Scott K. Jenkins  
                                  Sen. Dan Liljenquist  
                                  Sen. Scott D. McCoy  
                                  Sen. Luz Robles

Staff Present:                Rich North, Policy Analyst  
                                  Jean Butler, Committee Secretary

Public Speakers Present:    Bob Rees, Office of Legislative Research and General Council  
                                  Lincoln Shurtz, Director, Utah League of Cities and Towns  
                                  Clinton Topham, Pres. American Assoc. of Engineers  
                                  Lynn Pace, General Council for City of Salt Lake  
                                  John Stall, Utah Council for Land Recorders  
                                  Allen Spriggs, Utah Association of County Recorders  
                                  James Kaizer, Wasatch County Surveyors  
                                  Jodi Hoffman, Utah League of Cities and Towns  
                                  Scott Hogenson, Chief, Clerk Auditors in Utah County  
                                  Karen McQuirey, Director, American Civil Liberty Union of Utah  
                                  Andrew Rigles, Republic Advocates for Disability Law Center  
                                  Norm Davidson, Concerned Citizen  
                                  Michael Sanchez, Concerned Citizen  
                                  Shawn Lur, Concerned Citizen  
                                  Fred Finlinson, Water Law Attorney

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

Committee Chair Knudson called the meeting to order at 8:08 a.m.

1.     **SB0083S02 Condemnation Amendments** (D. Stowell)

      Sen. Stowell reviewed SB0083.

**MOTION:** Sen. Bell moved that SB0083 2nd Sub. be deleted and substituted with S0083S03.

The motion passed with a vote of 4 - 0 - 3. Sens. Jenkins, McCoy, and Robles were absent.

Bob Rees, Legislative Research and General Council, clarified the bill.

Lincoln Shurtz, League of Cities and Towns, spoke for the bill.

Clinton Topham, American Assoc. of Engineers spoke to the bill.

Lynn Pace, Salt Lake City, spoke to the bill..

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

The motion passed 5 - 0 - 2 with Sens. Robles and Jenkins absent.

Chair Knudson ask Sen. Bell to chair while he was presenting in another committee meeting. Sen. Bell took the Chair position.

Sen. Bell noted SB0084 was not ready to present so it will be held to another date.

2. **SB0063 Modifications to Recording Requirements - Subdivisions** (R. Okerlund)

Sen Okerlund discussed numerous changes in title and body needed in SB0063.

**MOTION:** Sen. McCoy moved to delete SB0063 and to substitute SB0063 1st Sub in its place.

The motion passed 5 - 0 - 2 with Sens. Robles and Jenkins absent for the vote.

Sen. Okerlund requested the following changes be made to the 1st Amendment.

1. *Page 3, Line 65:*

65 38-9-4, as last amended by Laws of Utah 2008, Chapter 223

**REPEALS:**

**10-8-8.5, as last amended by Laws of Utah 1993, Chapter 4**

2. *Page 5, Line 143:*

143 (i) the plat has been **signed,** dedicated **, and acknowledged** by each owner of  
record;

3. *Page 18, Line 525:*

525 (i) the plat has been **signed,** dedicated **, and acknowledged** by each owner of record:

4. *Page 26, Line 774:*

774 (c) contains a material misstatement or false claim.

**Section 22. Repealer.**

**This bill repeals:**

**Section 10-8-8.5, Effect of vacation or narrowing of street or alley.**

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

The motion passed 5 - 0 - 2 with Sens. Jenkins and Robles absent for the vote.

Sen. Okerlund gave an overview of the new bill.

Lynn Pace, Deputy Attorney for Salt Lake City, spoke to the bill.

John Stall, Utah Council of Land Surveyors, spoke to the bill.

Allen Spriggs, Utah Association of County Recorders, spoke for the bill.

James Kaizer, Wasatch County Surveyors, spoke to the bill.

Jody Hoffman, Utah League of Cities and Towns, spoke to the bill.

After considerable discussion, Chair Knudson suggested the bill be placed on Hold.

**MOTION:** Sen. McCoy made a motion to move to the next item on the agenda.

The motion passed 7 - 0 - 0.

3. **SB0069 Proof of Citizenship Required to Vote** (M. Madsen)

Sen. Madsen gave an overview of the bill.

Scott Hogenson, Chief of Clerk Auditors in Utah County, spoke against the bill.

Andrew Rigles, Republic Policy Advocate for Disability Law Center, spoke against the bill.

Karen McQuirey, American Civil Liberties Union of Utah, spoke against the bill.

Norm Davidson, Concerned Citizen, spoke for the bill.

Michael Sanchez, Concerned Citizen, spoke for the bill.

Shawn Lure, Concerned Citizen, spoke for the bill.

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

The motion passed 4 - 2 - 1 with Sens. McCoy and Robles voting no and Sen. Greiner absent.

4. **HB0061S02 Local Government Entity Changes** (K. Holdaway)

Rep. Holdaway presented a handout outlining changes he is presenting to HB0061S01.

**MOTION:** Sen. Liljenquist moved HB0061S01 be replaced with HB0061S02.

The motion passed 4 - 0 - 3 with Sens. Greiner, Jenkins, and McCoy absent for the vote.

5. **HB0068S01 Development Exactions** (P. Painter)

Rep. Painter asked for an amendment to HB0068.

**MOTION:** Sen. Robles moved to adopt the following amendment:

1. *Page 1, Line 17:*

17 projected water ~~{right}~~ interest requirements.

2. *Page 10, Line 275*

*House Floor Amendments*

*2-6-2009:*

275 water authority's established calculations of projected water ~~{right}~~ interest  
requirements.

3. *Page 10, Line 280*

*House Floor Amendments*

*2-6-2009:*

280 authority's existing  $\hat{H} \rightarrow$  available  $\leftarrow \hat{H}$  water ~~{rights}~~ interests exceed the water  
~~{rights}~~ interests needed to meet the

4. *Page 19, Line 558*

*House Floor Amendments*

*2-6-2009:*

558 projected water ~~{right}~~ interest requirements.

5. *Page 19, Lines 563 through 563a*  
*House Floor Amendments*  
*2-6-2009:*

563 interest if the culinary water authority's existing ~~H→~~ available ~~←H~~ water  
~~{rights}~~ interests exceed the water

563a ~~{rights}~~ interests needed to

The motion passed 4 - 0 - 3 with Sens. Greiner, Jenkins, and McCoy were absent.

Jody Hoffman, League of Cities and Towns spoke for the bill.

Fred W. Finlinson spoke for the bill.

**MOTION:** Sen. Bell moved to pass HB0069S01 out favorably.

The motion passed 4 - 0 - 3 with Sens. Greiner, Jenkins, and McCoy absent for the vote.

**MOTION:** Sen. Liljenquist moved the meeting be adjourned.

The vote passed 4 - 0 - 3 with Sens. Greiner, Jenkins, and McCoy absent for the vote.

Chair Knudson adjourned the meeting at 9:50 a.m.

The minutes were prepared by Jean Butler, Committee Secretary

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Sen. P. Knudson, Committee Chair

