

**MINUTES OF THE
SENATE GOVERNMENT OPERATIONS AND POLITICAL SUBDIVISIONS
STANDING COMMITTEE**

Room 415, Utah State Capitol

February 21, 2014

Members Present: Sen. Margaret Dayton, Chair
Sen. Lyle W. Hillyard
President Wayne L. Niederhauser
Sen. Luz Robles
Sen. Brian E. Shiozawa
Sen. Daniel W. Thatcher
Sen. Kevin T. Van Tassell

Staff Present: Rich North, Policy Analyst
Karen C. Allred, Committee Secretary

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

Chair Dayton called the meeting to order at 2:11 p.m.

MOTION: Sen. Van Tassell moved to approve the minutes of the February 19, 2014 meeting. The motion passed unanimously with Sen. Hillyard, Sen. Robles, Sen. Shiozawa and Sen. Thatcher absent for the vote.

Sen. Dayton relinquished the Chair to Sen. Van Tassell

S.B. 211 Water Rights Amendments (*Sen. M. Dayton*)

Sen. Dayton explained the bill to the committee.

Spoke for the bill: Michael Styler, Director, Department of Natural Resources
Kent Jones, State Engineer
Todd Bingham, President, Utah Manufacturers Association
Sterling Brown, Vice President-Public Policy, Utah Farm Bureau

Spoke against the bill: Mark Stratford, Assistant City Administrator, Ogden City, Utah Cities of Towns

Jared Parkinson, Attorney, Utah Water rights
Fred Finlinson, Attorney, Central Utah Water Conservation Districts Jordan Valley
Water Conservation District, Washington County Water Conservation District, and Weber Basin
Water Conservation District
Craig Smith, Attorney, Smith Hartvigsen

MOTION: Sen. Dayton moved to pass the bill out favorably. The motion passed with Sen. Robles voting in opposition.

Sen. Dayton resumed the Chair.

S.B. 51 Local Government Entities Amendments (J. Stevenson)

MOTION: Sen. Van Tassell moved to amend the bill as follows:

1. Page 27, Line 828 through Page 28, Line 850:

- (i) 828 (g) accept a grant, contribution, or loan, directly through the sale of securities or
(ii) 829 equipment trust certificates or otherwise, from the United States, or from a
department,
(iii) 830 instrumentality, or agency of the United States ~~{, to:}~~ ;
(iv) 831 **{(i) sell or lease property;**
(v) ~~832 **{(ii) assist in or operate transit-oriented or transit-supportive developments;**~~
(vi) ~~833 **{(i)} {(iii) establish, finance, participate as a limited partner or member in a**~~
~~834 **development with limited liabilities in accordance with Subsection (1)(f), construct, improve,**~~
~~835 **maintain, or operate transit facilities, equipment, and transit-oriented developments or transit-**~~
~~836 **supportive developments; or**~~
~~837 **{(ii)} {(iv)}** **{(h)}** study and plan transit facilities in accordance with any legislation
passed by
838 Congress;
839 **{(h)}** **{(i)}** cooperate with and enter into an agreement with the state or an agency
of the state
840 or otherwise contract to finance to establish transit facilities and equipment or to study or
plan
841 transit facilities;
842 **{(h)}** **{(i)}** issue bonds as provided in and subject to Chapter 1, Part 11, Local
District Bonds,
843 to carry out the purposes of the district;
844 **{(j)}** **{(k)}** from bond proceeds or any other available funds, reimburse the state or
an agency of
845 the state for an advance or contribution from the state or state agency;
846 **{(k)}** **{(l)}** do anything necessary to avail itself of any aid, assistance, or
cooperation available
847 under federal law, including complying with labor standards and making arrangements for
848 employees required by the United States or a department, instrumentality, or agency of the
849 United States; **{and}**
{(m) sell or lease property;
{(n) assist in or operate transit-oriented or transit-supportive developments;
{(o) establish, finance, participate as a limited partner or member in a
development with limited liabilities in accordance with Subsection (1)(p), construct,
improve, maintain, or operate transit facilities, equipment, and transit-oriented
developments or transit-supportive developments; and
850 **{(h)}** **{(p)}** subject to the restriction in Subsection (2), assist in a transit-oriented
development~~

1. Page 28, Lines 857 through 860:

- i 857 (2) (a) A public transit district may only assist in the economic development of areas
- ii 858 under Subsection (1) ~~{(h)}~~ (p) :
- iii 859 (i) in the manner described in Subsection (1) ~~{(h)}~~ (p) (i) or (ii); and
- iv 860 (ii) on ~~{}~~ **no more than {five} 10 {}** transit-oriented developments or transit-supportive

1. *Page 29, Line 864:*

2.

- i 864 provisions of Subsection (1) ~~{(h)}~~ (p) (i), unless the partners, developer, or other investor in the entity,

1. *Page 29, Line 869:*

2.

- i 869 pursuant to Subsection (1) ~~{(h)}~~ (p) (i) or (ii), except as may be required by the board member's

The motion passed unanimously with Sen. Robles absent for the vote.

MOTION: Sen. Van Tassell moved to amend the bill as follows:

1. *Page 47, Lines 1442 through 1446:*

- i 1442 (g) a qualifying entity for employment background checks for their own employees and
- ii 1443 persons who have applied for employment with the qualifying entity; ~~{}~~ **and**
- iii 1444 ~~{}~~ **{(h) a public transit district for purposes of complying with background check**
- iv 1445 **provisions in Subsection 62A-5-103.5(7); and**

Commissioner authorized to find

2. *Page 48, Lines 1482 through 1484:*

- i 1482 (4) (a) Any criminal history record information obtained from division files may be
- ii 1483 used only for the purposes for which it was provided and may not be further disseminated,
- 1484 except under ~~{Subsections}~~ **Subsection** (4)(b) ~~{and}~~ **(c) , or (d)** .

3. *Page 49, Lines 1492 through 1493:*

1.

1492 criminal case.

(d) A public transit district, as described in Title 17B, Chapter 2a, Part 8, Public Transit District Act, that is under contract with a state agency to provide services may, for the purposes of complying with Subsection 62A-5-103.5(7), provide a criminal history record to the state agency or the agency's designee.

1493 (5) If an individual has no prior criminal convictions, criminal history record

The motion passed unanimously with Sen. Robles absent for the vote.

Spoke for the bill: Bruce Jones, General Counsel, Utah Transit Authority
Gary Williams, Ogden City Attorney
Wilf Sommerkom, Salt Lake City Planning Director
Lincoln Shurts, League of Cities and Towns
John Hisky, Deputy Mayor, Sandy City

Spoke in opposition to the bill: George Chapman, President, Enemies of the Streetcar

MOTION: Sen. Van Tassell moved to pass the bill out favorably. The motion passed unanimously with Sen. Niederhauser and Sen. Robles absent for the vote.

MOTION: Sen. Van Tassell moved to adjourn. The motion passed unanimously.

Chair Dayton adjourned the meeting at 3:37 p.m.

Sen. Margaret Dayton, Chair