



UTAH STATE

LEGISLATURE

DRAFT MINUTES

SENATE TRANSPORTATION, PUBLIC UTILITIES, ENERGY, AND TECHNOLOGY STANDING COMMITTEE

Thursday, March 5, 2020 | 4:00 p.m. | 215 Senate Building

Members Present:

Sen. Wayne A. Harper, Chair
President J. Stuart Adams
Sen. Jacob L. Anderegg
Sen. David G. Buxton
Sen. Karen Mayne
Sen. Kathleen Riebe

Sen. Ronald Winterton

Members Absent:

Sen. Don L. Ipson

Staff Present:

Karin M. Rueff, Policy Analyst
Karen Allred, Committee Secretary

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

Chair Harper called the meeting to order at 4:17 p.m.

MOTION: Sen. Winterton moved to approve the minutes of March 4, 2020. The motion passed with a vote of 3 - 0 - 5.

Yeas-3

Sen. J. Anderegg
Sen. W. Harper
Sen. R. Winterton

Nays-0

Absent-5

Sen. J. Adams
Sen. D. Buxton
Sen. D. Ipson
Sen. K. Mayne
Sen. K. Riebe

1 . S.B. 227 Veterans License Plates Amendments (*Weiler, T.*)

Sen. Todd Weiler presented the bill.

MOTION: Sen. Anderegg moved to amend S.B. 227 with Amendment #1. The motion passed with a vote of 3 - 0 - 5.

Amendment 1
S.B. 227

1. Page 1, Lines 20 through 21:
20 Other Special Clauses:
21 {~~None~~} This bill provides a special effective date.

2. Page 8, Line 217:
217 award special group license plate requested.

Section 3. Effective Date.
This bill takes effect on October 15, 2020.

Yeas-3

Sen. J. Anderegg
Sen. W. Harper
Sen. R. Winterton

Nays-0

Absent-5

Sen. J. Adams
Sen. D. Buxton
Sen. D. Ipson
Sen. K. Mayne
Sen. K. Riebe

MOTION: Sen. Anderegg moved to pass S.B. 227 out favorably as amended. The motion passed with a vote of 4 - 0 - 4.

Yeas-4

Sen. J. Anderegg
Sen. D. Buxton
Sen. W. Harper
Sen. R. Winterton

Nays-0

Absent-4

Sen. J. Adams
Sen. D. Ipson
Sen. K. Mayne
Sen. K. Riebe

2 . S.B. 224 Dedication of Public Highways (Weiler, T.)

Sen. Weiler presented the bill with the assistance of Brent Bateman, Attorney, Durham, Jones and Pinegar.

MOTION: Sen. Anderegg moved to amend S.B. 224 with Amendment #2. The motion passed with a vote of 4 - 0 - 4.

Amendment 2
S.B. 224

1. Page 1, Lines 18 through 20:

18 ▸ provides that a property owner's interruption of a right-of-way created after
19 dedication has no effect on the validity of the state's or local highway authority's claim to the right-of-way;
20 ▸ removes certain limitations regarding the applicability of the dedication and

2. Page 3, Lines 73 through 78:

73 (8) (a) The dedication and abandonment creates a right-of-way held by the state or a local highway authority
in
74 accordance with Sections 72-3-102, 72-3-104, 72-3-105, and 72-5-103.
75 (b) A property owner's interruption under Subsection (4) of a right-of-way held by the
76 state or local highway authority in accordance with Subsection (8)(a) has no effect on the validity of the state's
or local highway authority's claim to
77 the right-of-way and does not return the right-of-way to private ownership or use.
78 (9) The scope of [the] a right-of-way described in Subsection (8)(a) is that which is

Yeas-4

Sen. J. Anderegg
Sen. D. Buxton
Sen. W. Harper
Sen. R. Winterton

Nays-0

Absent-4

Sen. J. Adams
Sen. D. Ipson
Sen. K. Mayne
Sen. K. Riebe

Kathy Davis, Attorney General's Office, Division of Public Lands, spoke to the bill.

Sen. Anderegg assumed the chair.

Tammy Pearson, Beaver County Commissioner, spoke in opposition to the bill.

Jake Garfield, Utah Association of Counties, Public Lands Counsel, spoke to the bill.

Tooter Ogden, Sevier County Commissioner, spoke in opposition to the bill.

Jack Lytle, Daggett County Commissioner, spoke in opposition to the bill.

Mikhael Kohler, Wasatch County, spoke in opposition to the bill.

Dennis Blackburng, Wayne County Commissioner, spoke in opposition to the bill.

3 . 1st Sub. H.B. 350 Impaired Driving Amendments (Waldrip, S.)

Rep. Andrew Stoddard, House Co-sponsor, presented the bill.

MOTION: Sen. Winterton moved to amend 1st Substitute H.B. 350 with Amendment #1. The motion passed with a vote of 3 - 0 - 5.

Amendment 1
1st Sub. H.B. 350

1. Page 3, Lines 58 through 60:
58 (b) A person who violates this section is subject to conviction and sentencing under
59 both this section and any applicable offense under Section 58-37-8 or Section 76-5-207.
60 (c) A person who violates Subsection (2) is guilty of a class A misdemeanor if the

Yeas-3
Sen. J. Anderegg
Sen. D. Buxton
Sen. R. Winterton

Nays-0

Absent-5
Sen. J. Adams
Sen. W. Harper
Sen. D. Ipson
Sen. K. Mayne
Sen. K. Riebe

MOTION: Sen. Winterton moved to pass 1st Substitute H.B. 350 out favorably as amended. The motion passed with a vote of 4 - 0 - 4.

Yeas-4
Sen. J. Adams
Sen. J. Anderegg
Sen. D. Buxton
Sen. R. Winterton

Nays-0

Absent-4
Sen. W. Harper
Sen. D. Ipson
Sen. K. Mayne
Sen. K. Riebe

4 . 1st Sub. H.B. 356 Railroad Amendments (Ferry, J.)

Rep. Joel Ferry presented the bill and responded to questions from the committee.

Rusty Cannon, Vice President, Utah Tax Payers Association, spoke in opposition to the bill.

Sen. Harper resumed the chair.

Nathan Anderson, Senior Director, Public Affairs, Union Pacific Railroad, spoke in opposition to the bill.

Jay Seegmiller, Retired Railroad Employee, spoke in favor of the bill.

Jaycee Skinner, Vice President of Policy, Salt Lake Chamber, spoke to the bill.

MOTION: President Adams moved to pass 1st Substitute H.B. 356 out favorably. The motion passed with a vote of 7 - 0 - 1.

Yeas-7
Sen. J. Adams
Sen. J. Anderegg
Sen. D. Buxton
Sen. W. Harper
Sen. K. Mayne
Sen. K. Riebe
Sen. R. Winterton

Nays-0

Absent-1
Sen. D. Ipson

5 . S.B. 224 Dedication of Public Highways (Weiler, T.)

MOTION: Sen. Winterton moved to pass S.B. 224 out favorably. The motion passed with a vote of 6 - 1 - 1.



Yeas-6

Sen. J. Adams
Sen. D. Buxton
Sen. W. Harper
Sen. K. Mayne
Sen. K. Riebe
Sen. R. Winterton

Nays-1

Sen. J. Anderegg

Absent-1

Sen. D. Ipson

MOTION: President Adams moved to adjourn. The motion passed with a vote of 7 - 0 - 1.

Yeas-7

Sen. J. Adams
Sen. J. Anderegg
Sen. D. Buxton
Sen. W. Harper
Sen. K. Mayne
Sen. K. Riebe
Sen. R. Winterton

Nays-0

Absent-1

Sen. D. Ipson

Chair Harper adjourned the meeting at 5:32 p.m.