

**MINUTES OF THE  
HOUSE GOVERNMENT OPERATIONS  
STANDING COMMITTEE**

Monday, February 27, 2017 • 8:00 a.m. • 30 House Building

**Members Present:**

Rep. Jeremy A. Peterson, Chair  
Rep. Norman K Thurston, Vice Chair  
Rep. Patrice M. Arent  
Rep. Rebecca Chavez-Houck  
Rep. Brad M. Daw  
Rep. Daniel McCay  
Rep. Merrill F. Nelson

Rep. Lee B. Perry  
Rep. Val L. Peterson

**Members Absent:**

Rep. Dean Sanpei

**Staff Present:**

Mr. Brian J. Bean, Policy Analyst  
Karen C. Allred, Committee Secretary

**Note:** A list of others present, a copy of related materials, and an audio recording of the meeting can be found at [le.utah.gov](http://le.utah.gov).

Vice Chair Thurston called the meeting to order at 8:09 a.m.

**MOTION:** Rep. Perry moved to approve the minutes of the February 22, 2017 meeting. The motion passed with a vote of 5-0-5.

Yeas:

Rep. P. Arent  
Rep. R. Chavez-Houck  
Rep. L. Perry  
Rep. V. Peterson  
Rep. N. Thurston

Nays:

Abs:

Rep. B. Daw  
Rep. D. McCay  
Rep. M. Nelson  
Rep. J. Peterson  
Rep. D. Sanpei

**1. H.B. 366 Emergency Personnel Recording Amendments (*Maloy, A.C.*)**

Rep. A. Cory Maloy presented the bill with the assistance of Mr. Brandon Howard, paramedic firefighter, West Valley City and Lehi City.

Chief Coy D. Porter, State Fire Marshall, representing the Joint Council of Fire Service Organizations, spoke in favor of the bill.

Ms. Renae Cowley, Utah Media Coalition, spoke in favor of the bill.

**MOTION:** Rep. Perry moved to replace H.B. 366 with 1st Substitute H.B. 366. The motion passed with a vote of 7-0-3.

Yeas:

Rep. P. Arent  
Rep. R. Chavez-Houck  
Rep. B. Daw  
Rep. D. McCay  
Rep. L. Perry  
Rep. V. Peterson  
Rep. N. Thurston

Nays:

Abs:

Rep. M. Nelson  
Rep. J. Peterson  
Rep. D. Sanpei

**MOTION:** Rep. Perry moved to pass 1st Substitute H.B. 366 out favorably. The motion passed with a vote of 7-0-3.

Yeas:

Rep. P. Arent  
Rep. R. Chavez-Houck  
Rep. B. Daw  
Rep. D. McCay  
Rep. L. Perry  
Rep. V. Peterson  
Rep. N. Thurston

Nays:

Abs:

Rep. M. Nelson  
Rep. J. Peterson  
Rep. D. Sanpei

**2. H.B. 399 Governmental Immunity Amendments (*Snow, V. L.*)**

Rep. V. Lowry Snow presented the bill with the assistance of Bridget Romano, Civil Chief Deputy, Office of the Attorney General.

Mr. Brook Millard, former president, Utah Association for Justice, spoke in favor of the bill.

**MOTION:** Rep. Arent moved to pass H.B. 399 out favorably. The motion passed with a vote of 8-0-2.

Yeas:

Rep. P. Arent  
Rep. R. Chavez-Houck  
Rep. B. Daw  
Rep. D. McCay  
Rep. L. Perry  
Rep. J. Peterson  
Rep. V. Peterson  
Rep. N. Thurston

Nays:

Abs:

Rep. M. Nelson  
Rep. D. Sanpei

Rep. J. Peterson assumed the chair.

**3. H.B. 111 Election Law - Filing Date Amendments (*Westwood, J.*)**

Rep. John R. Westwood presented the bill with the assistance of Mr. Justin Lee, Deputy Director of Elections, Office of the Lieutenant Governor.

Ms. Jennifer Yim, Executive Director, Judicial Performance Evaluation Commission, spoke in favor of the bill.

Mr. Ricky Hatch, Clerk/Auditor, Weber County, spoke in favor of the bill.

Mr. Rick Schwermer, Assistant State Court Administrator, spoke in favor of the bill.

**MOTION:** Rep. Daw moved to replace H.B. 111 with 1st Substitute H.B. 111. The motion passed with a vote of 6-1-3.

Yeas:

Rep. P. Arent  
Rep. R. Chavez-Houck  
Rep. B. Daw  
Rep. L. Perry  
Rep. J. Peterson  
Rep. V. Peterson

Nays:

Rep. N. Thurston

Abs:

Rep. D. McCay  
Rep. M. Nelson  
Rep. D. Sanpei

**MOTION:** Rep. Daw moved to amend 1st Substitute H.B. 111 with Amendment #1 as follows:

1. *Page 15, Line 456:*

456 (2) (a) Each justice or judge of a court of record or court not of record who wishes to retain office shall, in

**SUBSTITUTE MOTION:** Rep. Arent moved to amend 1st Substitute H.B. 111 with Amendment #2 as follows:

1. *Page 1, Lines 13 through 18:*

13 with whom a judge is required to file for candidacy;  
14 { ~~→ changes the dates by which an unaffiliated candidate is required to submit a~~  
15 ~~certificate of nomination and a nomination petition;~~  
16 ~~→ provides that an unaffiliated candidate is required to file a certificate of nomination~~  
17 ~~before the unaffiliated candidate collects signatures for a candidate nomination~~  
18 ~~petition; } and~~

2. *Page 1, Line 25 through Page 2, Line 29:*

25 AMENDS:  
26 { ~~20A-9-201, as last amended by Laws of Utah 2016, Chapter 28~~  
27 ~~20A-9-502, as last amended by Laws of Utah 2013, Chapters 253 and 317~~  
28 ~~20A-9-503, as last amended by Laws of Utah 2013, Chapter 317 }  
29 20A-12-201, as last amended by Laws of Utah 2014, Chapter 207~~

3. *Page 2, Line 33 through Page 15, Line 446:*

Delete Line 33 through Line 446.

The motion passed with a vote of 4-3-3.

<u>Yeas:</u>	<u>Nays:</u>	<u>Abs:</u>
Rep. P. Arent	Rep. B. Daw	Rep. D. McCay
Rep. R. Chavez-Houck	Rep. J. Peterson	Rep. M. Nelson
Rep. L. Perry	Rep. V. Peterson	Rep. D. Sanpei
Rep. N. Thurston		

**MOTION:** Rep. Arent moved to pass 1st Substitute H.B. 111 out favorably. The motion failed with a vote of 3-4-3.

<u>Yeas:</u>	<u>Nays:</u>	<u>Abs:</u>
Rep. P. Arent	Rep. B. Daw	Rep. D. McCay
Rep. R. Chavez-Houck	Rep. J. Peterson	Rep. M. Nelson
Rep. L. Perry	Rep. V. Peterson	Rep. D. Sanpei
	Rep. N. Thurston	

#### **4. H.B. 417 Local Government Modifications (*Handy, S.*)**

Rep. Stephen G. Handy presented the bill with the assistance of LeGrand Bitter, Executive Director, Utah Association of Special Districts.

**MOTION:** Rep. Arent moved to pass H.B. 417 out favorably. The motion passed with a vote of 7-0-3.

<u>Yeas:</u>	<u>Nays:</u>	<u>Abs:</u>
Rep. P. Arent		Rep. D. McCay
Rep. R. Chavez-Houck		Rep. M. Nelson
Rep. B. Daw		Rep. D. Sanpei
Rep. L. Perry		
Rep. J. Peterson		
Rep. V. Peterson		
Rep. N. Thurston		

**MOTION:** Rep. Arent moved to place H.B. 417 on the Consent Calendar. The motion passed with a vote of 7-0-3.

Yeas:

Nays:

Abs:

Rep. P. Arent  
Rep. R. Chavez-Houck  
Rep. B. Daw  
Rep. L. Perry  
Rep. J. Peterson  
Rep. V. Peterson  
Rep. N. Thurston

Rep. D. McCay  
Rep. M. Nelson  
Rep. D. Sanpei

**5. H.B. 422 State Facilities Amendments (Froerer, G.)**

Rep. Gage Froerer presented the bill with the assistance of Mr. Jeff Reddoor, Director, Utah State Building Board.

**MOTION:** Rep. Perry moved to amend H.B. 422 with Amendment #1 as follows:

1. Page 14, Lines 415 through 421:

415           (8) (a) The Legislature may not fund the [~~programming,~~] design[;] and construction  
of  
416 a new { ~~building or~~ facility in phases over more than one year unless the  
Legislature { ~~has~~  
417 ~~approved each phase of the funding for the construction of the new building or~~  
~~facility by~~} [the  
418 affirmative] approves the funding for both the design and construction by a vote  
of two-thirds of all the members elected to each house.

419           { ~~(b) This Subsection (8) does not apply to an appropriation to fund a new~~  
~~building or~~  
420 ~~facility's programming.~~}

(b) An agency is required to receive approval from the board before the agency begins programming for a new facility that requires legislative approval under Subsection (3). =

(c) The board or an agency may fund the programming of a new facility before the Legislature makes an appropriation for the new facility under Subsection (8)(a).

421 (9) (a) [~~If, after approval of~~] Notwithstanding the requirements of Title 63J, Chapter 1,

The motion passed with a vote of 7-0-3.

Yeas:

Rep. P. Arent  
Rep. R. Chavez-Houck  
Rep. B. Daw  
Rep. L. Perry  
Rep. J. Peterson  
Rep. V. Peterson  
Rep. N. Thurston

Nays:

Abs:

Rep. D. McCay  
Rep. M. Nelson  
Rep. D. Sanpei

**MOTION:** Rep. Perry moved to pass H.B. 422 out favorably.  
The motion passed with a vote of 7-0-3.

Yeas:

Rep. P. Arent  
Rep. R. Chavez-Houck  
Rep. B. Daw  
Rep. L. Perry  
Rep. J. Peterson  
Rep. V. Peterson  
Rep. N. Thurston

Nays:

Abs:

Rep. D. McCay  
Rep. M. Nelson  
Rep. D. Sanpei

**6. H.B. 348 Voter Records Amendments (*Edwards, R.*)**

Rep. Rebecca P. Edwards presented the bill.

Mr. Mark Thomas, Director of Elections, Office of the Lieutenant Governor, spoke to the bill.

**MOTION:** Rep. Thurston moved to adjourn.  
The motion failed with a vote of 3-4-3.

Yeas:

Rep. B. Daw  
Rep. V. Peterson  
Rep. N. Thurston

Nays:

Rep. P. Arent  
Rep. R. Chavez-Houck  
Rep. L. Perry  
Rep. J. Peterson

Abs:

Rep. D. McCay  
Rep. M. Nelson  
Rep. D. Sanpei

**MOTION:** Rep. Chavez-Houck moved to replace H.B. 348 with 1st Substitute H.B. 348.

**MOTION:** Recognizing that the House had been called to order, Chair Peterson moved to adjourn. The motion passed with a vote of 7-0-3.

Yeas:

Rep. P. Arent  
Rep. R. Chavez-Houck  
Rep. B. Daw  
Rep. L. Perry  
Rep. J. Peterson  
Rep. V. Peterson  
Rep. N. Thurston

Nays:

Abs:

Rep. D. McCay  
Rep. M. Nelson  
Rep. D. Sanpei

Chair Peterson adjourned the meeting at 10:14 a.m.

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Rep. Jeremy A. Peterson, Chair