



LEGISLATURE

MINUTES

HOUSE GOVERNMENT OPERATIONS STANDING COMMITTEE

Wednesday, February 22, 2023 | 4:00 p.m. | 30 House Building

Members Present:

Rep. Calvin R. Musselman, Chair
Rep. Michael J. Petersen, Vice Chair
Rep. Bridger Bolinder
Rep. Jennifer Dailey-Provost
Rep. Stephanie Gricius
Rep. Sahara Hayes
Rep. A. Cory Maloy
Rep. Candice B. Pierucci
Rep. Andrew Stoddard

Rep. Norman K Thurston
Rep. Douglas R. Welton

Members Absent:

Rep. Val L. Peterson

Staff Present:

Lisa Sorensen, Policy Analyst
Thomas R. Vaughn, Managing Associate
General Counsel
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.

Chair Musselman called the meeting to order at 4:02 p.m.

MOTION: Rep. Petersen moved to approve the minutes of the February 21, 2023 meeting. The motion passed with a vote of 6 - 0 - 6.

Yeas - 6

Rep. B. Bolinder
Rep. J. Dailey-Provost
Rep. S. Hayes
Rep. A. Maloy
Rep. C. Musselman
Rep. M. Petersen

Nays - 0

Absent - 6

Rep. S. Gricius
Rep. V. Peterson
Rep. C. Pierucci
Rep. A. Stoddard
Rep. N. Thurston
Rep. D. Welton

1. H.B. 471 Local District Board Amendments (*Birkeland, K.*)

Chair Musselman announced that HB 471 will not be heard today.

2. 2nd Sub. H.B. 412 State Employment Revisions (*Christofferson, K.*)

Rep. Christofferson presented the bill with the assistance of Jenney Rees, Executive Director, Department of Government Operations.

Kory Holdaway, Utah Public Employees Association, spoke against the bill.

[HB 412 State Employee Career Service Timeline handout](#)

Brad Asay, Executive Director, American Federation of State, County and Municipal Employees, spoke against the bill.

Jeff Worthington, President, Utah AFL-CIO spoke against the bill.

Lauren Scholnick, Utah Trial Lawyers Association, and Utah Association for Justice. spoke against the bill.

Jayson Kesler, UDOT, spoke against the bill.

MOTION: Rep. Bolinder moved to pass 2nd Substitute H.B. 412 out favorably. The motion passed with a vote of 6 - 3 - 3.

Yeas - 6

Rep. B. Bolinder
Rep. S. Gricius
Rep. A. Maloy
Rep. C. Musselman
Rep. M. Petersen
Rep. N. Thurston

Nays - 3

Rep. J. Dailey-Provost
Rep. S. Hayes
Rep. A. Stoddard

Absent - 3

Rep. V. Peterson
Rep. C. Pierucci
Rep. D. Welton

3. H.B. 466 Office of the Attorney General Employment Amendments (*Christofferson, K.*)

Rep. Kay Christofferson presented the bill.

Brian Tarbet, Civil Deputy Attorney General's Office spoke against the bill.

Todd Losser, Executive Director, Utah Public Employees Association spoke against the bill.

Lauren Scholnick, Utah Trial Lawyers Association, and Utah Association for Justice. spoke against the bill

Jeff Hartley, citizen, spoke against the bill.

MOTION: Rep. Gricius moved to replace H.B. 466 with 2nd Substitute H.B. 466. The motion passed with a vote of 9 - 0 - 3.

Yeas - 9

Rep. B. Bolinder
Rep. J. Dailey-Provost
Rep. S. Gricius
Rep. S. Hayes
Rep. A. Maloy
Rep. C. Musselman
Rep. M. Petersen
Rep. A. Stoddard
Rep. N. Thurston

Nays - 0Absent - 3

Rep. V. Peterson
Rep. C. Pierucci
Rep. D. Welton

MOTION: Rep. Gricius moved to pass 2nd Substitute H.B. 466 out favorably. The motion passed with a vote of 6 - 3 - 3.

Yeas - 6

Rep. B. Bolinder
Rep. S. Gricius
Rep. A. Maloy
Rep. C. Musselman
Rep. M. Petersen
Rep. N. Thurston

Nays - 3

Rep. J. Dailey-Provost
Rep. S. Hayes
Rep. A. Stoddard

Absent - 3

Rep. V. Peterson
Rep. C. Pierucci
Rep. D. Welton

4. H.B. 21 Open and Public Meetings Act Amendments (*Briscoe, J.*)

Rep. Joel Briscoe presented the bill.

[HB 21 2nd Sub Open Public Meetings Act Slideshow](#)

Karson Eilers, Senior Analyst, Utah League of Cities and Towns spoke to the bill.

Aaron Davidson, Utah County Clerk, spoke to the bill.

Emilie Daley, Legislative Representative, Utah Parents United, spoke to the bill.

LeGrand Bitter, Executive Director, Utah Association of Special Districts spoke in favor of the bill.

Rikki Hrenko-Browning, President, Utah Petroleum Association, spoke in favor of the bill.

MOTION: Rep. Gricius moved to replace H.B. 21 with 2nd Substitute H.B. 21. The motion passed with a vote of 11 - 0 - 1.

Yeas - 11

Nays - 0

Absent - 1

Rep. B. Bolinder
Rep. J. Dailey-Provost
Rep. S. Gricius
Rep. S. Hayes
Rep. A. Maloy
Rep. C. Musselman
Rep. M. Petersen
Rep. C. Pierucci
Rep. A. Stoddard
Rep. N. Thurston
Rep. D. Welton

Rep. V. Peterson

MOTION: Rep. Gricius moved to amend 2nd Substitute H.B. 21.

SUBSTITUTE MOTION: Rep. Dailey-Provost moved to amend 2nd Substitute H.B. 21 with Amendment #1. The substitute motion passed with a vote of 9 - 2 - 1.

Amendment 1
2nd Sub. H.B. 21

1. Page 10, Lines 290 through 292:

290 (3) (a) (i) A public body holding a meeting that is open to the public shall allow a
291 reasonable opportunity for the public to provide verbal comment that is germane to the { [topics](#)
292 [to be considered during the meeting](#) } [authority of the public body](#) .

2. Page 10, Line 303 through Page 11, Line 306:

303 (c) The resolution, rule, or ordinance described in Subsection (3)(b) may limit public
304 verbal and written comments to topics that are germane to the { [topics to be considered during](#)
-305 [the meeting](#) } [authority of the public body](#) .
306 (4) Subsection (3) does not apply to the Legislature, a legislative committee, or another

Yeas - 9

Nays - 2

Absent - 1

Rep. B. Bolinder
Rep. J. Dailey-Provost
Rep. S. Gricius
Rep. S. Hayes
Rep. A. Maloy
Rep. M. Petersen
Rep. C. Pierucci
Rep. A. Stoddard
Rep. D. Welton

Rep. C. Musselman
Rep. N. Thurston

Rep. V. Peterson

MOTION: Rep. Stoddard moved to pass 2nd Substitute H.B. 21 as amended out favorably. The motion passed with a vote of 11 - 0 - 1.

Yeas - 11

Rep. B. Bolinder
Rep. J. Dailey-Provost
Rep. S. Gricius
Rep. S. Hayes
Rep. A. Maloy
Rep. C. Musselman
Rep. M. Petersen
Rep. C. Pierucci
Rep. A. Stoddard
Rep. N. Thurston
Rep. D. Welton

Nays - 0Absent - 1

Rep. V. Peterson

5. H.B. 451 State Entity Restrictions (Hall, K.)

Rep. Katy Hall presented the bill.

Brad Asay, President, American Federation of Teachers & American Association of University Professors spoke to the bill.

Dave Woolstenhulme, Commissioner, Utah System Higher of Education spoke to the bill.

Lauren Scholnick, representing teachers, spoke to the bill.

Barrett Bonella, Associate Professor of Social Work at Weber State University, spoke against the bill.

Sara Jones former attorney, spoke against the bill.

Nic Siniscalchi spoke against the bill.

MOTION: Rep. Michael Petersen moved to replace H.B. 451 with 1st Substitute H.B. 451. The motion passed with a vote of 11 - 0 - 1.

Yeas - 11

Rep. B. Bolinder
Rep. J. Dailey-Provost
Rep. S. Gricius
Rep. S. Hayes
Rep. A. Maloy
Rep. C. Musselman
Rep. M. Petersen
Rep. C. Pierucci
Rep. A. Stoddard
Rep. N. Thurston
Rep. D. Welton

Nays - 0Absent - 1

Rep. V. Peterson

MOTION: Rep. Thurston moved to amend 1st Substitute H.B. 451 with Amendment #1. The motion passed with a vote of 11 - 0 - 1.

Amendment 1
1st Sub. H.B. 451

1. Page 2, Lines 31 through 34:

31 (1) (a) As used in this section, "prohibited submission" means a submission, statement,
32 or document that requires a person to articulate the person's { personal } beliefs or position on a
33 policy or initiative that promotes differential treatment based on race, color, ethnicity, sex,
34 national origin, or age.

2. Page 3, Lines 62 through 67:

62 (4) If federal law requires an institution to accept a prohibited {statement} submission, the
63 institution:
64 (a) may accept the prohibited {statement} submission only to the extent required under federal law;
65 and
66 (b) shall limit consideration of the information contained in the prohibited {statement} submission to
67 the extent necessary to satisfy the requirement under federal law.

3. Page 3, Lines 74 through 76:

74 (1) (a) As used in this section, "prohibited submission" means a submission, statement,
75 or document that requires a person to articulate the person's beliefs or position on a policy or initiative
76 that promotes differential treatment based on race, color, ethnicity, sex, national origin, or age.

4. Page 4, Lines 104 through 109:

104 (4) If federal law requires an LEA or district school to accept a prohibited {statement} submission,
105 the LEA or district school:
106 (a) may accept the prohibited {statement} submission only to the extent required under federal law;
107 and
108 (b) shall limit consideration of the information contained in the prohibited {statement} submission to
109 the extent necessary to satisfy the requirement under federal law.

5. Page 5, Lines 121 through 123:

121 (b) (i) "Prohibited submission" means a submission, statement, or document that
122 requires a person to articulate the person's beliefs or position on a policy or initiative that promotes
123 differential treatment based on race, color, ethnicity, sex, national origin, or age.

6. Page 6, Lines 153 through 158:

153 (4) If federal law requires a governmental employer to accept a prohibited {statement} submission,
154 the governmental employer:
155 (a) may accept the prohibited {statement} submission only to the extent required under federal law;
156 and
157 (b) shall limit consideration of the information contained in the prohibited {statement} submission to
158 the extent necessary to satisfy the requirement under federal law.

Yeas - 11

Rep. B. Bolinder
Rep. J. Dailey-Provost
Rep. S. Gricius
Rep. S. Hayes
Rep. A. Maloy
Rep. C. Musselman
Rep. M. Petersen
Rep. C. Pierucci
Rep. A. Stoddard
Rep. N. Thurston
Rep. D. Welton

Nays - 0

Absent - 1

Rep. V. Peterson

MOTION:

Rep. Thurston moved to pass 1st Substitute H.B. 451 as amendment out favorably. The motion passed with a vote of 8 - 3 - 1.

Yeas - 8

Rep. B. Bolinder
Rep. S. Gricius
Rep. A. Maloy
Rep. C. Musselman
Rep. M. Petersen
Rep. C. Pierucci
Rep. N. Thurston
Rep. D. Welton

Nays - 3

Rep. J. Dailey-Provost
Rep. S. Hayes
Rep. A. Stoddard

Absent - 1

Rep. V. Peterson

6. H.B. 448 Election Changes (*Maloy, A. Cory*)

Rep. Maloy presented the bill with the assistance of Leah Blevins, Audit Manager, Utah Legislative Auditor General

Ryan Cowley, Director of Elections, Lieutenant Governor's office, spoke in favor of the bill.

Aaron Davidson, Utah County Clerk, spoke to the bill.

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

MOTION: Rep. Dailey-Provost moved to replace H.B. 448 with 2nd Substitute H.B. 448. The motion passed with a vote of 9 - 0 - 3.

Yeas - 9

Rep. B. Bolinder
Rep. J. Dailey-Provost
Rep. S. Hayes
Rep. A. Maloy
Rep. C. Musselman
Rep. M. Petersen
Rep. A. Stoddard
Rep. N. Thurston
Rep. D. Welton

Nays - 0Absent - 3

Rep. S. Gricius
Rep. V. Peterson
Rep. C. Pierucci

MOTION: Rep. Dailey-Provost moved to pass 2nd Substitute H.B. 448 out favorably. The motion passed with a vote of 9 - 0 - 3.

Yeas - 9

Rep. B. Bolinder
Rep. J. Dailey-Provost
Rep. S. Hayes
Rep. A. Maloy
Rep. C. Musselman
Rep. M. Petersen
Rep. A. Stoddard
Rep. N. Thurston
Rep. D. Welton

Nays - 0Absent - 3

Rep. S. Gricius
Rep. V. Peterson
Rep. C. Pierucci

MOTION: Rep. Dailey-Provost moved to adjourn. The motion passed with a vote of 8 - 0 - 4.



Yeas - 8

Rep. B. Bolinder
Rep. J. Dailey-Provost
Rep. S. Hayes
Rep. A. Maloy
Rep. C. Musselman
Rep. M. Petersen
Rep. A. Stoddard
Rep. D. Welton

Nays - 0

Absent - 4

Rep. S. Gricius
Rep. V. Peterson
Rep. C. Pierucci
Rep. N. Thurston

Chair Musselman adjourned the meeting at 6:11 p.m.