

**MINUTES OF THE  
HOUSE POLITICAL SUBDIVISIONS  
STANDING COMMITTEE**  
Room 450 Utah State Capitol  
February 23, 2011

MEMBERS PRESENT:     Rep. R. Curt Webb, Chair  
                              Rep. Rebecca P. Edwards, Vice Chair  
                              Rep. Johnny Anderson  
                              Rep. Jack R. Draxler  
                              Rep. James A. Dunnigan  
                              Rep. Michael T. Morley  
                              Rep. Jeremy A. Peterson  
                              Rep. Dixon M. Pitcher  
                              Rep. Marie H. Poulson  
                              Rep. Stephen E. Sandstrom  
                              Rep. Jennifer M. Seelig  
                              Rep. Larry B. Wiley

STAFF PRESENT:         Joseph Wade, Policy Analyst  
                              Karen Mitchell, Committee Secretary

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

Rep. Webb called the meeting to order at 8:09 a.m.

MOTION:     Rep. Wiley moved to approve the minutes of February 18, 2011. The motion passed unanimously with Rep. Anderson, Rep. Dunnigan, Rep. Morley, Rep. Pitcher, Rep. Seelig, and Rep. Edwards absent for the vote.

**H.B. 392     Retention Elections for Justice Court Judges (*Rep. C. Oda*)**

Rep. Oda introduced the bill to the committee.

MOTION:     Rep. Draxler moved to adopt 1st Substitute H.B. 392. The motion passed unanimously with Rep. Anderson, Rep. Pitcher, Rep. Poulson, and Rep. Edwards absent for the vote.

MOTION:     Rep. Draxler moved to amend the substitute bill as follows:

*1. Page 1, Line 9:*

9            This bill allows justice court judges to be evaluated for the 2012, 2014, and 2016 retention election



2. *Page 2, Line 32*

*Senate Committee Amendments  
2-2-2011:*

32 11-46-103, Utah Code Annotated 1953

**Utah Code Sections Affected by Coordination Clause:**

**53A-1a-108, as last amended by Laws of Utah 2008, Chapters 157, 178, and  
332**

3. *Page 4, Lines 117 through 118:*

117 (iii) The chair of the community council shall notify the local school board of each  
118 appointment made under Subsection (5)(e)[~~(i), (ii), or (iii)~~] **(i) or (ii)** .

4. *Page 10, Lines 277 through 278:*

277 (4) The list of public records in this section is not exhaustive and should not be used  
to  
278 limit access to records.

**Section 6. Coordinating with H.B. 186 -- Superseding technical amendments.  
If this S.B. 142 and H.B. 186, Utah Code Technical Amendments, both pass, it  
is the intent of the Legislature that the amendments to Subsection  
53A-1a-108(5)(e)(iii) in this bill supersede the amendments to Subsection  
53A-1a-108(5)(e)(iii) in H.B. 186 when the Office of Legislative Research and General  
Counsel prepares the Utah Code database for publication.**

The motion to amend the bill passed unanimously with Rep. Anderson, Rep. Pitcher, Rep. Poulson, and Rep. Edwards absent for the vote.

Spoke in favor of the bill: Tab Uno, Citizen  
Claire Geddes, Citizen

Spoke to the bill: LeGrand Bitter, Utah Association of Special Districts

Spoke in opposition to the bill: Tyler Slack, Utah PTA  
Terel Grimley, Weber Water District

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

1. *Page 1, Lines 14 through 17*

*Senate Committee Amendments*

2-2-2011:

- 14       ▶ requires a community council member to have a telephone number and email  
15 address . if available, where the member can be reached;  
16       ▶ requires an elected official to have a telephone number and email address . if  
available, where the  
17 official can be reached ~~§~~→ directly ←~~§~~ ;

2. *Page 2, Lines 46 through 47*

*Senate Committee Amendments*

2-2-2011:

- 46       Each elected official shall have a telephone number and an email address . if  
available, where that  
47 elected official may be reached ~~§~~→ directly ←~~§~~ .

3. *Page 5, Lines 147 through 148*

*Senate Committee Amendments*

2-2-2011:

- 147       (iv) a telephone number and email address . if available, where each  
community council member  
148 can be reached ~~§~~→ directly ←~~§~~ .

4. *Page 8, Lines 220 through 224*

*Senate Committee Amendments*

2-2-2011:

- 220       (m) for an elected official, as defined in Section 11-46-102, a telephone number and  
221 email address . if available, where that elected official may be reached as required in  
Title 11, Chapter 46,  
222 Access to Elected Officials; and  
223       (n) for a school community council member, a telephone number and email address  
. if available,  
224 where that elected official may be reached ~~§~~→ directly ←~~§~~ as required in Section  
53A-1a-108.

SUBSTITUTE

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

1, Lines 14 through 17

Senate Committee Amendments  
2-2-2011

- 14       ▶ requires a community council member to have a telephone number .if available, and email  
15 address .if available, where the member can be reached;  
16       ▶ requires an elected official to have a telephone number .if available, and  
17 official can be reached  $\hat{S} \rightarrow$  directly  $\leftarrow \hat{S}$  ;

1. Page 2, Lines 46 through 47

Senate Committee Amendments  
2-2-2011:

- 46       Each elected official shall have a telephone number .if available, and an email  
47 address .if available, where that  
47 elected official may be reached  $\hat{S} \rightarrow$  directly  $\leftarrow \hat{S}$  .

2. Page 5, Lines 147 through 148

Senate Committee Amendments  
2-2-2011:

- 147       (iv) a telephone number .if available, and email address .if available,  
148 where each community council member  
148 can be reached  $\hat{S} \rightarrow$  directly  $\leftarrow \hat{S}$  .

3. Page 8, Lines 220 through 224

Senate Committee Amendments  
2-2-2011:

- 220       (m) for an elected official, as defined in Section 11-46-102, a telephone number .if  
221 available, and  
221 email address .if available, where that elected official may be reached as required in  
222 Title 11, Chapter 46,  
222 Access to Elected Officials; and  
223       (n) for a school community council member, a telephone number .if available,  
224 and email address .if available,  
224 where that elected official may be reached  $\hat{S} \rightarrow$  directly  $\leftarrow \hat{S}$  as required in Section  
224 53A-1a-108.

The substitute motion passed unanimously with Rep. Edwards absent for the vote.

MOTION: Rep. Morley moved to pass out S.B. 142, as amended, with a favorable recommendation. The motion passed unanimously with Rep. Edwards absent for the vote.

**S.B. 242 Assessment Area Amendments (*Sen. W. Niederhauser*) (Rep. M. Morley)**

Senator Niederhauser introduced the bill to the committee.

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

1. *Page 2, Lines 51 through 53:*

51 (6) "Assessment method" means the method by which an assessment is levied against  
52 property, whether by frontage, area, taxable value, fair market value, lot, parcel, number of  
53 connections, equivalent residential unit, {~~or~~} any combination of these  
methods {~~or~~} , or any other method that equitably reflects the benefit received  
from the improvement.

The motion passed unanimously.

Spoke in favor of the bill: Claire Geddes, Citizen

MOTION: Rep. Morley moved to pass out S.B. 242, as amended, with a favorable recommendation. The motion passed unanimously with Rep. Draxler and Rep. Dunnigan absent for the vote.

**H.B. 403 Changes to Fit Premises Act (*Rep. J. Seelig*)**

Rep. Seelig introduced the bill to the committee and provided a handout.

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

1. *Page 3, Line 77:*

77 (ii) a protective order protecting the renter from a domestic violence perpetrator or  
a copy of a police report documenting that the renter is a victim of domestic violence  
and did not participate in the violence ; and

The motion passed unanimously with Rep. Draxler absent for the vote.

Spoke in favor of the bill:     Ned Searle, Director of Utah Office of Violence Against Women  
Francisca Blanc, Utah Housing Corporation

MOTION:     Rep. Wiley moved to pass out H.B. 403, as amended, with a favorable recommendation. The motion passed unanimously with Rep. Draxler absent for the vote.

MOTION:     Rep. Wiley moved to place the bill on the Consent Calendar. The motion passed unanimously with Rep. Draxler absent for the vote.

MOTION:     Rep. Dunnigan moved to adjourn the meeting. The motion passed unanimously with Rep. Draxler absent for the vote.

Rep. Webb adjourned the meeting at 9:32 a.m.

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Rep. Curt Webb, Chair