



# MINUTES

## SENATE GOVERNMENT OPERATIONS AND POLITICAL SUBDIVISIONS STANDING COMMITTEE

LEGISLATURE

Monday, March 11, 2019 | 10:00 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](http://www.le.utah.gov).

Chair Thatcher called the meeting to order at 10:07 a.m.

**MOTION:** Sen. Riebe moved to approve the minutes of the March 8, 2019, meeting. The motion passed with a vote of 5 - 0 - 2.

Yeas-5

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

Nays-0

Absent-2

Sen. J. Adams  
Sen. D. Ipson

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

Rep. Brady Brammer explained the bill.

**MOTION:** Sen. Iwamoto moved to pass H.B. 255 out favorably. The motion passed with a vote of 4 - 1 - 2.

Yeas-4

Sen. D. Buxton  
Sen. J. Iwamoto  
Sen. D. Thatcher  
Sen. T. Weiler

Nays-1

Sen. K. Riebe

Absent-2

Sen. J. Adams  
Sen. D. Ipson

**2 . H.B. 425 Local Government Officer Bonding Amendments (Potter, V.)**

Rep. Val Potter explained the bill.

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

**MOTION:** Sen. Buxton moved to pass H.B. 425 out favorably. The motion passed with a vote of 5 - 0 - 2.

Yeas-5

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

Nays-0

Absent-2

Sen. J. Adams  
Sen. D. Ipson

**3 . H.B. 369 World War II Memorial Commission (*Dailey-Provost, J.*)**

Rep. Jennifer Dailey-Provost explained the bill.

**MOTION:** Sen. Riebe moved to pass H.B. 369 out favorably. The motion passed with a vote of 5 - 0 - 2.

Yeas-5

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

Nays-0

Absent-2

Sen. J. Adams  
Sen. D. Ipson

**4 . 1st Sub. H.B. 277 Amendments to Municipal Alternate Voting Methods Pilot Project (*Roberts, M.*)**

Rep. Mark Roberts explained the bill.

Josh Daniels, Chief Deputy Clerk/Auditor, Utah County, spoke in favor of the bill.

**MOTION:** Sen. Iwamoto moved to pass 1st Substitute H.B. 277 out favorably. The motion passed with a vote of 5 - 0 - 2.

Yeas-5

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

Nays-0

Absent-2

Sen. J. Adams  
Sen. D. Ipson

**5 . H.B. 422 Marriage Code Revisions (*Handy, S.*)**

Rep. Stephen G. Handy explained the bill.

Lynn Taylor, Weber County Clerk's Office, spoke to the bill.

**MOTION:** Sen. Weiler moved to pass H.B. 422 out favorably. The motion passed with a vote of 5 - 0 - 2.

Yeas-5

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

Nays-0

Absent-2

Sen. J. Adams  
Sen. D. Ipson

**6 . 3rd Sub. H.B. 119 Initiatives, Referenda, and Other Political Activities (*Daw, B.*)**

**MOTION:** Sen. Weiler moved to replace 3rd Substitute H.B. 119 with 4th Substitute H.B. 119. The motion passed with a vote of 5 - 0 - 2.

Yeas-5

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

Nays-0

Absent-2

Sen. J. Adams  
Sen. D. Ipson

Rep. Brad Daw explained the bill.

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

Craig Smith, attorney, spoke in opposition to the bill.

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

Mark Tippetts, resident, spoke in opposition to the bill.

Mike Ostermiller, Utah Association of Realtors, and Property Rights Coalition, spoke in favor of the bill.

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

**MOTION:** Sen. Ipson moved to pass 4th Substitute H.B. 119 out favorably. The motion passed with a vote of 5 - 1 - 1.

Yeas-5

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

Nays-1

Sen. K. Riebe

Absent-1

Sen. J. Adams

**7 . H.B. 415 Local Law Enforcement Structure and Governance Amendments (Ray, P.)**

**MOTION:** Sen. Ipson moved to amend H.B. 415 with Amendment #3. The motion passed with a vote of 5 - 0 - 2.

Amendment 3  
H.B. 415

1. Page 1, Lines 10 through 11:

10 This bill prohibits a municipality {~~or county~~} from establishing a board or committee with  
11 certain powers over a police chief {~~or county sheriff~~}.

2. Page 1, Lines 14 through 17:

14 ▶ prohibits a municipality from establishing a board or committee with certain powers  
15 over a police chief {~~or county sheriff~~};  
16 ▶ establishes limitations on a municipality's {~~or county's~~} power to establish a board or  
17 committee that relates to the provision of law enforcement services; and

3. Page 2, Line 28:

28 {~~17-22-31, as enacted by Laws of Utah 2014, Chapter 333~~}

4. Page 3, Line 70:

70 (ii) prohibits the municipal council or {~~mayor~~} chief executive officer from taking a lawful action described in

5. Page 4, Lines 92 through 114:

92 {~~Section 4. Section 17-22-31 is amended to read:~~  
93 ~~—17-22-31. Sheriff—Primary law enforcement authority—Oversight.~~  
94 ~~—(1) The sheriff is the primary law enforcement authority of state law on federal land~~  
95 ~~except as otherwise assigned by law to the authority of a state or municipal law enforcement~~  
96 ~~agency.~~  
97 ~~—(2) (a) A county may not establish a board, committee, or other entity that:~~  
98 ~~—(i) has authority independent of the county sheriff; and~~  
99 ~~—(ii) (A) has authority to veto or overrule a hiring or appointment decision of the county~~  
100 ~~sheriff;~~  
101 ~~—(B) is required to review or approve a sheriff's office rules, regulations, policies, or~~

- 102 procedures in order for the rules, regulations, policies, or procedures to take effect;  
103 — (C) has authority to veto a new policy, or strike down an existing policy, established  
104 under the authority of a county sheriff;  
105 — (D) is required to review or approve a county sheriff's budget in order for the budget to  
106 take effect; or  
107 — (E) has authority to review or approve a contract the county sheriff makes with a police  
108 union or other organization in order for the contract to take effect.  
109 — (b) Nothing in this Subsection (2):  
110 — (i) limits a county legislative body's authority to take an action that is otherwise  
111 authorized under this title;  
112 — (ii) prohibits the county legislative body from taking an action described in Subsection  
113 (2)(a) that the county legislative body may legally take; or  
114 — (iii) limits county's authority under Subsection (3).}

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 H.B. 415 with Amendment #4. The motion passed with a vote of 5 - 0 - 2.

Amendment 4  
H.B. 415

1. Page 2, Line 58 through Page 3, Line 59:  
58 (ii) (A) has authority to ~~{ veto or }~~ overrule a hiring or appointment ~~{ decision }~~ proposal of the chief  
59 of police;
2. Page 3, Lines 73 through 75:  
73 (5) Subject to Subsection (4), a municipality may establish a board, committee, or other  
74 entity that relates to the provision of law enforcement services and that has authority  
75 independent of the chief of police if the ~~{ municipal legislative body }~~ municipality :

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. Paul Ray explained the bill.

Shelley Brewer, resident, spoke in opposition to the bill.

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

Kathy Abarca, Executive Director, Racially Just Utah, spoke in opposition to the bill.

Lex Scott, Black Lives Matter Utah, spoke in opposition to the bill.

Jason Groth, attorney, and Smart Justice Coordinator, American Civil Liberties Union of Utah, spoke in opposition to the bill.

Michael Clara, Community Organizer, Poplar Grove Neighborhood Alliance, spoke in opposition to the bill.

David Spatafore, Utah Chiefs of Police Association, spoke in favor of the bill.

**MOTION:** Sen. Weiler moved to pass H.B. 415 out favorably. The motion passed with a vote of 3 - 0 - 4.

Yeas-3

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

Nays-0

Absent-4

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

**8 . 2nd Sub. H.B. 257 Form of County Government Amendments (Lyman, P.)**

Rep. Phil Lyman explained the bill.

Lorraine Miller, resident, Teasdale, spoke in opposition to the bill.

Lydia Burgron, resident, spoke in opposition to the bill.

Lorraine Miller spoke to the issue.

Lincoln Shurtz, Utah Association of Counties, spoke in favor of the bill.

**MOTION:** Sen. Weiler moved to pass 2nd Substitute H.B. 257 out favorably. The motion failed with a vote of 2 - 2 - 3.

Yeas-2

Sen. D. Thatcher  
Sen. T. Weiler

Nays-2

Sen. J. Iwamoto  
Sen. K. Riebe

Absent-3

Sen. J. Adams  
Sen. D. Buxton  
Sen. D. Ipson

**MOTION:** Sen. Riebe moved to adjourn. The motion passed with a vote of 4 - 0 - 3.

Yeas-4

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

Nays-0

Absent-3

Sen. J. Adams  
Sen. D. Buxton  
Sen. D. Ipson

Sen. Thatcher adjourned the meeting at 11:47 a.m.