

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

Monday , February 12, 2018 • 8:00 a.m. • 30 House Building

Members Present:

Rep. Jeremy A. Peterson, Chair
Rep. Justin L. Fawson, 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
Rep. Adam Robertson
Rep. Norman K. Thurston

Staff Present:

Mr. Brian J. Bean, Policy Analyst
Ms. Linda Service, Legislative Session Worker

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.

Chair Peterson called the meeting to order at 8:06 a.m.

1 . H.B. 320 Campaign Finance Modifications (*Wheatley, M.*)

Rep. Wheatley explained the bill.

John Dougall, Utah State Auditor, spoke to the bill.

Justin Lee, Director of Elections, Office of the Lieutenant Governor, spoke for the bill.

MOTION: Rep. Arent moved to pass H.B. 320 out favorably. The motion passed with a vote of 9 - 0 - 2 .

Yeas-9

Rep. P. Arent
Rep. B. Daw
Rep. J. Fawson
Rep. M. Nelson
Rep. L. Perry
Rep. J. Peterson
Rep. V. Peterson
Rep. A. Robertson
Rep. N. Thurston

Nays-0

Absent-2

Rep. R. Chavez-Houck
Rep. D. McCay

MOTION: Rep. V. Peterson moved to place H.B. 320 on the Consent Calendar. The motion failed with a vote of 8 - 1 - 2 .

Yeas-8

Rep. P. Arent
Rep. B. Daw
Rep. J. Fawson
Rep. M. Nelson
Rep. L. Perry
Rep. J. Peterson
Rep. V. Peterson
Rep. A. Robertson

Nays-1

Rep. N. Thurston

Absent-2

Rep. R. Chavez-Houck
Rep. D. McCay

2 . 2nd Sub. H.B. 175 Oversight Committee Creation (*Stratton, K.*)

Rep. Stratton explained the bill.

Beth Holbrook, President, Utah League of Cities and Towns, spoke against the bill.

Angie Stallings, Deputy Superintendent, State Board of Education, and Mr. Terry Shoemaker, Utah School Superintendents Association, and Associate Executive Director of the Utah School Boards Association, spoke against the bill.

Rachel Kitterer, Chair, School Community Council, East High School, spoke against the bill.

Necia Christensen, Utah Association of Special Districts, spoke against the bill.

MOTION: Rep. Daw moved to replace 2nd Substitute H.B. 175 with 3rd Substitute H.B. 175. The motion passed with a vote of 9 - 0 - 2 .

Yeas-9

Nays-0

Absent-2

Rep. P. Arent

Rep. J. Fawson

Rep. R. Chavez-Houck

Rep. D. McCay

Rep. B. Daw

Rep. M. Nelson

Rep. L. Perry

Rep. J. Peterson

Rep. V. Peterson

Rep. A. Robertson

Rep. N. Thurston

MOTION: Rep. Thurston moved to amend 3rd Substitute H.B. 175 with Amendment #1:
Amendment 1
3rd Sub. H.B. 175

1 Page 7, Lines 197 through 202

197 (g) within the stewardship and authority granted to the Legislature by the Utah

198 Constitution and state law, ~~{and}~~ in coordination with appropriate standing and interim

199 committees of the Legislature, and upon request of a local governmental entity, examining an action of {a

} the local governmental entity in relation to

200 the local governmental entity's:

201 (i) use of legislatively approved funding; or

202 (ii) application of a law passed or rule authorized by the Legislature.

Rep. Nelson requested to hear additional public comment.

Terry Shoemaker spoke to the amendment.

Rachel Kitterer spoke against the amendment.

MOTION: Rep. Perry moved to amend 3rd Substitute H.B. 175 with Amendment #3:
Amendment 3
3rd Sub. H.B. 175

1 Page 4, Lines 106 through 111

106 (xiii) a public school; **and**
107 (xiv) any other political subdivision of the state or an organization within a political
108 subdivision of the state { **and**
109 {—} {(xv) an employee of an entity described in Subsections (2)(a)(i) through (xiv) when}
110 acting as an employee of that entity }.
111 (b) "Local governmental entity" does not include:

2 Page 7, Lines 197 through 202

197 (g) within the stewardship and authority granted to the Legislature by the Utah
198 Constitution and state law, { **and** } in coordination with appropriate standing and interim
199 committees of the Legislature, **and upon request of a local governmental entity**, examining an action of { **a**
} **the** local governmental entity in relation to
200 the local governmental entity's:
201 (i) use of legislatively approved funding; or
202 (ii) application of a law passed or rule authorized by the Legislature.

Rep. Perry's substitute motion to amend 3rd Substitute H.B. passed with a vote of 7 - 1 - 3 .

Yeas-7

Rep. P. Arent
Rep. R. Chavez-Houck
Rep. M. Nelson
Rep. L. Perry
Rep. V. Peterson
Rep. A. Robertson
Rep. N. Thurston

Nays-1

Rep. J. Peterson

Absent-3

Rep. B. Daw
Rep. J. Fawson
Rep. D. McCay

MOTION: Rep. Thurston moved to amend 3rd Substitute H.B. 175 with Amendment #2:
Amendment 2

3rd Sub. H.B. 175

1 Page 15, Lines 455 through 457

455 (1) (a) If the Joint Committee on Governmental Oversight recommends the repeal of an
456 administrative rule under Subsection 36-31-105(2)(g), the governor may direct or recommend, depending
on the governor's authority over the agency, that the agency that made the rule {an agency to}
457 repeal the {administrative} rule in accordance with this section.

Rep. Thurston's motion to amend 3rd Substitute H.B. 175 with Amendment #2 passed with a vote of 8 - 1 - 2 .

Yeas-8

Rep. P. Arent
Rep. R. Chavez-Houck
Rep. J. Fawson
Rep. M. Nelson
Rep. L. Perry
Rep. V. Peterson
Rep. A. Robertson
Rep. N. Thurston

Nays-1

Rep. J. Peterson

Absent-2

Rep. B. Daw
Rep. D. McCay

MOTION: Rep. V. Peterson moved to pass 3rd Substitute H.B. 175 out favorably as amended. The motion passed with a vote of 7 - 3 - 1 .

Yeas-7

Rep. B. Daw
Rep. J. Fawson
Rep. L. Perry
Rep. J. Peterson
Rep. V. Peterson
Rep. A. Robertson
Rep. N. Thurston

Nays-3

Rep. P. Arent
Rep. R. Chavez-Houck
Rep. M. Nelson

Absent-1

Rep. D. McCay

3 . S.B. 38 Local Elected Officer Amendments (Thatcher, D.)

Sen. Thatcher explained the bill and distributed the handouts "alzheimer's association" and "To Whom It May Concern: The Utah League of Cities and Towns and the Utah Association of Counties."

Andrew Riggle, Disability Law Center, spoke against the bill.

George Chapman, citizen, spoke against the bill.

Adam Trupp, Utah Association of Counties, spoke for the bill.

MOTION: Rep. Chavez-Houck moved to pass S.B. 38 out favorably. The motion passed with a vote of 7 - 2 - 2 .

Yeas-7

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

Nays-2

Rep. M. Nelson
Rep. A. Robertson

Absent-2

Rep. D. McCay
Rep. V. Peterson

4 . S.B. 46 Adjustment of Limits on Damages (Iwamoto, J.)

Sen. Jani Iwamoto explained the bill.

MOTION: Rep. Thurston moved to pass S.B. 46 out favorably. The motion passed with a vote of 9 - 0 - 2 .

Yeas-9

Rep. P. Arent
Rep. R. Chavez-Houck
Rep. B. Daw
Rep. J. Fawson
Rep. M. Nelson
Rep. L. Perry
Rep. J. Peterson
Rep. A. Robertson
Rep. N. Thurston

Nays-0

Absent-2

Rep. D. McCay
Rep. V. Peterson

MOTION: Rep. Daw moved to adjourn. The motion passed with a vote of 9 - 0 - 2 .

Yeas-9

Rep. P. Arent
Rep. R. Chavez-Houck
Rep. B. Daw
Rep. J. Fawson
Rep. M. Nelson
Rep. L. Perry

Nays-0

Absent-2

Rep. D. McCay
Rep. V. Peterson

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Rep. J. Peterson

Rep. A. Robertson

Rep. N. Thurston

Chair Peterson adjourned the meeting at 10:00 a.m.