



# DRAFT MINUTES

## SENATE GOVERNMENT OPERATIONS AND POLITICAL SUBDIVISIONS STANDING COMMITTEE

Tuesday, March 2, 2021 | 2:00 p.m. | 110 Senate Building

**Members Present:**

Sen. Daniel W. Thatcher, Chair  
President J. Stuart Adams  
Sen. David G. Buxton  
Sen. David P. Hinkins  
Sen. Jani Iwamoto

Sen. John D. Johnson  
Sen. Kathleen A. Riebe  
Sen. Evan J. Vickers

**Staff Present:**

Samantha D. Brucker, Policy Analyst  
Lorna Wells, 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 2:05 p.m.

### 1 . S.B. 249 County Jails Amendments (*Owens, D.*)

Sen. Derrin Owens explained the bill with the assistance of Sheriff Chad Jensen.

Tom Ross, Executive Director, Commission on Criminal and Juvenile Justice, spoke in favor of the bill.

**MOTION:** Sen. Vickers moved to pass S.B. 249 out favorably. The motion passed with a vote of 6 - 0 - 2.

Yeas-6

Sen. D. Buxton  
Sen. J. Iwamoto  
Sen. J. Johnson  
Sen. K. Riebe  
Sen. D. Thatcher  
Sen. E. Vickers

Nays-0

Absent-2

Sen. J. Adams  
Sen. D. Hinkins

### 2 . H.B. 220 Pretrial Detention Amendments (*Schultz, M.*)

Rep. Mike Shultz explained the bill with the assistance of Sheriff Chad Jensen.

**MOTION:** Sen. Vickers moved to replace H.B. 220 with 2nd Substitute H.B. 220. The motion passed with a vote of 7 - 0 - 1.

Yeas-7

Sen. J. Adams  
Sen. D. Buxton  
Sen. J. Iwamoto  
Sen. J. Johnson  
Sen. K. Riebe  
Sen. D. Thatcher  
Sen. E. Vickers

Nays-0

Absent-1

Sen. D. Hinkins

Michael Dreschel, Assistant State Court Administrator, spoke to the bill.

Steve Burton, Executive Director, Utah Association of Criminal Defense Lawyers, spoke against the bill.

Todd Utzinger, Legal Defender Coordinator, Davis County, spoke against the bill.

Richard Mauro, Executive Director, Salt Lake Legal Defender Association, spoke to the bill.

Jojo Liu, Director, Salt Lake County Office of Criminal Justice Initiatives, spoke against the bill.

Sim Gill, Salt Lake County District Attorneyspoke against the bill.

[Handouts regarding HB 220](#)

Marc Ebel, Director of Legislative Affairs, Aladdin Bail Bonds, spoke in favor of the bill.

Ben Aldana, Utah County Public Defender, spoke against the bill.

Crystal Powell, Victim's Rights Attorney, spoke against the bill.

Brian Gwilliam, Utah Chiefs of Police Association, spoke in favor of the bill.

Robert Van Dyke, Kane County attorney, spoke in favor of the bill.

Tom Ross, Executive Director, CCJJ, spoke against the bill.

Molly Davis, Libertas Institute, spoke in favor of the bill.

Melissa Holyoak, State Solicitor General, spoke in favor of the bill.

David Leavitt, Utah County attorney, spoke against the bill.

William Carlson, Salt Lake County Attorney, spoke in favor of the bill.

Wayne Carlos, Utah Association of Professional Bondsmen, spoke in favor of the bill.

**MOTION:** Sen. Riebe moved to go to the next item on the agenda.

**SUBSTITUTE MOTION:** Sen. Buxton moved to pass 2nd Substitute H.B. 220 out favorably. The substitute motion passed with a vote of 4 - 3 - 1.

Yeas-4

Sen. J. Adams  
Sen. D. Buxton  
Sen. J. Johnson  
Sen. E. Vickers

Nays-3

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

Absent-1

Sen. D. Hinkins

**3 . 1st Sub. H.B. 336 Suicide Prevention Amendments (*Eliason, S.*)**

Rep. Steve Eliason explained the bill.

**MOTION:** Sen. Vickers moved to pass 1st Substitute H.B. 336 out favorably. The motion passed with a vote of 6 - 0 - 2.

Yeas-6

Sen. J. Adams  
Sen. D. Buxton  
Sen. J. Iwamoto  
Sen. J. Johnson  
Sen. D. Thatcher  
Sen. E. Vickers

Nays-0

Absent-2

Sen. D. Hinkins  
Sen. K. Riebe

**4 . 2nd Sub. H.B. 374 Restrictive Covenants Amendments (*Winder, M.*)**

Rep. Mike Winder explained the bill.

**MOTION:** Sen. Buxton moved to pass 2nd Substitute H.B. 374 out favorably. The motion passed with a vote of 5 - 1 - 2.

Yeas-5

Sen. J. Adams  
Sen. D. Buxton  
Sen. J. Iwamoto  
Sen. D. Thatcher  
Sen. E. Vickers

Nays-1

Sen. J. Johnson

Absent-2

Sen. D. Hinkins  
Sen. K. Riebe

**5 . 1st Sub. H.B. 390 Urban Farming Amendments (*Kohler, M.*)**

Rep. Michael Kohler explained the bill.

**MOTION:** Sen. Iwamoto moved to pass 1st Substitute H.B. 390 out favorably. The motion passed with a vote of 6 - 0 - 2.

Yeas-6

Sen. J. Adams  
Sen. D. Buxton  
Sen. J. Iwamoto  
Sen. J. Johnson  
Sen. D. Thatcher  
Sen. E. Vickers

Nays-0

Absent-2

Sen. D. Hinkins  
Sen. K. Riebe

**6 . 1st Sub. H.B. 399 Approval of Nonhazardous Solid or Hazardous Waste Facilities (*Hawkes, T.*)**

Rep. Timothy Hawkes explained the bill.

**MOTION:** Sen. Iwamoto moved to pass 1st Substitute H.B. 399 out favorably. The motion passed with a vote of 5 - 0 - 3.

Yeas-5

Sen. D. Buxton  
Sen. J. Iwamoto  
Sen. J. Johnson  
Sen. D. Thatcher  
Sen. E. Vickers

Nays-0

Absent-3

Sen. J. Adams  
Sen. D. Hinkins  
Sen. K. Riebe

**7 . H.J.R. 15 Joint Resolution on Military Sexual Trauma (*Romero, A.*)**

Rep. Angela Romero explained the bill.

**MOTION:** Sen. Iwamoto moved to pass H.J.R. 15 out favorably. The motion passed with a vote of 5 - 0 - 3.

Yeas-5

Sen. D. Buxton  
Sen. J. Iwamoto  
Sen. J. Johnson  
Sen. D. Thatcher  
Sen. E. Vickers

Nays-0

Absent-3

Sen. J. Adams  
Sen. D. Hinkins  
Sen. K. Riebe

**8 . 3rd Sub. H.B. 246 Ballot Measure Transparency Amendments (*Christiansen, S.*)**

Rep. Steve Christiansen explained the bill.

Ricky Hatch, Weber County Clerk Auditor and Chair Clerk's Legislative Committee, spoke against the bill.

**MOTION:** President Adams moved to go to the next item on the agenda. He then withdrew his motion.

**MOTION:** President Adams moved to pass 3rd Substitute H.B. 246 out favorably. The motion passed with a vote of 4 - 1 - 3.

Yeas-4

Sen. J. Adams  
Sen. D. Buxton  
Sen. J. Johnson  
Sen. D. Thatcher

Nays-1

Sen. E. Vickers

Absent-3

Sen. D. Hinkins  
Sen. J. Iwamoto  
Sen. K. Riebe

**9 . H.B. 413 Redistricting Revisions (*Ray, P.*)**

Rep. Paul Ray explained the bill.

Noah Rosenberg, Executive Director, Better Boundaries, spoke in favor of the bill.

**MOTION:** Sen. Buxton moved to pass H.B. 413 out favorably. The motion passed with a vote of 7 - 0 - 1.

Yeas-7

Sen. J. Adams  
Sen. D. Buxton  
Sen. D. Hinkins  
Sen. J. Iwamoto  
Sen. J. Johnson  
Sen. D. Thatcher  
Sen. E. Vickers

Nays-0

Absent-1

Sen. K. Riebe

**10 . 2nd Sub. H.B. 98 Local Government Building Regulation Amendments (*Ray, P.*)**

Rep. Paul Ray explained the bill.

**MOTION:** Sen. Buxton moved to amend 2nd Substitute H.B. 98 with Amendment #2. The motion passed with a vote of 5 - 0 - 3.

Amendment 2  
2nd Sub. H.B. 98

1. Page 21, Line 621:

621 (ii) consistent defects in the installation of existing cladding; ~~or~~

2. Page 21, Line 626:

626 permitted use in the zoning area or district~~;~~ ; or  
(i) a dwelling located in a mountainous planning district.

3. Page 29, Line 885:  
885 (13) (a) Subsection (1)(b) does not apply to a person repairing damage to an existing residential
4. Page 29, Line 889:  
889 Code do not apply to a construction project involving repairs to an existing residential structure described
5. Page 29, Line 891:  
891 (c) Upon the completion of a construction project involving repairs to an existing residential
6. Page 41, Line 1245:  
1245 (ii) consistent defects in the installation of existing cladding; ~~{or}~~
7. Page 41, Line 1250:  
1250 permitted use in the zoning area or district ~~{-}~~ ; or  
(i) a dwelling located in a mountainous planning district.

Yeas-5

Sen. J. Adams  
Sen. D. Buxton  
Sen. J. Iwamoto  
Sen. J. Johnson  
Sen. D. Thatcher

Nays-0

Absent-3

Sen. D. Hinkins  
Sen. K. Riebe  
Sen. E. Vickers

Eric Atkin spoke in favor of the bill.

Ana Valdemoros, Salt Lake City Council, spoke to the bill.

Jed Nilson, Vice President, Utah Association of Realtors, spoke in favor of the bill.

Dave Kallas, SunPro, spoke in favor of the bill.

William Perry, CEO, Perry Homes Inc., spoke in favor of the bill.

Brian Nelson, Director of Division of Risk Management, spoke to the bill.

Gary Crane, Layton City Attorney, spoke in favor of the bill.

Bret Howser, Brian Head Town Manager spoke to the bill.

Victoria Ashby, League of Cities and Towns, spoke to the bill.

Andrew Herseth, Utah licensed structural engineer, spoke against the bill.

Jami Brackin, representing elected county attorneys, spoke against the bill.

Taz Biesinger, Utah Home Builders Association spoke in favor of the bill.

Bryan Romney, registered architect, spoke to the bill.

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

**MOTION:** President Adams moved to pass 2nd Substitute H.B. 98 as amended out favorably. The motion passed with a vote of 5 - 2 - 1.



Yeas-5

Sen. J. Adams  
Sen. D. Buxton  
Sen. D. Hinkins  
Sen. D. Thatcher  
Sen. E. Vickers

Nays-2

Sen. J. Iwamoto  
Sen. J. Johnson

Absent-1

Sen. K. Riebe

**MOTION:**

President Adams moved to adjourn. The motion passed with a vote of 6 - 0 - 2.

Yeas-6

Sen. J. Adams  
Sen. D. Buxton  
Sen. J. Iwamoto  
Sen. J. Johnson  
Sen. D. Thatcher  
Sen. E. Vickers

Nays-0

Absent-2

Sen. D. Hinkins  
Sen. K. Riebe

Chair Thatcher adjourned the meeting at 3:57 p.m.