



MINUTES

HOUSE POLITICAL SUBDIVISIONS STANDING COMMITTEE

Tuesday, February 15, 2022 | 8:00 a.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. Rosemary T. Lesser
Rep. Jordan D. Teuscher
Rep. Elizabeth Weight

Members Absent:

Rep. Matthew H. Gwynn
Rep. Ken Ivory
Rep. Michael L. Kohler

Staff Present:

Sarah Flanigan, Policy Analyst
Jonathan Rees, 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 8:03 AM.

MOTION: Rep. Burton moved to approve the minutes. The motion passed with a vote of 6 - 0 - 4.

Yeas - 6

Rep. G. Bennion
Rep. J. Burton
Rep. J. Dunnigan
Rep. R. Lesser
Rep. C. Musselman
Rep. J. Teuscher

Nays - 0

Absent - 4

Rep. M. Gwynn
Rep. K. Ivory
Rep. M. Kohler
Rep. E. Weight

1. S.B. 75 Fine Amendments (*Fillmore, L.*)

Sen. Fillmore presented the bill.

Roger Tew, Utah League of Cities and Towns, spoke to the bill.

MOTION: Rep. Teuscher moved to pass S.B. 75 out favorably. The motion passed with a vote of 7 - 0 - 3.

Yeas - 7

Rep. G. Bennion
Rep. J. Burton
Rep. J. Dunnigan
Rep. R. Lesser
Rep. C. Musselman
Rep. J. Teuscher
Rep. E. Weight

Nays - 0

Absent - 3

Rep. M. Gwynn
Rep. K. Ivory
Rep. M. Kohler

2. H.B. 264 Municipal Alternate Voting Methods Amendments (*Welton, D.*)

Rep. Welton presented the bill with the assistance of Stan Lockhart, Director, Utah Ranked Choice Voting.

Greg Dourdin, State Chair, Independent American Party, spoke in opposition to the bill.

Christy Bulkley, Utah Elections Integrity, spoke in opposition to the bill.

Wendy Hart, Utah Elections Integrity, spoke in oppositions to the bill.

Jason Preston spoke in opposition to the bill.

Hayden Loftus, Elections Specialists, Office of Lt. Governor spoke to the bill.

Steve Aste, spoke in opposition to the bill.

Janet Haskell spoke in opposition to the bill.

Lisa Stamps spoke in favor of the bill.

Marc Roberts spoke in favor of the bill.

Heather Thomas spoke in opposition to the bill.

Heather Fannon, Constitutional Defense Utah, spoke in opposition to the bill.

Rebecca Colley spoke in opposition to the bill.

MOTION: Rep. Weight moved to replace H.B. 264 with 1st Substitute H.B. 264. The motion passed with a vote of 7 - 0 - 3.

Yeas - 7

Rep. G. Bennion
Rep. J. Burton
Rep. J. Dunnigan
Rep. R. Lesser
Rep. C. Musselman
Rep. J. Teuscher
Rep. E. Weight

Nays - 0

Absent - 3

Rep. M. Gwynn
Rep. K. Ivory
Rep. M. Kohler

MOTION: Rep. Weight moved to pass 1st Substitute H.B. 264 out favorably. The motion passed with a vote of 6 - 1 - 3.

Yeas - 6

Rep. G. Bennion
Rep. J. Dunnigan
Rep. R. Lesser
Rep. C. Musselman
Rep. J. Teuscher
Rep. E. Weight

Nays - 1

Rep. J. Burton

Absent - 3

Rep. M. Gwynn
Rep. K. Ivory
Rep. M. Kohler

3. H.B. 182 Local Health Department Order Amendments (*Strong, M.A.*)

Rep. Strong presented the bill and Kurt Gasser, Attorney, Office of Legislative Research and General Council, answered questions.

Rachel Terry, Deputy Director, Utah League of Cities and Towns, spoke to the bill.

Leah Hansen spoke in favor of the bill.

MOTION: Rep. Teuscher moved to replace H.B. 182 with 1st Substitute H.B. 182. The motion passed with a vote of 7 - 0 - 3.

Yeas - 7

Nays - 0

Absent - 3

- Rep. G. Bennion
- Rep. J. Burton
- Rep. J. Dunnigan
- Rep. R. Lesser
- Rep. C. Musselman
- Rep. J. Teuscher
- Rep. E. Weight

- Rep. M. Gwynn
- Rep. K. Ivory
- Rep. M. Kohler

MOTION: Rep. Teuscher moved to amend 1st Substitute H.B. 182 with Amendment #1. The motion failed with a vote of 2 - 5 - 3.

Amendment 1
1st Sub. H.B. 182

1. Page 1, Lines 13 through 15:

13 ▸ excludes state facilities and the capitol hill complex from the authority and
14 jurisdiction of a local health department pertaining to an order of constraint;

▸ excludes facilities and areas owned by a municipality from the jurisdiction of a local health department order of constraint if the legislative body of the municipality votes to exclude the areas and facilities from the order of constraint;

15 ▸ prohibits a chief executive officer of a municipality from exercising emergency

2. Page 3, Line 85 through Page 4, Line 89:

85 (b) Notwithstanding Subsection (1)(a), a local health department's jurisdiction or
86 authority to issue an order of constraint pursuant to a declared public health emergency does
87 not apply to :

(i) any facility, property, or area owned or leased by the state, including the capitol
88 hill complex, as that term is defined in Section 63C-9-102{.} ; or

(ii) any facility, property, or area owned or leased by a municipality, if the legislative body of the municipality by majority vote excludes the applicability of the order of constraint as to a facility, property, or area owned or leased by a municipality.

89 (2) (a) Each local health department shall register and maintain the local health

3. Page 10, Line 302 through Page 11, Line 306:

302 (11) An order of constraint issued by a local health department pursuant to a declared
303 public health emergency does not apply to :

(a) a facility, property, or area owned or leased by the
304 state, including the capitol hill complex, as that term is defined in Section 63C-9-102{.} ; or

(b) a facility, property, or area owned or leased by a municipality, if the legislative body of the municipality by majority vote excludes the applicability of the order of constraint as to a facility, property, or area owned or leased by a municipality.

305 Section 4. Section 53-2a-102 is amended to read:
306 53-2a-102. Definitions.

Yeas - 2

Nays - 5

Absent - 3

- Rep. J. Burton
- Rep. J. Teuscher

- Rep. G. Bennion
- Rep. J. Dunnigan
- Rep. R. Lesser
- Rep. C. Musselman
- Rep. E. Weight

- Rep. M. Gwynn
- Rep. K. Ivory
- Rep. M. Kohler

MOTION: Chair Dunnigan moved to amend 1st Substitute H.B. 182 with Amendment #2. The motion passed with a vote of 5 - 2 - 3.

Amendment 2
1st Sub. H.B. 182

1. Page 17, Lines 492 through 495:

492 political subdivision of the state pertaining to disaster and emergency response.

493 Section 8. Effective date.

494 {This} If approved by two-thirds of all the members elected to each house, this bill takes effect upon approval by the governor, or the day following the
495 constitutional time limit of Utah Constitution, Article VII, Section 8, without the governor's

Yeas - 5

Rep. J. Burton
Rep. J. Dunnigan
Rep. R. Lesser
Rep. C. Musselman
Rep. J. Teuscher

Nays - 2

Rep. G. Bennion
Rep. E. Weight

Absent - 3

Rep. M. Gwynn
Rep. K. Ivory
Rep. M. Kohler

MOTION: Chair Dunnigan moved to pass 1st Substitute H.B. 182 out favorably. The motion passed with a vote of 4 - 3 - 3.

Yeas - 4

Rep. J. Burton
Rep. J. Dunnigan
Rep. C. Musselman
Rep. J. Teuscher

Nays - 3

Rep. G. Bennion
Rep. R. Lesser
Rep. E. Weight

Absent - 3

Rep. M. Gwynn
Rep. K. Ivory
Rep. M. Kohler

4. H.B. 289 Insurance Coverage for Emergency Medical Service Personnel (Johnson, D.N.)

Rep. Johnson presented the bill with the assistance of Guy Dansie, State EMS Director, Department of Health, and Chet Loftis, Managing Director, PEHP.

Von Johnson, Rural EMS Directors Association of Utah, spoke in favor of the bill.

Darin Bushman, Commissioner, Piute County, spoke in favor of the bill.

Andy Smith, Executive Director, Grand County EMS, Chair, Legislative Committee of the Rural EMS Directors Association, spoke in favor of the bill.

Heather Fannon, Patriots Prepared, spoke in favor of the bill.

Dennis Blackburn, County Commissioner, Wayne County, spoke in favor of the bill.

MOTION: Chair Dunnigan moved to replace H.B. 289 with 1st Substitute H.B. 289. The motion passed with a vote of 7 - 0 - 3.

Yeas - 7

Rep. G. Bennion
Rep. J. Burton
Rep. J. Dunnigan
Rep. R. Lesser
Rep. C. Musselman
Rep. J. Teuscher
Rep. E. Weight

Nays - 0

Absent - 3

Rep. M. Gwynn
Rep. K. Ivory
Rep. M. Kohler

MOTION: Chair Dunnigan moved to pass 1st Substitute H.B. 289 out favorably. The motion passed with a vote of 5 - 2 - 3.



Yeas - 5

Rep. G. Bennion
Rep. J. Burton
Rep. J. Dunnigan
Rep. R. Lesser
Rep. E. Weight

Nays - 2

Rep. C. Musselman
Rep. J. Teuscher

Absent - 3

Rep. M. Gwynn
Rep. K. Ivory
Rep. M. Kohler

MOTION: Rep. Burton moved to adjourn. The motion passed with a vote of 7 - 0 - 3.

Yeas - 7

Rep. G. Bennion
Rep. J. Burton
Rep. J. Dunnigan
Rep. R. Lesser
Rep. C. Musselman
Rep. J. Teuscher
Rep. E. Weight

Nays - 0

Absent - 3

Rep. M. Gwynn
Rep. K. Ivory
Rep. M. Kohler

Chair Musselman adjourned the meeting at 9:46 AM.