

**MINUTES OF THE
HOUSE POLITICAL SUBDIVISIONS
STANDING COMMITTEE
Room 450 State Capitol
February 4, 2014**

Members Present: Rep. R. Curt Webb, Chair
Rep. Jeremy A. Peterson, Vice Chair
Rep. Jerry B. Anderson
Rep. Jon Cox
Rep. James A. Dunnigan
Rep. Craig Hall
Rep. Michael S. Kennedy
Rep. Marie H. Poulson
Rep. Marc K. Roberts
Rep. Jennifer M. Seelig
Rep. John R. Westwood

Staff Present: Mr. Joseph Wade, Policy Analyst
Ms. 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 8:08 a.m.

H.B. 25 Eminent Domain Amendments (Rep. L. Perry)

Rep. Perry explained the bill to the committee.

Rep. Cox moved to amend the bill as follows:

1. *Page 14, Lines 410 through 413:*

410 (8) [telegraph,] {~~telephone~~} telecommunications, electric light and electric
power lines, [and] sites for electric
411 light and power plants, or sites for the transmission of broadcast signals from a station
licensed
412 by the Federal Communications Commission in accordance with 47 C.F.R. Part 73 and
that
413 provides emergency broadcast services;

2. *Page 14, Lines 425 through 426:*

425 {~~(12) pipelines for the purpose of conducting any and all liquids connected~~}

with the
426 manufacture of beet sugar; } and

The motion passed unanimously with Rep. Anderson, Rep. Dunnigan, Rep. Kennedy, Rep. Seelig, and Rep. Peterson absent for the vote.

Spoke for the bill: Craig M. Call, Citizen
Brent N. Bateman, Property Ombudsman

MOTION: Rep. Peterson moved to pass H.B. 25 out favorably as amended. The motion passed unanimously with Rep. Anderson, Rep. Dunnigan, and Rep. Kennedy absent for the vote.

H.B. 17 Interlocal Act Amendments (Rep. Johnny Anderson)

Rep. Johnny Anderson explained the bill to the committee.

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

1. Page 1, Line 18:

- 18 ▶ requires an interlocal entity to adopt certain budget and fiscal procedures;
= ▶ amends the definition of taxed interlocal entity;

2. Page 1, Lines 23 through 24:

- 23 Other Special Clauses:
24 {~~None~~} This bill takes effect on May 12, 2015.

3. Page 11, Lines 326 through 331:

- 326 (ii) {~~Before and on May 1, 2014, "taxed~~} "Taxed interlocal entity"
includes an interlocal entity
327 that:
328 (A) {~~(H)~~} was created before 1981 for the purpose of providing power supply at
wholesale
329 to its members; {~~or~~
330 ~~—(H) is described in Subsection 11-13-204(7);~~}
331 (B) does not receive a payment of funds from a federal agency or office, state agency
or

4. *Page 13, Line 387:*

387 amend, or repeal bylaws, policies, or procedures.

Section 6. Effective date.

This bill takes effect on May 12, 2015.

The motion passed unanimously with Rep. Anderson and Rep. Kennedy absent for the vote.

Spoke for the bill: Van Christensen, Office of the Utah State Auditor

Spoke to the bill: Ted Rampton, Utah Associated Municipal Power Systems
Bob Kowallo, Charleston Town

MOTION: Rep. Dunnigan moved to pass H.B. 17 out favorably as amended. The motion passed unanimously with Rep. Anderson absent for the vote.

H.B. 242 Fees for Government Records Requests (*Rep. B. King*)

Rep. King explained the bill to the committee.

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

1. *Page 1, Line 14:*

14 without charge under certain circumstances, making the provision a requirement **for**
costs up to \$1,000 .

2. *Page 2, Line 56 through Page 3, Line 59:*

56 (4) { ~~A governmental entity [may] shall fulfill a record request without~~
~~charge~~ } **(a) Subsection (4)(b) applies to** [and is

57 encouraged to do so when] **a governmental entity's fee for fulfilling a record**
request if { ~~it~~ } **the governmental entity** determines that:

58 { ~~(a)~~ } **(i)** releasing the record primarily benefits the public rather than a
person;

59 { ~~(b)~~ } **(ii)** the individual requesting the record is the subject of the record, or
an individual

3. *Page 3, Line 61:*

61 {~~(e)~~} (iii) the requester's legal rights are directly implicated by the
information in the record,

4. Page 3, Line 62:

62 and the requester is impecunious.

(b) If a governmental entity makes a determination under Subsection (4)(a),
the governmental entity:

(i) may not charge the first \$1,000 in costs incurred for fulfilling the record
request; and

(ii) may charge for costs incurred in fulfilling the record request to the extent
that the costs exceed \$1,000.

Spoke for the bill: Sheryl Worsley, Utah Headliners
 Linda Petersen, Utah Media Coalition
 Jerry Dearinger, Cedar Hills Citizens for Responsible Government
 Ken Croman, Cedar Hills Citizens for Responsible Government (handout)

Spoke against the bill: Lincoln Shurtz, Utah League of Cities and Towns
 Ernest Rowley, Weber County, Surveyor and Recorder
 Gary Williams, Ogden City
 Rich Olsen, Utah Interactive

MOTION: Rep. Dunnigan moved to proceed to the next item on the agenda. The motion
passed unanimously with Rep. Anderson absent for the vote.

H.B. 258 Municipal Business Licensing Amendments (Rep. J. Anderegg)

Rep. Anderegg explained the bill to the committee.

MOTION: Rep. Roberts moved to adopt 1st Substitute H.B. 258. The motion passed
unanimously with Rep. Seelig absent for the vote.

MOTION: Rep. Roberts moved to adjourn. The motion passed unanimously.

Rep. Webb adjourned the meeting at 9:56 a.m.

H.B. 29 County Recorder Index Amendments (Rep. R. C. Webb)

This bill was not considered.

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Rep. Webb adjourned the meeting at 9:56 a.m.

Rep. R. Curt Webb, Chair