

**MINUTES OF THE  
HOUSE POLITICAL SUBDIVISIONS  
STANDING COMMITTEE**  
Room 450 Utah State Capitol  
February 28, 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. Jennifer M. Seelig  
                          Rep. Larry B. Wiley

MEMBER ABSENT:             Rep. Stephen E. Sandstrom

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 4:28 p.m.

MOTION:    Rep. Anderson moved to approve the minutes of February 25, 2011. The motion passed unanimously with Rep. Morley, Rep. Sandstrom, Rep. Seelig, and Rep. Edwards absent for the vote.

**2nd Sub. S.B. 290    Abatement of Weeds, Garbage, Refuse, and Unsightly Objects (Sen. P. Knudson) (Rep. E. Hutchings)**

This bill was not considered.

**H.B. 286            Funding for Burying Utility Lines (Rep. J. Briscoe)**

Rep. Briscoe introduced the bill to the committee.

Spoke to the bill:        Jeff Hartley, Rocky Mountain Power

Spoke against the bill:   Royce VanTassell, Utah Taxpayers Association

MOTION: Rep. Anderson moved to place H.B. 286 on hold. The motion passed unanimously with Rep. Morley and Rep. Sandstrom absent for the vote.

Rep. Edwards assumed the chair.

**H.B. 446 Local District Tax Amendments (Rep. D. Brown)**

Rep. D. Brown introduced the bill to the committee.

Spoke in favor of the bill: LeGrand Bitter, Utah Association of Special Districts  
Josh Mills, Mayor, Herriman City  
Royce VanTassell, Utah Taxpayers Association

MOTION: Rep. Draxler moved to pass H.B. 446 with a favorable recommendation. The motion passed unanimously with Rep. Sandstrom absent for the vote.

**H.B. 487 County Use of Land Use Ordinance (Rep. B. Wright)**

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

MOTION: Rep. Anderson moved to adopt 1st Substitute H.B. 487. The motion passed unanimously with Rep. Dunnigan, Rep. Sandstrom, and Rep. Seelig absent for the vote.

Spoke in favor of the bill: Mike Brown, Citizen  
Mike Crittenden, Citizen

Spoke to the bill: Ernest Rowley, Utah Association of Counties Recorders

MOTION: Rep. Morley moved to pass 1st Substitute H.B. 487 with a favorable recommendation. The motion passed unanimously with Rep. Sandstrom and Rep. Seelig absent for the vote.

MOTION: Rep. Morley moved to place the bill on the Consent Calendar. The motion passed unanimously with Rep. Sandstrom and Rep. Seelig absent for the vote.

**S.B. 66 Military Leave for an Elected Official of a Political Subdivision (Sen. J. Valentine) (Rep. C. Herrod)**

Sen. Valentine introduced the bill to the committee.

MOTION: Rep. Dunnigan moved to pass 1st Substitute H.B. 66. The motion passed unanimously with Rep. Sandstrom and Rep. Seelig absent for the vote.

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

1. Page 2, Line 26:

26 This bill provides an immediate effective date.

**This bill provides revisor instructions.**

2. Page 3, Line 72:

72 (2) ~~{An}~~ **Except as provided by Subsection (9), an** elected official creates  
a vacancy in the elected official's office if the elected

3. Page 3, Line 75:

75 (3) ~~{An}~~ **Except as provided by Subsection (9), an** elected official may  
take military leave if the elected official submits to the

4. Page 4, Line 90:

90 (i) **except as provided by Subsection (9),** before the day on which the military  
leave begins; and

5. Page 4, Lines 97 through 99:

97 ~~{(6) If a political subdivision's governing body does not appoint a temporary~~  
98 ~~replacement before the day on which the military leave begins, the elected official's~~  
~~office shall~~  
99 ~~remain vacant until the day on which the military leave ends.}~~

6. Page 4, Line 104:

104 military leave.

**(c) Except as provided by Subsection (9), if a temporary replacement is not**  
**appointed before the day on which the military leave begins as required by**  
**Subsection (5)(b)(i), no person may exercise the powers and duties of the elected**  
**official's office during the elected official's military leave.**

7. Page 4, Line 110:

110 replacement.

(9) (a) An elected official who is called to active, full-time duty in the armed forces before the effective date of this bill is on military leave.

(b) A temporary replacement for an elected official described in Subsection (9)(a) who meets the qualifications to hold office may be appointed as provided by Subsection (5)(b)(ii) on or after the effective date of this bill.

8. Page 4, Line 115:

115 the date of veto override.

Section 3. Revisor instructions.

It is the intent of the Legislature that, in preparing the Utah Code database for publication, the Office of Legislative Research and General Counsel shall replace the references in Subsection 20A-1-513(9) from "the effective date of this bill" with the bill's actual effective date.

The motion to amend the bill passed unanimously with Rep. Sandstrom absent for the vote.

Spoke in favor of the bill: Col. Scott Olson, Utah National Guard

MOTION: Rep. Morley moved to pass out 1st Substitute S.B. 66, as amended, with a favorable recommendation. The motion passed unanimously with Rep. Sandstrom absent for the vote.

**S.B. 243 Historic Areas or Sites Amendments (Sen. W. Niederhauser) (Rep. C. Herrod)**

Sen. Niederhauser introduced the bill to the committee.

MOTION: Rep. Morley moved to adopt 1st Substitute S.B. 243. The motion passed unanimously with Rep. Anderson, Rep. Draxler, and Rep. Sandstrom absent for the vote.

Spoke in favor of the bill: Jodi Hoffman, Utah League of Cities and Towns  
Jodi Howick, Citizen  
Roger Little, Citizen  
Jeff Justice, Citizen  
Scott Brown, Citizen  
Margaret Tennant, Citizen  
Ray Morrison, Citizen  
Pam Clawson, Citizen  
Jim Bringhurst, Citizen

Spoke in opposition to the bill:      Lynn Pace, Deputy Attorney, Salt Lake City  
Kirk Huffaker, Utah Heritage Foundation  
Jan Hemming, Citizen  
Fientje Allis-VanRossum, Citizen  
Kelly Marianan, Citizen  
Lynn K. Pershing, Citizen  
George Kelner, Citizen

MOTION:      Rep. Morley moved to pass out 1st Substitute S.B.243 with a favorable recommendation.

SUBSTITUTE

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

On page 2, line 47, replace *75%* with *0%*

The substitute motion failed with Rep. Peterson voting in favor of the motion. Rep. Dunnigan and Rep. Sandstrom were absent for the vote.

The original motion failed with Rep. Anderson, Rep. Morley, Rep. Pitcher, Rep. Wiley, and Rep. Webb voting in favor and Rep. Draxler, Rep. Peterson, Rep. Poulson, Rep. Seelig, and Rep. Edwards voting in opposition. Rep. Dunnigan and Rep. Sandstrom were absent for the vote.

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

Rep. Edwards adjourned the meeting at 6:19 p.m.

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Rep. Curt Webb, Chair