



MINUTES

SENATE GOVERNMENT OPERATIONS AND POLITICAL SUBDIVISIONS STANDING COMMITTEE

LEGISLATURE

Tuesday, March 5, 2019 | 8:00 a.m. | 220 Senate Building

Members Present:

Sen. Daniel W. Thatcher, Chair
Sen. David G. Buxton
Sen. Don L. Ipson
Sen. Jani Iwamoto
Sen. Kathleen Riebe
Sen. Todd Weiler

Members Absent:

President J. Stuart Adams

Staff Present:

Mr. Brian J. Bean, Policy Analyst
Ms. Paula Morgan, Committee Secretary

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

Chair Thatcher called the meeting to order at 8:00 a.m.

1 . H.B. 297 Long Term Planning Subcommittee (Moss, J.)

Rep. Jefferson Moss explained the bill.

MOTION: Sen. Buxton moved to pass H.B. 297 out favorably. The motion passed with a vote of 3 - 0 - 4.

Yeas-3

Sen. D. Buxton
Sen. K. Riebe
Sen. D. Thatcher

Nays-0

Absent-4

Sen. J. Adams
Sen. D. Ipson
Sen. J. Iwamoto
Sen. T. Weiler

2 . S.C.R. 12 Concurrent Resolution Honoring Orem on its 100th Anniversary (Hemmert, D.)

Sen. Daniel Hemmert explained the bill.

MOTION: Sen. Weiler moved to pass S.C.R. 12 out favorably. The motion passed with a vote of 4 - 0 - 3.

Yeas-4

Sen. D. Buxton
Sen. K. Riebe
Sen. D. Thatcher
Sen. T. Weiler

Nays-0

Absent-3

Sen. J. Adams
Sen. D. Ipson
Sen. J. Iwamoto

3 . H.B. 321 Public Improvements to Provide Sewer Services (Wilde, L.)

Rep. Logan Wilde explained the bill.

MOTION: Sen. Riebe moved to pass H.B. 321 out favorably. The motion passed with a vote of 4 - 0 - 3.

Yeas-4

Sen. D. Buxton
Sen. K. Riebe
Sen. D. Thatcher
Sen. T. Weiler

Nays-0

Absent-3

Sen. J. Adams
Sen. D. Ipson
Sen. J. Iwamoto

4 . H.B. 306 Enrollment Preference for Military Children (Peterson, V.)

Rep. Val Peterson explained the bill.

MOTION: Sen. Weiler moved to pass H.B. 306 out favorably. The motion passed with a vote of 5 - 0 - 2.

Yeas-5

Sen. D. Buxton
Sen. D. Ipson
Sen. K. Riebe
Sen. D. Thatcher
Sen. T. Weiler

Nays-0

Absent-2

Sen. J. Adams
Sen. J. Iwamoto

5 . 3rd Sub. H.B. 245 Community Reinvestment Agency Revisions (*Winder, M.*)

MOTION: Sen. Ipson moved to amend 3rd Substitute H.B. 245 with Amendment #1. The motion passed with a vote of 5 - 0 - 2.

Amendment 1
3rd Sub. H.B. 245

1. Page 64, Lines 1961 through 1962:

1961 (b) provide a notice of the meeting { [which includes a statement that the interlocal](#)
1962 [agreement authorizes the diversion of property tax for a community reinvestment project area.](#) } titled
"Diversion of Property Tax for a Community Reinvestment Project Area."

Yeas-5

Sen. D. Buxton
Sen. D. Ipson
Sen. K. Riebe
Sen. D. Thatcher
Sen. T. Weiler

Nays-0

Absent-2

Sen. J. Adams
Sen. J. Iwamoto

MOTION: Sen. Ipson moved to amend 3rd Substitute H.B. 245 with Amendment #2. The motion passed with a vote of 5 - 0 - 2.

Amendment 2
3rd Sub. H.B. 245

1. Page 1, Line 25 through Page 2, Line 26:

25 Other Special Clauses:

26 { ~~This bill provides a coordination clause.~~ } None

2. Page 3, Lines 70 through 71:

70 { ~~Utah Code Sections Affected by Coordination Clause:~~

71 ~~—17C-5-202, as last amended by Laws of Utah 2017, Chapter 456~~ }

3. Page 71, Line 2167 through Page 72, Line 2199:

2167 { ~~Section 42. Coordinating H.B. 245 with S.B. 98—Substantive amendments.~~

2168 ~~—If this H.B. 245 and S.B. 98, Community Reinvestment Agency Amendments, both~~

2169 ~~pass and become law, it is the intent of the Legislature that Section 17C-5-202 shall be~~
2170 ~~amended to read:~~

2171 ~~—"17C-5-202. Community reinvestment project area funding options:~~

2172 ~~—(1) (a) [Except] Beginning on May 14, 2019, and except as provided in Subsection (2);~~

2173 ~~for the purpose of receiving project area funds for use within a community reinvestment project~~

2174 ~~area, an agency shall negotiate and enter into an interlocal agreement with a taxing entity in~~

2175 ~~accordance with Section 17C-5-204 to receive all or a portion of the taxing entity's tax~~

2176 ~~increment or sales and use tax revenue in accordance with the interlocal agreement.~~

2177 ~~—(b) If a community reinvestment project area is subject to an interlocal agreement~~

2178 ~~under Subsection (1)(a) and the agency subsequently amends the community reinvestment~~

2179 ~~project area plan as described in Subsection 17C-5-112(4), the agency shall continue to receive~~

2180 ~~project area funds under the interlocal agreement.~~

2181 —[(2) If an agency plans to create a community reinvestment project area and adopt a
2182 community reinvestment project area plan that provides for the use of eminent domain to
2183 acquire property within the community reinvestment project area, the agency shall create a
2184 taxing entity committee as described in Section 17C-1-402 and receive tax increment in
2185 accordance with Section 17C-5-203.]
2186 —[(3) An agency shall comply with Chapter 5, Part 3, Community Reinvestment Project
2187 Area Budget, regardless of whether an agency enters into an interlocal agreement under
2188 Subsection (1) or creates a taxing entity committee under Subsection (2).]
2189 —(2) Notwithstanding Subsection (1), an agency may receive tax increment in
2190 accordance with Section 17C-5-203 if the agency created a community reinvestment project
2191 area before May 14, 2019, that is subject to a taxing entity committee and provides for the use
2192 of eminent domain to acquire property within the community reinvestment project area.
2193 —(3) Regardless of whether an agency enters into an interlocal agreement under
2194 Subsection (1) or receives tax increment under Subsection (2), an agency:
2195 —(a) shall comply with Part 3, Community Reinvestment Project Area Budget; and
-2196 —(b) except as provided in Subsection 17C-1-409(6)(b), may not pay a taxing entity that
2197 is not the community that created the agency a one-time or ongoing:
2198 —(i) administrative fee; or
2199 —(ii) fee related to the creation, operation, or administration of a project area." }

Yeas-5

Sen. D. Buxton
Sen. D. Ipson
Sen. K. Riebe
Sen. D. Thatcher
Sen. T. Weiler

Nays-0

Absent-2

Sen. J. Adams
Sen. J. Iwamoto

Rep. Mike Winder explained the bill.

MOTION: Sen. Weiler moved to pass 3rd Substitute H.B. 245 as amended out favorably. The motion passed with a vote of 5 - 0 - 2.

Yeas-5

Sen. D. Buxton
Sen. D. Ipson
Sen. K. Riebe
Sen. D. Thatcher
Sen. T. Weiler

Nays-0

Absent-2

Sen. J. Adams
Sen. J. Iwamoto

6 . H.B. 241 Budgetary Procedures Act Amendments (*Ballard, M.G.*)

Rep. Melissa G. Ballard explained the bill.

Duncan Evans, Governor's Office of Management and Budget, spoke to the bill.

MOTION: Sen. Buxton moved to pass H.B. 241 out favorably. The motion passed with a vote of 5 - 0 - 2.

Yeas-5

Sen. D. Buxton
Sen. D. Ipson
Sen. K. Riebe
Sen. D. Thatcher
Sen. T. Weiler

Nays-0

Absent-2

Sen. J. Adams
Sen. J. Iwamoto

7 . 1st Sub. H.B. 272 Election Law Amendments (*Nelson, M.*)

Rep. Merrill Nelson explained the bill.

Rachel Otto, Utah League of Cities and Towns, spoke to the bill.

Bryan Rodgers, Utah Association of Counties, spoke in favor of the bill.

MOTION: Sen. Ipson moved to pass 1st Substitute H.B. 272 out favorably. The motion passed with a vote of 5 - 0 - 2.

Yeas-5

Sen. D. Buxton
Sen. D. Ipson
Sen. J. Iwamoto
Sen. K. Riebe
Sen. D. Thatcher

Nays-0

Absent-2

Sen. J. Adams
Sen. T. Weiler

8 . H.B. 283 State Government Cloud Computing Services Act (*Handy, S.*)

Rep. Handy explained the bill.

MOTION: Sen. Iwamoto moved to pass H.B. 283 out favorably. The motion passed with a vote of 5 - 0 - 2.

Yeas-5

Sen. D. Buxton
Sen. D. Ipson
Sen. J. Iwamoto
Sen. K. Riebe
Sen. D. Thatcher

Nays-0

Absent-2

Sen. J. Adams
Sen. T. Weiler

9 . 1st Sub. H.B. 284 State Agency Web Design Guidelines (*Hawkins, J.*)

Sen. Jacob Anderegg explained the bill.

MOTION: Sen. Iwamoto moved to pass 1st Substitute H.B. 284 out favorably. The motion passed with a vote of 5 - 0 - 2.

Yeas-5

Sen. D. Buxton
Sen. D. Ipson
Sen. J. Iwamoto
Sen. K. Riebe
Sen. D. Thatcher

Nays-0

Absent-2

Sen. J. Adams
Sen. T. Weiler

10 . 2nd Sub. H.B. 305 Post Disaster Recovery and Mitigation Restricted Account (*McKell, M.*)

Rep. Mike McKell explained the bill.

Brian Cottam, Director, Utah Division of Forestry, Fire, and State Lands, spoke to the bill.

MOTION: Sen. Ipson moved to pass 2nd Substitute H.B. 305 out favorably. The motion passed with a vote of 6 - 0 - 1.

Yeas-6

Sen. D. Buxton
Sen. D. Ipson
Sen. J. Iwamoto
Sen. K. Riebe
Sen. D. Thatcher
Sen. T. Weiler

Nays-0

Absent-1

Sen. J. Adams

11 . S.B. 220 Budgeting Revisions (*Ipson, D.*)

Sen. Ipson explained the bill.

MOTION: Sen. Riebe moved to pass S.B. 220 out favorably. The motion passed with a vote of 6 - 0 - 1.

Yeas-6

Sen. D. Buxton
Sen. D. Ipson
Sen. J. Iwamoto
Sen. K. Riebe
Sen. D. Thatcher
Sen. T. Weiler

Nays-0

Absent-1

Sen. J. Adams

Sen. Weiler assumed the chair.

12 . S.B. 216 Political Committee Amendments (*Thatcher, D.*)

Sen. Thatcher explained the bill.

MOTION: Sen. Thatcher moved to pass S.B. 216 out favorably. The motion passed with a vote of 6 - 0 - 1.

Yeas-6

Sen. D. Buxton
Sen. D. Ipson
Sen. J. Iwamoto
Sen. K. Riebe
Sen. D. Thatcher
Sen. T. Weiler

Nays-0

Absent-1

Sen. J. Adams

MOTION: Sen. Thatcher moved to adjourn. The motion passed with a vote of 6 - 0 - 1.

Yeas-6

Sen. D. Buxton
Sen. D. Ipson
Sen. J. Iwamoto
Sen. K. Riebe
Sen. D. Thatcher
Sen. T. Weiler

Nays-0

Absent-1

Sen. J. Adams

Sen. Weiler adjourned the meeting at 9:12 a.m.