



MINUTES

HOUSE GOVERNMENT OPERATIONS STANDING COMMITTEE

LEGISLATURE

Monday, March 4, 2019 | 8:00 a.m. | 30 House Building

Members Present:

Rep. John Knotwell, Chair
Rep. Phil Lyman, Vice Chair
Rep. Patrice M. Arent
Rep. Walt Brooks
Rep. Jennifer Dailey-Provost
Rep. Brad M. Daw
Rep. Jon Hawkins

Rep. Val L. Peterson
Rep. Marc K. Roberts
Rep. Travis M. Seegmiller
Rep. Jeffrey D. Stenquist

Staff Present:

Mr. Brian J. Bean, Policy Analyst
Ms. Wendy Hill, Committee Secretary

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

Vice Chair Lyman called the meeting to order at 8:05 a.m.

MOTION: Rep. Arent moved to approve the minutes of the February 27, 2019 meeting. The motion passed with a vote of 8 - 0 - 3.

Yeas-8

Rep. P. Arent
Rep. W. Brooks
Rep. J. Dailey-Provost
Rep. B. Daw
Rep. J. Hawkins
Rep. P. Lyman
Rep. M. Roberts
Rep. J. Stenquist

Nays-0

Absent-3

Rep. J. Knotwell
Rep. V. Peterson
Rep. T. Seegmiller

1 . 1st Sub. H.B. 119 Initiatives, Referenda, and Other Political Activities (*Daw, B.*)

Rep. Brad M. Daw explained the bill.

A handout "HB119 - County Land Use - Daw" was distributed to the committee.

[HB119 Daw](#)

Tracy Taylor, Wasatch Taxpayers Association, spoke to the bill.

MOTION: Rep. Daw moved to replace 1st Substitute H.B. 119 with 2nd Substitute H.B. 119. The motion passed with a vote of 11 - 0 - 0.

Yeas-11

Nays-0

Absent-0

Rep. P. Arent
Rep. W. Brooks
Rep. J. Dailey-Provost
Rep. B. Daw
Rep. J. Hawkins
Rep. J. Knotwell
Rep. P. Lyman
Rep. V. Peterson
Rep. M. Roberts
Rep. T. Seegmiller
Rep. J. Stenquist

MOTION: Rep. Daw moved to amend 2nd Substitute H.B. 119 with Amendment #3. The motion passed with a vote of 11 - 0 - 0.

Amendment 3
2nd Sub. H.B. 119

1. Page 8, Lines 221 through 224:

221 (9) (a) "Land use law" means a law of general applicability, enacted based on the
222 weighing of broad, competing policy considerations, that relates to the use of land, including land use
regulation, a
223 general plan, a land use development code, an annexation ordinance, or a comprehensive
224 zoning ordinance or resolution.

2. Page 25, Lines 741 through 745:

741 (i) for a metro township with a population of 1,000 or more but less than 10,000, a city
742 of the fifth class, or a county of the fifth class, ~~{20}~~ 25 % of the number of active voters in the metro
743 township, city, or county; or
744 (j) for a metro township with a population of less than 1,000, a town, or a county of the
745 sixth class, ~~{25}~~ 35 % of the number of active voters in the metro township, town, or county.

3. Page 44, Lines 1335 through 1339:

1335 (i) for a metro township with a population of 1,000 or more but less than 10,000, a city
1336 of the fifth class, or a county of the fifth class, ~~{20}~~ 25 % of the number of active voters in the metro
1337 township, city, or county; or
1338 (j) for a metro township with a population of less than 1,000, a town, or a county of the
1339 sixth class, ~~{25}~~ 35 % of the number of active voters in the metro township, town, or county.

Yeas-11

Nays-0

Absent-0

Rep. P. Arent
Rep. W. Brooks
Rep. J. Dailey-Provost
Rep. B. Daw
Rep. J. Hawkins
Rep. J. Knotwell
Rep. P. Lyman
Rep. V. Peterson
Rep. M. Roberts
Rep. T. Seegmiller
Rep. J. Stenquist

MOTION: Rep. Arent moved to amend 2nd Substitute H.B. 119 with Amendment #4. The motion passed with a vote of 11 - 0 - 0.

Amendment 4
2nd Sub. H.B. 119

1. Page 70, Line 2164:

2164 (b) A person may, within ~~{five}~~ thirty days after the day on which the lieutenant governor

Yeas-11

Nays-0

Absent-0

Rep. P. Arent
 Rep. W. Brooks
 Rep. J. Dailey-Provost
 Rep. B. Daw
 Rep. J. Hawkins
 Rep. J. Knotwell
 Rep. P. Lyman
 Rep. V. Peterson
 Rep. M. Roberts
 Rep. T. Seegmiller
 Rep. J. Stenquist

MOTION: Rep. Arent moved to amend 2nd Substitute H.B. 119 with Amendment #1. The motion failed with a vote of 2 - 9 - 0.

Amendment 1
 2nd Sub. H.B. 119

1. Page 2, Line 30:

30 { ~~requires certain municipalities to establish voter participation areas;~~ }

2. Page 3, Line 85:

85 { ~~20A-7-401.3, Utah Code Annotated 1953~~ }

3. Page 10, Lines 284 through 304:

284 { ~~Section 3. Section 20A-7-401.3 is enacted to read:~~

285 ~~20A-7-401.3. Voter participation areas-~~

286 ~~(1) (a) Except as provided in Subsection (2):~~

287 ~~(i) a metro township with a population of 65,000 or more, a city of the first or second~~
 288 ~~class, or a county of the first or second class shall, no later than January 1, 2020, again on~~
 289 ~~January 1, 2022, and January 1 each 10 years after 2022, divide the metro township, city, or~~
 290 ~~county into eight contiguous and compact voter participation areas of substantially equal~~
 291 ~~population; and~~

292 ~~(ii) a metro township with a population of 10,000 or more, a city of the third or fourth~~
 293 ~~class, or a county of the third or fourth class shall, no later than January 1, 2020, again on~~
 294 ~~January 1, 2022, and January 1 each 10 years after 2022, divide the metro township, city, or~~
 295 ~~county into four contiguous and compact voter participation areas of substantially equal~~
 296 ~~population;~~

297 ~~(b) A metro township, city, or county shall use the voter participation areas described~~
 298 ~~in Subsection (1)(a) or (2)(b) for the purpose described in Sections 20A-7-501 and 20A-7-601.~~

299 ~~(2) (a) This section does not apply to a metro township with a population of less than~~
 300 ~~10,000, a county of the fifth or sixth class, a city of the fifth class, or a town.~~

301 ~~(b) A metro township, city, or county that has established council districts that are not~~
 302 ~~at-large districts may, regardless of the number of council districts that are not at-large districts,~~
 303 ~~use the council districts as voter participation areas under this section.~~ }

304 Section { ~~4~~ } 3. Section 20A-7-401.5 is enacted to read:

4. Page 23, Line 698 through Page 25, Line 741:

698 (1) As used in this section{:

699 ~~(a) "Number", "number~~ of active voters" means the number of active voters in the county, city, or
 700 town on the immediately preceding January 1.

701 { ~~(b) "Voter participation area" means an area described in Subsection 20A-7-401.3(1)(a)~~
 702 ~~or (2)(b).~~ }

703 (2) An eligible voter seeking to have an initiative submitted to a local legislative body
 704 or to a vote of the people for approval or rejection shall obtain legal signatures equal to:

705 (a) for a county of the first class{:

706 ~~(i) 7.75% of the number of active voters in the county; {and}~~

707 { ~~(ii) beginning on January 1, 2020, 7.75% of the number of active voters in at least 75%~~
 -708 ~~of the county's voter participation areas;~~ }

- 709 (b) for a metro township with a population of 100,000 or more, or a city of the first
 710 class{:-
 711 ~~—(i)—~~ 7.5% of the number of active voters in the metro township or city; ~~{-and-}~~
 712 ~~{(ii) beginning on January 1, 2020, 7.5% of the number of active voters in at least 75%~~
 713 ~~of the metro township's or city's voter participation areas;}~~
 714 (c) for a county of the second class{:-
 715 ~~—(i)—~~ 8% of the number of active voters in the county; ~~{-and-}~~
 716 ~~{(ii) beginning on January 1, 2020, 8% of the number of active voters in at least 75% of~~
 717 ~~the county's voter participation areas;}~~
 718 (d) for a metro township with a population of 65,000 or more but less than 100,000, or
 719 a city of the second class{:-
 720 ~~—(i)—~~ 8.25% of the number of active voters in the metro township or city; ~~{-and-}~~
 721 ~~{(ii) beginning on January 1, 2020, 8.25% of the number of active voters in at least 75%~~
 722 ~~of the metro township's or city's voter participation areas;}~~
 723 (e) for a county of the third class{:-
 724 ~~—(i)—~~ 9.5% of the number of active voters in the county; ~~{-and-}~~
 725 ~~{(ii) beginning on January 1, 2020, 9.5% of the number of active voters in at least 75%~~
 726 ~~of the county's voter participation areas;}~~
 727 (f) for a metro township with a population of 30,000 or more but less than 65,000, or a
 728 city of the third class{:-
 729 ~~—(i)—~~ 10% of the number of active voters in the metro township or city; ~~{-and-}~~
 730 ~~{(ii) beginning on January 1, 2020, 10% of the number of active voters in at least 75%~~
 731 ~~of the metro township's or city's voter participation areas;}~~
 732 (g) for a county of the fourth class{:-
 733 ~~—(i)—~~ 11.5% of the number of active voters in the county; ~~{-and-}~~
 734 ~~{(ii) beginning on January 1, 2020, 11.5% of the number of active voters in at least 75%~~
 735 ~~of the county's voter participation areas;}~~
 736 (h) for a metro township with a population of 10,000 or more but less than 30,000, or a
 737 city of the fourth class{:-
 738 ~~—(i)—~~ 11.5% of the number of active voters in the metro township or city; ~~{-and-}~~
 739 ~~{(ii) beginning on January 1, 2020, 11.5% of the number of active voters in at least 75%~~
 740 ~~of the metro township's or city's voter participation areas;}~~
 741 (i) for a metro township with a population of 1,000 or more but less than 10,000, a city

5. Page 42, Line 1293 through Page 45, Line 1371:

- 1293 (ii) "Subjurisdictional law" does not include a land use law.
 1294 ~~{(d) "Voter participation area" means an area described in Subsection 20A-7-401.3(1)(a)~~
 1295 ~~or (2)(b).}~~
 1296 (2) Except as provided in Subsection (3) or (4), an eligible voter seeking to have a local
 1297 law passed by the local legislative body submitted to a vote of the people shall obtain legal
 1298 signatures equal to:
 1299 (a) for a county of the first class{:-
 1300 ~~—(i)—~~ 7.75% of the number of active voters in the county; ~~{-and-}~~
 1301 ~~{(ii) beginning on January 1, 2020, 7.75% of the number of active voters in at least 75%~~
 1302 ~~of the county's voter participation areas;}~~
 1303 (b) for a metro township with a population of 100,000 or more, or a city of the first
 1304 class{:-
 1305 ~~—(i)—~~ 7.5% of the number of active voters in the metro township or city; ~~{-and-}~~
 1306 ~~{(ii) beginning on January 1, 2020, 7.5% of the number of active voters in at least 75%~~
 1307 ~~of the metro township's or city's voter participation areas;}~~
 1308 (c) for a county of the second class{:-
 1309 ~~—(i)—~~ 8% of the number of active voters in the county; ~~{-and-}~~
 1310 ~~{(ii) beginning on January 1, 2020, 8% of the number of active voters in at least 75% of~~
 1311 ~~the county's voter participation areas;}~~
 1312 (d) for a metro township with a population of 65,000 or more but less than 100,000, or
 1313 a city of the second class{:-
 1314 ~~—(i)—~~ 8.25% of the number of active voters in the metro township or city; ~~{-and-}~~
 1315 ~~{(ii) beginning on January 1, 2020, 8.25% of the number of active voters in at least 75%~~
 1316 ~~of the metro township's or city's voter participation areas;}~~
 1317 (e) for a county of the third class{:-
 1318 ~~—(i)—~~ 9.5% of the number of active voters in the county; ~~{-and-}~~

1319 { (ii) beginning on January 1, 2020, 9.5% of the number of active voters in at least 75%
 1320 — of the county's voter participation areas; }
 1321 (f) for a metro township with a population of 30,000 or more but less than 65,000, or a
 1322 city of the third class{: }
 1323 — (i) . 10% of the number of active voters in the metro township or city; { ~~and~~ }
 1324 { (ii) beginning on January 1, 2020, 10% of the number of active voters in at least 75%
 1325 — of the metro township's or city's voter participation areas; }
 1326 (g) for a county of the fourth class{: }
 1327 — (i) . 11.5% of the number of active voters in the county; { ~~and~~ }
 1328 { (ii) beginning on January 1, 2020, 11.5% of the number of active voters in at least 75%
 1329 of the county's voter participation areas; }
 1330 (h) for a metro township with a population of 10,000 or more but less than 30,000, or a
 1331 city of the fourth class{: }
 1332 — (i) . 11.5% of the number of active voters in the metro township or city; { ~~and~~ }
 1333 { (ii) beginning on January 1, 2020, 11.5% of the number of active voters in at least 75%
 1334 of the metro township's or city's voter participation areas; }
 1335 (i) for a metro township with a population of 1,000 or more but less than 10,000, a city
 1336 of the fifth class, or a county of the fifth class, 20% of the number of active voters in the metro
 1337 township, city, or county; or
 1338 (j) for a metro township with a population of less than 1,000, a town, or a county of the
 1339 sixth class, 25% of the number of active voters in the metro township, town, or county.
 1340 (3) Except as provided in Subsection (4), an eligible voter seeking to have a land use
 1341 law or local obligation law passed by the local legislative body submitted to a vote of the
 1342 people shall obtain legal signatures equal to:
 1343 (a) for a county of the first, second, third, or fourth class{: }
 1344 — (i) . 16% of the number of active voters in the county; { ~~and~~ }
 1345 { (ii) beginning on January 1, 2020, 16% of the number of active voters in at least 75%
 1346 of the county's voter participation areas; }
 1347 (b) for a county of the fifth or sixth class{: }
 1348 — (i) . 16% of the number of active voters in the county; { ~~and~~ }
 1349 { (ii) beginning on January 1, 2020, 16% of the number of active voters in at least 75%
 1350 of the county's voter participation areas; }
 1351 (c) for a metro township with a population of 100,000 or more, or a city of the first
 1352 class{: }
 1353 — (i) . 15% of the number of active voters in the metro township or city; { ~~and~~ }
 1354 { (ii) beginning on January 1, 2020, 15% of the number of active voters in at least 75%
 1355 of the metro township's or city's voter participation areas; }
 1356 (d) for a metro township with a population of 65,000 or more but less than 100,000, or
 1357 a city of the second class{: }
 1358 — (i) . 16% of the number of active voters in the metro township or city; { ~~and~~ }
 1359 { (ii) beginning on January 1, 2020, 16% of the number of active voters in at least 75%
 1360 of the metro township's or city's voter participation areas; }
 1361 (e) for a metro township with a population of 30,000 or more but less than 65,000, or a
 1362 city of the third class{: }
 1363 — (i) . 27.5% of the number of active voters in the metro township or city; { ~~and~~ }
 1364 { (ii) beginning on January 1, 2020, 27.5% of the number of active voters in at least 75%
 1365 of the metro township's or city's voter participation areas; }
 1366 (f) for a metro township with a population of 10,000 or more but less than 30,000, or a
 1367 city of the fourth class{: }
 1368 — (i) . 29% of the number of active voters in the metro township or city; { ~~and~~ }
 1369 { (ii) beginning on January 1, 2020, 29% of the number of active voters in at least 75%
 1370 of the metro township's or city's voter participation areas; }
 1371 (g) for a metro township with a population of 1,000 or more but less than 10,000 or a

Yeas-2

Rep. P. Arent
Rep. J. Dailey-Provost

Nays-9

Rep. W. Brooks
Rep. B. Daw
Rep. J. Hawkins
Rep. J. Knotwell
Rep. P. Lyman
Rep. V. Peterson
Rep. M. Roberts
Rep. T. Seegmiller
Rep. J. Stenquist

Absent-0

MOTION: Rep. Stenquist moved to amend 2nd Substitute H.B. 119 with Amendment #2. The motion failed with a vote of 2 - 9 - 0.

Amendment 2
2nd Sub. H.B. 119

1. Page 68, Line 2096 through Page 69, Line 2117:

2096 {~~(12)~~} "~~Proposed initiative~~" means an initiative proposed in an application filed under
2097 [Section 20A-7-202 or 20A-7-502.](#)
2098 ~~—(13) "Proposed referendum" means a referendum proposed in an application filed~~
2099 ~~under Section 20A-7-302 or 20A-7-602.~~
2100 {+}(12){+}{~~(14)~~} (a) "Public entity" includes the state, each state agency, each county,
2101 municipality, school district, local district, governmental interlocal cooperation agency, and
2102 each administrative subunit of each of them.
2103 (b) "Public entity" does not include a commercial interlocal cooperation agency.
2104 (c) "Public entity" includes local health departments created under Title 26, Chapter 1,
2105 Department of Health Organization.
2106 {+}(13){+}{~~(15)~~} (a) "Public funds" means any money received by a public entity from
2107 appropriations, taxes, fees, interest, or other returns on investment.
2108 (b) "Public funds" does not include money donated to a public entity by a person or
2109 entity.
2110 {+}(14){+}{~~(16)~~} (a) "Public official" means an elected or appointed member of government
2111 with authority to make or determine public policy.
2112 (b) "Public official" includes the person or group that:
2113 (i) has supervisory authority over the personnel and affairs of a public entity; and
2114 (ii) approves the expenditure of funds for the public entity.
2115 {+}(15){+}{~~(17)~~} "Reporting entity" means the same as that term is defined in Section
2116 20A-11-101.
2117 {+}(16){+}{~~(18)~~} (a) "State agency" means each department, commission, board, council,

2. Page 70, Lines 2151 through 2156:

2151 (1) Except as provided in Subsection (5), a person may not send an email using the
2152 email of a public entity:
2153 (a) for a political purpose;
2154 (b) to advocate for or against a legally sufficient {+}ballot proposition {+}{~~proposed initiative, initiative,~~
2155 ~~proposed referendum, or referendum~~}; or
2156 (c) to solicit a campaign contribution.

Yeas-2

Rep. J. Dailey-Provost
Rep. J. Stenquist

Nays-9

Rep. P. Arent
Rep. W. Brooks
Rep. B. Daw
Rep. J. Hawkins
Rep. J. Knotwell
Rep. P. Lyman
Rep. V. Peterson
Rep. M. Roberts
Rep. T. Seegmiller

Absent-0

MOTION: Rep. Roberts moved to pass 2nd Substitute H.B. 119 out favorably. The motion passed with a vote of 10 - 1 - 0.

Yeas-10

Rep. P. Arent
Rep. W. Brooks
Rep. B. Daw
Rep. J. Hawkins
Rep. J. Knotwell
Rep. P. Lyman
Rep. V. Peterson
Rep. M. Roberts
Rep. T. Seegmiller
Rep. J. Stenquist

Nays-1

Rep. J. Dailey-Provost

Absent-0

2 . H.B. 384 Search and Rescue Amendments (Albrecht, C.)

Rep. Carl R. Albrecht explained the bill.

MOTION: Rep. Knotwell moved to pass H.B. 384 out favorably. The motion passed with a vote of 10 - 0 - 1.

Yeas-10

Rep. P. Arent
Rep. W. Brooks
Rep. J. Dailey-Provost
Rep. B. Daw
Rep. J. Knotwell
Rep. P. Lyman
Rep. V. Peterson
Rep. M. Roberts
Rep. T. Seegmiller
Rep. J. Stenquist

Nays-0

Absent-1

Rep. J. Hawkins

MOTION: Rep. Brooks moved to place H.B. 384 on the Consent Calendar. The motion passed with a vote of 10 - 0 - 1.

Yeas-10

Rep. P. Arent
Rep. W. Brooks
Rep. J. Dailey-Provost
Rep. B. Daw
Rep. J. Knotwell
Rep. P. Lyman
Rep. V. Peterson
Rep. M. Roberts
Rep. T. Seegmiller
Rep. J. Stenquist

Nays-0

Absent-1

Rep. J. Hawkins

3 . H.B. 255 Space Utilization Study (*Brammer, B.*)

Rep. Brady Brammer explained the bill.

MOTION: Rep. Arent moved to pass H.B. 255 out favorably. The motion passed with a vote of 10 - 0 - 1.

Yeas-10

Rep. P. Arent
Rep. W. Brooks
Rep. J. Dailey-Provost
Rep. B. Daw
Rep. J. Knotwell
Rep. P. Lyman
Rep. V. Peterson
Rep. M. Roberts
Rep. T. Seegmiller
Rep. J. Stenquist

Nays-0

Absent-1

Rep. J. Hawkins

4 . 2nd Sub. S.B. 151 Initiative Procedure Amendments (*Henderson, D.*)

Sen. Deidre M. Henderson explained the bill.

MOTION: Rep. Stenquist moved to pass 2nd Substitute S.B. 151 out favorably. The motion passed with a vote of 8 - 2 - 1.

Yeas-8

Rep. W. Brooks
Rep. B. Daw
Rep. J. Knotwell
Rep. P. Lyman
Rep. V. Peterson
Rep. M. Roberts
Rep. T. Seegmiller
Rep. J. Stenquist

Nays-2

Rep. P. Arent
Rep. J. Dailey-Provost

Absent-1

Rep. J. Hawkins

5 . 1st Sub. S.B. 56 Community Reinvestment Agency Report Amendments (*Henderson, D.*)

Sen. Deidre M. Henderson explained the bill.

Matt Dahl, Director, Utah Redevelopment Association, spoke in favor of the bill.

MOTION: Rep. Dailey-Provost moved to pass 1st Substitute S.B. 56 out favorably. The motion passed with a vote of 10 - 0 - 1.

Yeas-10

Rep. P. Arent
Rep. W. Brooks
Rep. J. Dailey-Provost
Rep. B. Daw
Rep. J. Knotwell
Rep. P. Lyman
Rep. V. Peterson
Rep. M. Roberts
Rep. T. Seegmiller
Rep. J. Stenquist

Nays-0

Absent-1

Rep. J. Hawkins

6 . S.J.R. 7 Proposal to Amend Utah Constitution – Terminology Update (*Henderson, D.*)

Sen. Deidre M. Henderson explained the resolution.

MOTION: Rep. Arent moved to pass S.J.R. 7 out favorably. The motion passed with a vote of 10 - 0 - 1.

Yeas-10

Rep. P. Arent
Rep. W. Brooks
Rep. J. Dailey-Provost
Rep. B. Daw
Rep. J. Knotwell
Rep. P. Lyman
Rep. V. Peterson
Rep. M. Roberts
Rep. T. Seegmiller
Rep. J. Stenquist

Nays-0

Absent-1

Rep. J. Hawkins

MOTION: Rep. Knotwell moved to place S.J.R. 7 on the Consent Calendar. The motion passed with a vote of 10 - 0 - 1.

Yeas-10

Rep. P. Arent
Rep. W. Brooks
Rep. J. Dailey-Provost
Rep. B. Daw
Rep. J. Knotwell
Rep. P. Lyman
Rep. V. Peterson
Rep. M. Roberts
Rep. T. Seegmiller
Rep. J. Stenquist

Nays-0

Absent-1

Rep. J. Hawkins

MOTION: Rep. Daw moved to adjourn. The motion passed with a vote of 10 - 0 - 1.

Yeas-10

Rep. P. Arent
Rep. W. Brooks
Rep. J. Dailey-Provost
Rep. B. Daw
Rep. J. Knotwell
Rep. P. Lyman
Rep. V. Peterson
Rep. M. Roberts
Rep. T. Seegmiller
Rep. J. Stenquist

Nays-0

Absent-1

Rep. J. Hawkins

Vice Chair Lyman adjourned the meeting at 9:16 a.m.