



MINUTES

HOUSE POLITICAL SUBDIVISIONS STANDING COMMITTEE

LEGISLATURE

Wednesday, February 24, 2021 | 4:00 p.m. | 445 State Capitol

Members Present:

Rep. James A. Dunnigan, Chair
Rep. Calvin R. Musselman, Vice Chair
Rep. Gay Lynn Bennion
Rep. Jefferson S. Burton
Rep. Steve R. Christiansen
Rep. Matthew H. Gwynn

Rep. Michael L. Kohler
Rep. Rosemary T. Lesser
Rep. Jordan D. Teuscher
Rep. Elizabeth Weight

Staff Present:

Samantha D. Brucker, Policy Analyst
Daniel Ryan, Committee Secretary

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

Chair Musselman called the meeting to order at 4:00 p.m.

MOTION: Rep. Lesser moved to approve the minutes February 23, 2021 The motion passed with a vote of 10 - 0 - 0.

Yeas-10

Nays-0

Absent-0

Rep. G. Bennion
Rep. J. Burton
Rep. S. Christiansen
Rep. J. Dunnigan
Rep. M. Gwynn
Rep. M. Kohler
Rep. R. Lesser
Rep. C. Musselman
Rep. J. Teuscher
Rep. E. Weight

1 . H.B. 374 Restrictive Covenants Amendments (*Winder, M.*)

Rep. Mike Winder presented the bill.

MOTION: Chair Dunnigan moved to replace H.B. 374 with 1st Substitute H.B. 374. The motion passed with a vote of 10 - 0 - 0.

Yeas-10

Nays-0

Absent-0

Rep. G. Bennion
Rep. J. Burton
Rep. S. Christiansen
Rep. J. Dunnigan
Rep. M. Gwynn
Rep. M. Kohler
Rep. R. Lesser
Rep. C. Musselman
Rep. J. Teuscher
Rep. E. Weight

MOTION: Rep. Christiansen moved to pass 1st Substitute H.B. 374 out favorably. The motion passed with a vote of 10 - 0 - 0.

Yeas-10

Nays-0

Absent-0

Rep. G. Bennion
Rep. J. Burton
Rep. S. Christiansen
Rep. J. Dunnigan
Rep. M. Gwynn
Rep. M. Kohler
Rep. R. Lesser
Rep. C. Musselman
Rep. J. Teuscher
Rep. E. Weight

2 . H.B. 174 Municipal Instant Runoff Voting Amendments (Robertson, A.)

Rep. Robertson presented the bill.

Ricky Hatch, Weber County Clerk Auditor, spoke to the bill.

Mark Messerly, citizen, spoke in favor of the bill.

Ammon Gruwell, Utah Senate for Electoral Reform, spoke in favor of the bill.

Joseph Addington, citizen, spoke in favor of the bill.

David Buck, citizen, spoke in favor of the bill.

Nate Allen, Lead Organizer, Utah Approves, spoke in favor of the bill.

MOTION: Rep. Burton moved to replace H.B. 174 with 1st Substitute H.B. 174.

SUBSTITUTE MOTION: Rep. Weight moved to hold H.B. 174. The substitute motion passed with a vote of 6 - 4 - 0.

Yeas-6

Nays-4

Absent-0

Rep. G. Bennion	Rep. J. Burton
Rep. J. Dunnigan	Rep. S. Christiansen
Rep. M. Kohler	Rep. M. Gwynn
Rep. R. Lesser	Rep. J. Teuscher
Rep. C. Musselman	
Rep. E. Weight	

3 . H.B. 98 Local Government Building Regulation Amendments (Ray, P.)

Rep. Paul Ray presented the bill with the assistance of Taz Besinger, Utah Homebuilders Association.

Gary Crain, Layton City Attorney, spoke to the bill.

Cameron Dale, Executive Director, Utah League of Cities and Towns, spoke to the bill.

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

Dan Reeves, Vice President, Perry Homes, spoke in favor of the bill.

Amy Fowler, Salt Lake City Council Member, spoke to the bill.

Greg Schulz, City Manager, Magna, spoke to the bill.

Mike Ostermiller, Utah Association of Realtors, spoke in favor of the bill.

Trent Sorensen, Building Official, Magna, spoke to the bill.

Chris Gamvroulas, Ivory Homes, spoke in favor of the bill.

Michaela Oktay, citizen, spoke to the bill.

Thomas Peterson, citizen, spoke in favor of the bill.

Gregory Baptist, citizen, spoke to the bill.

Mark Stratford, Deputy City Attorney, Ogden City, spoke to the bill.

MOTION: Rep. Christiansen moved to replace H.B. 98 with 1st Substitute H.B. 98. The motion passed with a vote of 10 - 0 - 0.

Yeas-10

Nays-0

Absent-0

Rep. G. Bennion
Rep. J. Burton
Rep. S. Christiansen
Rep. J. Dunnigan
Rep. M. Gwynn
Rep. M. Kohler
Rep. R. Lesser
Rep. C. Musselman
Rep. J. Teuscher
Rep. E. Weight

MOTION: Rep. Christiansen moved to amend 1st Substitute H.B. 98 with Amendment #2. The motion passed with a vote of 10 - 0 - 0.

Amendment 2
1st Sub. H.B. 98

1. Page 20, Lines 594 through 596:

594 (k) minimum building dimensions; or
595 (l) a requirement to install front yard fencing {requirements}.
596 (2) Except as provided in Subsection (3), a municipality may not impose a requirement

2. Page 20, Lines 605 through 607:

605 Insurance Program administered by the Federal Emergency Management Agency;
606 (c) an ordinance enacted to implement the requirements of the Utah Wildland Urban Interface
607 Code adopted under Section 15A-2-103;

3. Page 40, Lines 1220 through 1222:

1220 (k) minimum building dimensions; or
1221 (l) a requirement to install front yard fencing {requirements}.
1222 (2) Except as provided in Subsection (3), a county may not impose a requirement for a

4. Page 40, Lines 1231 through 1233:

1231 Insurance Program administered by the Federal Emergency Management Agency;
1232 (c) an ordinance enacted to implement the requirements of the Utah Wildland Urban Interface
1233 Code adopted under Section 15A-2-103;

Yeas-10

Nays-0

Absent-0

Rep. G. Bennion
Rep. J. Burton
Rep. S. Christiansen
Rep. J. Dunnigan
Rep. M. Gwynn
Rep. M. Kohler
Rep. R. Lesser
Rep. C. Musselman
Rep. J. Teuscher
Rep. E. Weight

MOTION: Rep. Christiansen moved to amend 1st Substitute H.B. 98 with Amendment #3. The motion passed with a vote of 10 - 0 - 0.

Amendment 3
1st Sub. H.B. 98

1. Page 23, Lines 688 through 699:
688 weather barrier.
689 (13) "Natural disaster" means:
690 { ~~(a)~~ (a) an explosion; }
691 { ~~(b)~~ (b) fire; }
692 { ~~(c)~~ (a) a flood;
693 { ~~(d)~~ (b) a storm;
694 { ~~(e)~~ (c) a tornado;
695 { ~~(f)~~ (d) winds;
696 { ~~(g)~~ (e) an earthquake;
697 { ~~(h)~~ (f) lightning; or
698 { ~~(i)~~ (g) any other adverse weather event.
699 [~~(11)~~] (14) "Not for human occupancy" means use of a structure for purposes other

Yeas-10

Nays-0

Absent-0

Rep. G. Bennion
Rep. J. Burton
Rep. S. Christiansen
Rep. J. Dunnigan
Rep. M. Gwynn
Rep. M. Kohler
Rep. R. Lesser
Rep. C. Musselman
Rep. J. Teuscher
Rep. E. Weight

MOTION: Rep. Christiansen moved to pass 1st Substitute H.B. 98 out favorably as amended. The motion passed with a vote of 10 - 0 - 0.

Yeas-10

Nays-0

Absent-0

Rep. G. Bennion
Rep. J. Burton
Rep. S. Christiansen
Rep. J. Dunnigan
Rep. M. Gwynn
Rep. M. Kohler
Rep. R. Lesser
Rep. C. Musselman
Rep. J. Teuscher
Rep. E. Weight

4 . H.B. 338 School District Voter Eligibility Amendments (Briscoe, J.)

Rep. Joel Briscoe presented the bill with the assistance of Arundhati Oommen, Student Board Member, West High School.

[HB 338 Powerpoint](#)

[HB338 Handout](#)

Braden Haney, citizen, spoke in favor of the bill.

Sydney Ward, citizen, spoke in favor of the bill.

Melissa Ford, President, Salt Lake City School District Board of Education, spoke in favor of the bill.

Molly Chien, citizen, spoke in favor of the bill.

MOTION: Rep. Teuscher moved to pass H.B. 338 out favorably. The motion passed with a vote of 6 - 4 - 0.

<u>Yeas-6</u>	<u>Nays-4</u>	<u>Absent-0</u>
Rep. G. Bennion	Rep. J. Burton	
Rep. M. Gwynn	Rep. S. Christiansen	
Rep. M. Kohler	Rep. J. Dunnigan	
Rep. R. Lesser	Rep. C. Musselman	
Rep. J. Teuscher		
Rep. E. Weight		

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

<u>Yeas-10</u>	<u>Nays-0</u>	<u>Absent-0</u>
Rep. G. Bennion		
Rep. J. Burton		
Rep. S. Christiansen		
Rep. J. Dunnigan		
Rep. M. Gwynn		
Rep. M. Kohler		
Rep. R. Lesser		
Rep. C. Musselman		
Rep. J. Teuscher		
Rep. E. Weight		

Chair Musselman adjourned the meeting at 6:45 p.m.