

**MINUTES OF THE SENATE GOVERNMENT OPERATIONS &  
POLITICAL SUBDIVISIONS STANDING COMMITTEE  
TUESDAY JANUARY 31, 2011, 2:00 P.M.  
ROOM 415 STATE CAPITOL**

Members Present:            Sen. Peter C. Knudson, Chair  
                                  Sen. Margaret Dayton  
                                  Sen. Scott K. Jenkins  
                                  Sen. Daniel Thatcher  
                                  Sen. Luz Robles

Staff Present:                Rich North, Policy Analyst  
                                  Tom Vaughn, Associate General Counsel  
                                  Lorna Wells, Committee Secretary

Public Speakers Present:    Claudia Cottle, Co-Executive Director of Bear Lake Watch  
                                  Wade Farraway, Assistant Attorney General,  
                                  Peter Cannon, Citizen Lobbyist; Davis County Board of Education  
                                  Adam Tripp, Association of Counties  
                                  Brent Halladay, Utah State Fire Marshall  
                                  Taz Biesinger, Utah Home Builder's Association

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.

Approval of Minutes January 27, 2011

**MOTION:** Sen. Dayton moved to approve the minutes of January 27, 2011. The motion passed unanimously with Sens. Jenkins and Robles absent for the vote.

1. **SCR005** - Bear Lake Concurrent Resolution

Sen. Dayton assumed the chair.

**MOTION:** Sen. Knudson moved to amend this bill as follows. The motion passed unanimously with Sens. Jenkins and Robles absent for the vote.

1. *Page 1, Lines 9 through 10:*

9            This concurrent resolution of the Legislature and the Governor encourages state and  
10    local governments surrounding the Bear Lake {~~recreation~~} area to work together to  
          ensure

2. *Page 1, Line 14:*

14            ► recognizes that the beautiful Bear Lake {~~recreation~~} area is a treasure to

be preserved;

3. *Page 1, Lines 16 through 17:*

16 by future development at Bear Lake and in the Bear Lake Valley to focus on  
17 preserving the beauty, agricultural importance, environmental quality, and ecological  
balance of this natural

4. *Page 1, Line 19:*

19 ▶ encourages these governmental entities to preserve the Bear Lake {~~recreation~~  
areas} area

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

21 with the unique nature of Bear Lake in order to preserve the area's beauty and utility  
for future  
22 generations.

6. *Page 2, Line 28:*

28 points of interest belonging to and shared by these two great states;

7. *Page 2, Line 36:*

36 them; =

WHEREAS, Bear Lake has been an important source of water for Northern Utah's agricultural interests since the settlement and development of the region, is an important electric power generator, and has been and continues to be important to the development and preservation of wetland habitat;

8. *Page 2, Line 48:*

48 to encroach on the beauty, agricultural importance, environmental quality, and  
ecological balance of this natural

9. *Page 2, Line 55:*

55 at Bear Lake and in the Bear Lake Valley to focus on preserving the beauty, agricultural importance, environmental

10. *Page 3, Lines 60 through 64:*

60 should be allowed in order to preserve the area's beauty and utility for future  
generations.

61 BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Utah

- 62 Division of State Lands, the Utah Division of Parks and Recreation, the Utah Division of  
63 Water Quality, the Utah Division of Water Rights, the Utah Department of Agriculture  
and Food, Rich County, Cache County, Box Elder County, Bear Lake County,  
the cities  
64 of Woodruff, Randolph, Lake Town, and Garden City, the Utah League of Cities and  
Towns, the Utah Association of Counties

Sen. Knudson introduced and explained this bill.

Ms. Cottle spoke in favor of this bill.

**MOTION:** Sen. Knudson moved to pass **SCR 005** as amended out of committee with a favorable recommendation. The motion passed unanimously with Sen. Jenkins absent for the vote.

Sen. Knudson resumed the chair.

1. **SB0114** - Municipal Prosecutorial Discretion

Sen. Thatcher introduced and explained this bill.

Mr. Farrell spoke in favor of this bill.

**MOTION:** Sen. Thatcher moved to pass **SB 114** out of committee with a favorable recommendation. The motion passed unanimously.

2. **SB0123** - Restrictions on Lobbying Expenditures - Public Education

Sen. Jenkins introduced and explained this bill.

**MOTION:** Sen. Dayton moved to amend the bill to add the word "contract" before "lobbyist" on lines and lines 17, 44 and 49. The motion passed unanimously.

Mr. Cannon spoke in favor of this bill.

**MOTION:** Sen. Dayton moved to pass **SB 123** out of committee as amended with a favorable recommendation. The motion passed unanimously.

3. **SB0049** - Oversight of Bonding by Counties

Sen. Stevenson introduced and explained this bill.

Mr. Tripp spoke in favor of this bill.

**MOTION:** Sen. Dayton moved to pass motion pass **SB 49** out of committee with a favorable recommendation. The motion passed unanimously with Sen. Robles absent for the vote.

4. **SB0126** - Local District Service Amendments

Sen. Adams introduced and explained this bill.

**MOTION:** Sen. Dayton moved to pass **SB 126** out of committee with a favorable recommendation. The motion passed unanimously with Sen. Robles absent for the vote.

5. **HB0187** - State Fire Code Appeals

Rep. Morley introduced and explained this bill.

Mr. Halladay and Mr. Biesinger spoke in favor of this bill.

**MOTION:** Sen. Dayton moved to pass **HB 187** out of committee with a favorable recommendation. The motion passed unanimously

6. **HB0213** - Statutory Construction Amendments

**MOTION:** Sen. Thatcher moved to adopt Amendment #3 to this bill. The motion passed unanimously.

1. *Page 12, Line 367:*

367 35A-4-506, as last amended by Laws of Utah 2010, Chapters 277 and 278

**55-5-2, Utah Code Annotated 1953**

2. *Page 329, Line 10173:*

10173 (a) the ~~{plan of life insurance shall satisfy}~~ **insurer shall demonstrate to the satisfaction of** the commissioner [~~must be satisfied~~] that the

3. *Page 354, Line 10939:*

10939 requirements of Chapter 21, ~~{Underwriting Restrictions}~~ **Insurance Contracts in General** set forth:

4. *Page 485, Lines 15014 through 15015:*

15014 Fund if so directed by the Legislature.

Section 343. Section 55-5-2 is amended to read:

**55-5-2. Licensing agency -- Duties of Utah State Office of Rehabilitation.**

(1) The ~~{Division of Vocational Rehabilitation, Office of Public Instruction}~~ Division of Services for the Blind and Visually Impaired, Utah State Office of Rehabilitation is designated as the licensing agency for the purpose of carrying out ~~{the provisions of this act, and shall}~~ this chapter.

(2) The Division of Services for the Blind and Visually Impaired, shall:

~~{(1) Take such steps as are necessary and proper}~~ (a) take necessary steps to carry out the provisions of this ~~{act}~~ chapter;

~~{(2) With}~~ (b) with the approval of the custodian having charge of the building, park or other property in which the vending stand or other enterprise is to be located, select a location for such stand or enterprise and the type of equipment to be provided ~~{;}~~ ;

~~{(3) Construct}~~ (c) construct and equip stands ~~{at such place as may be deemed advisable}~~ where blind persons may be trained under the supervision of the ~~{Division of Vocational Rehabilitation}~~ Division of Services for the Blind and Visually Impaired to carry on a business as a vending stand operator ~~{;}~~ ;

~~{(4) Provide}~~ (d) provide adequate supervision of ~~{such persons}~~ each person licensed to operate vending stands or other enterprises to ensure efficient and orderly management ~~{thereof}~~ ; and

~~{(5) Prescribe such rules and regulations as are}~~ (e) make rules necessary for the proper operation of ~~{such}~~ vending stands or other enterprises.

15015 Section ~~{343}~~ 344 . Effective date.

Rep. Brown introduced and explained this bill.

**MOTION:** Sen. Dayton moved to pass HB 213 as amended out of committee with a favorable recommendation. The motion passed unanimously.

5. **HB0186** - Utah Code Technical Amendments

Rep. Galvez introduced and explained this bill.

**MOTION:** Sen. Jenkins moved to pass **HB 186** out of committee with a favorable recommendation. The motion passed unanimously.

**MOTION:** Sen. Dayton moved to place **HB 186** on the consent calendar. The motion passed unanimously.

**MOTION:** Sen Jenkins moved to place **HB 213** on the consent calendar. The motion passed unanimously.

**MOTION:** Sen. Robles moved to adjourn.

The motion passed unanimously.

The meeting adjourned at 3:10 p.m.

Minutes reported by Lorna Wells, Secretary.

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Sen. Peter Knudson, Committee Chair