



MINUTES

SENATE ECONOMIC DEVELOPMENT AND WORKFORCE SERVICES STANDING COMMITTEE

LEGISLATURE

Monday, February 28, 2022 | 8:00 a.m. | 215 Senate Building

Members Present:

Sen. Ronald M. Winterton, Chair
Sen. Derek L. Kitchen
Sen. Karen Mayne
Sen. Michael K. McKell
Sen. Derrin R. Owens

Members Absent:

Sen. Ann Millner
Sen. Jerry W. Stevenson

Staff Present:

Mark D. Andrews, Policy Analyst
Karen C. 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 Winterton called the meeting to order at 8:02 a.m.

MOTION: Sen. Owens moved to approve the minutes of the February 24, 2022 meeting. The motion passed with a vote of 4 - 0 - 3.

Yeas - 4

Sen. D. Kitchen
Sen. K. Mayne
Sen. D. Owens
Sen. R. Winterton

Nays - 0

Absent - 3

Sen. M. McKell
Sen. A. Millner
Sen. J. Stevenson

1. S.C.R. 9 Concurrent Resolution Honoring the Life and Achievements of Helen Foster Snow (Vickers, E.)

Sen. Evan J. Vickers presented the bill.

Adam Foster, great nephew of Helen Foster Snow, spoke in favor of the bill.

MOTION: Sen. Owens moved to pass S.C.R. 9 out favorably. The motion passed with a vote of 4 - 0 - 3.

Yeas - 4

Sen. D. Kitchen
Sen. K. Mayne
Sen. D. Owens
Sen. R. Winterton

Nays - 0

Absent - 3

Sen. M. McKell
Sen. A. Millner
Sen. J. Stevenson

2. 3rd Sub. H.B. 209 Federalism Commission Amendments (Ivory, K.)

Rep. Ken Ivory presented the bill with the assistance of Jen Brown, President, Utah Citizens for the Constitution.

Maryann Christensen, Executive Director, Utah Eagle Forum, spoke in favor of the bill.

Brooke Stephens, Curriculum Director, Utah Parents United, spoke in favor of the bill.

Jack Lytle, Dagget County Commissioner and Chair, Utah Association of County Councils and Commissions, representing himself, spoke in favor of the bill.

MOTION: Sen. Owens moved to amend 3rd Substitute H.B. 209 with Amendment #3. The motion passed with a vote of 5 - 0 - 2.

Amendment 3



3rd Sub. H.B. 209

1. Page 1, Line 14:
14 allows the Federalism Commission to contract with a third party that must be a Utah institution of higher education to evaluate federal
2. Page 2, Lines 37 through 39:
37 (b) (i) To assist the commission in the evaluation of federal law as required in this
38 section and Section 63C-4a-304, the commission may contract with a third party that must be a Utah institution of higher education to monitor
39 federal law for possible implications on the principles of federalism.

Yeas - 5
Sen. D. Kitchen
Sen. K. Mayne
Sen. M. McKell
Sen. D. Owens
Sen. R. Winterton

Nays - 0

Absent - 2
Sen. A. Millner
Sen. J. Stevenson

MOTION: Sen. Owens moved to pass 3rd Substitute H.B. 209 as amended, out favorably. The motion passed with a vote of 4 - 1 - 2.

Yeas - 4
Sen. K. Mayne
Sen. M. McKell
Sen. D. Owens
Sen. R. Winterton

Nays - 1
Sen. D. Kitchen

Absent - 2
Sen. A. Millner
Sen. J. Stevenson

Rep. Ivory had a handout distributed to the committee.

[HB 209](#)

3. H.B. 350 State Historic Preservation Office Amendments (*Hawkes, T.*)

Rep. Timothy D. Hawkes presented the bill.

MOTION: Sen. McKell moved to pass H.B. 350 out favorably. The motion passed with a vote of 5 - 0 - 2.

Yeas - 5
Sen. D. Kitchen
Sen. K. Mayne
Sen. M. McKell
Sen. D. Owens
Sen. R. Winterton

Nays - 0

Absent - 2
Sen. A. Millner
Sen. J. Stevenson

MOTION: Sen. McKell moved to place H.B. 350 on the Consent Calendar. The motion passed with a vote of 5 - 0 - 2.

Yeas - 5
Sen. D. Kitchen
Sen. K. Mayne
Sen. M. McKell
Sen. D. Owens
Sen. R. Winterton

Nays - 0

Absent - 2
Sen. A. Millner
Sen. J. Stevenson

Rep. Hawkes approved placing H.B. 350 on the Consent Calendar.

4. H.B. 357 Eminent Domain Appraisal Amendments (*Petersen, M.*)

Rep. Mike J. Petersen presented the bill.

MOTION: Sen. McKell moved to amend H.B. 357 with Amendment #1. The motion passed with a vote of 5 - 0 - 2.

Amendment 1
H.B. 0357

1. Page 2, Lines 50 through 52:
50 days has passed since that appraisal, before making a settlement offer described in Subsection
51 (3)(a), the plaintiff shall unless waived in writing by the defendant :
52 (i) obtain an additional appraisal of the property sought to be condemned:

Yeas - 5
Sen. D. Kitchen
Sen. K. Mayne
Sen. M. McKell
Sen. D. Owens
Sen. R. Winterton

Nays - 0

Absent - 2
Sen. A. Millner
Sen. J. Stevenson

Charles Stormont, Director, Right of Way and Property Management, Utah Department of Transportation, spoke in favor of the bill.

Brian Allen, representing Cottonwood Heights City, spoke in favor of the bill.

MOTION: Sen. Owens moved to pass H.B. 357 out favorably. The motion passed with a vote of 5 - 0 - 2.

Yeas - 5
Sen. D. Kitchen
Sen. K. Mayne
Sen. M. McKell
Sen. D. Owens
Sen. R. Winterton

Nays - 0

Absent - 2
Sen. A. Millner
Sen. J. Stevenson

5. 1st Sub. H.B. 418 Grid Resilience Committee (*Albrecht, C.*)

Rep. Carl R. Albrecht presented the bill.

John Cox, representing Rocky Mountain Power, spoke in favor of the bill.

Jeff Peterson, Rural Electric Cooperative Association, spoke in favor of the bill.

MOTION: Sen. McKell moved to pass 1st Substitute H.B. 418 out favorably. The motion passed with a vote of 5 - 0 - 2.

Yeas - 5
Sen. D. Kitchen
Sen. K. Mayne
Sen. M. McKell
Sen. D. Owens
Sen. R. Winterton

Nays - 0

Absent - 2
Sen. A. Millner
Sen. J. Stevenson

6. 1st Sub. H.B. 443 Utah Inland Port Authority Amendments (*Schultz, M.*)

Rep. Mike Schultz presented the bill with the assistance of Daniel E. Dugan, Chair, Salt Lake City Council.

MOTION: Sen. McKell moved to replace 1st Substitute H.B. 443 with 2nd Substitute H.B. 443. The motion passed with a vote of 5 - 0 - 2.

Yeas - 5
Sen. D. Kitchen
Sen. K. Mayne
Sen. M. McKell
Sen. D. Owens
Sen. R. Winterton

Nays - 0

Absent - 2
Sen. A. Millner
Sen. J. Stevenson

MOTION: Sen. Owens moved to amend 2nd Substitute H.B. 443 with Amendment #1. The motion passed with a vote of 5 - 0 - 2.

Amendment 1
2nd Sub. H.B. 443

1. Page 32, Lines 973 through 974:

973 (b) "Exempt area property tax" means { all annual property tax revenue generated from a
974 primary municipality's property tax levy on property within the exempt area} the portion of property tax
differential generated by a property tax levied by a primary municipality on property in the exempt area.

Yeas - 5
Sen. D. Kitchen
Sen. K. Mayne
Sen. M. McKell
Sen. D. Owens
Sen. R. Winterton

Nays - 0

Absent - 2
Sen. A. Millner
Sen. J. Stevenson

Deeda Steed, Stop the Polluting Port Coalition, spoke in opposition to the bill.

Carolyn Erickson, resident of Poplar Grove, spoke in opposition to the bill.

Mark Brinton, General Council and Director of Government Affairs, Utah Medical Association, spoke in favor of the bill.

Susan Corth spoke in opposition to the bill.

Katie Pappas, Stop the Polluting Port Coalition, spoke in opposition to the bill.

Joan Gregory spoke in opposition to the bill.

William Fisher spoke in opposition to the bill.

Jim King spoke in opposition to the bill.

MOTION: Sen. McKell moved to pass 2nd Substitute H.B. 443 out favorably. The motion passed with a vote of 4 - 1 - 2.

Yeas - 4
Sen. K. Mayne
Sen. M. McKell
Sen. D. Owens
Sen. R. Winterton

Nays - 1
Sen. D. Kitchen

Absent - 2
Sen. A. Millner
Sen. J. Stevenson

7. 3rd Sub. H.B. 209 Federalism Commission Amendments (Ivory, K.)

MOTION: Sen. McKell moved to reconsider the committee's actions on 3rd Substitute H.B. 209. The motion passed with a vote of 5 - 0 - 2.

Yeas - 5

Sen. D. Kitchen
Sen. K. Mayne
Sen. M. McKell
Sen. D. Owens
Sen. R. Winterton

Nays - 0

Absent - 2

Sen. A. Millner
Sen. J. Stevenson

MOTION: Sen. McKell moved to amend 3rd Substitute H.B. 209 by replacing Amendment #3 adopted by the committee earlier in the meeting with Amendment #5. The motion passed with a vote of 5 - 0 - 2.

Amendment 5
3rd Sub. H.B. 209

1. Page 1, Line 14:

14 ▶ allows the Federalism Commission to contract with a third party that is a Utah institution of higher education to evaluate federal

2. Page 2, Lines 37 through 39:

37 (b) (i) To assist the commission in the evaluation of federal law as required in this
38 section and Section 63C-4a-304, the commission may contract with a third party that is a Utah institution of higher education to monitor
39 federal law for possible implications on the principles of federalism.

Yeas - 5

Sen. D. Kitchen
Sen. K. Mayne
Sen. M. McKell
Sen. D. Owens
Sen. R. Winterton

Nays - 0

Absent - 2

Sen. A. Millner
Sen. J. Stevenson

MOTION: Sen. McKell moved to pass 3rd Substitute H.B. 209 out favorably. The motion passed with a vote of 5 - 0 - 2.

Yeas - 5

Sen. D. Kitchen
Sen. K. Mayne
Sen. M. McKell
Sen. D. Owens
Sen. R. Winterton

Nays - 0

Absent - 2

Sen. A. Millner
Sen. J. Stevenson

MOTION: Sen. Owens moved to adjourn. The motion passed with a vote of 5 - 0 - 2.

Yeas - 5

Sen. D. Kitchen
Sen. K. Mayne
Sen. M. McKell
Sen. D. Owens
Sen. R. Winterton

Nays - 0

Absent - 2

Sen. A. Millner
Sen. J. Stevenson

Chair Winterton adjourned the meeting at 9:26 a.m.