



MINUTES

HOUSE GOVERNMENT OPERATIONS STANDING COMMITTEE

Thursday, February 8, 2024 | 8:00 a.m. | 30 House Building

Members Present:

- Rep. Calvin R. Musselman, Chair
- Rep. Michael J. Petersen, Vice Chair
- Rep. Jennifer Dailey-Provost
- Rep. Sahara Hayes
- Rep. A. Cory Maloy
- Rep. Val L. Peterson
- Rep. Candice B. Pierucci
- Rep. Andrew Stoddard
- Rep. Norman K Thurston

Rep. Douglas R. Welton

Members Absent:

- Rep. Brady Brammer
- Rep. Stephanie Gricius
- Speaker Mike Schultz

Staff Present:

- Adam J. Sweet, 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 Musselman called the meeting to order at 8:09 a.m.

MOTION: Rep. Michael Petersen moved to approve the minutes of the February 2, 2024, meeting. The motion passed with a vote of 7 - 0 - 6.

Yeas - 7

- Rep. J. Dailey-Provost
- Rep. S. Hayes
- Rep. A. Maloy
- Rep. C. Musselman
- Rep. M. Petersen
- Rep. V. Peterson
- Rep. A. Stoddard

Nays - 0

Absent - 6

- Rep. B. Brammer
- Rep. S. Gricius
- Rep. C. Pierucci
- Rep. M. Schultz
- Rep. N. Thurston
- Rep. D. Welton

1. H.B. 266 Government Records Ombudsman Amendments (*Loubet, A.*)

Rep. Anthony Loubet presented the bill.

Brian McKenzie, Davis County Clerk, and Record's Office, Davis County, spoke in favor of the bill.

MOTION: Rep. Maloy moved to replace H.B. 266 with 1st Substitute H.B. 266. The motion passed with a vote of 8 - 0 - 5.

Yeas - 8

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

Nays - 0

Absent - 5

- Rep. B. Brammer
- Rep. S. Gricius
- Rep. C. Pierucci
- Rep. M. Schultz
- Rep. N. Thurston

MOTION: Rep. Maloy moved to amend 1st Substitute H.B. 266 with Amendment #1. The motion passed with a vote of 8 - 0 - 5.

Amendment 1
1st Sub. H.B. 266

1. Page 1, Line 14:
14 ▸ provides for an appeal of a fee waiver denial;
 ▸ repeals language making the State Records Committee a necessary party to a petition seeking judicial review of a decision of the State Records Committee;

2. Page 5, Line 148:
148 (A) the executive secretary of the State Records Committee; {~~and~~}

3. Page 6, Line 151:
151 Subsection 63G-2-701(5)(c){~~-~~}; and
 (C) the government records ombudsman.

4. Page 12, Lines 354 through 358:
354 {~~((b)) (c) The State Records Committee is a necessary party to a petition for judicial~~
355 ~~review of a State Records Committee order.~~
356 ~~—((c)) (d) The executive secretary of the State Records Committee shall be served with~~
357 ~~notice of a petition for judicial review of a State Records Committee order, in accordance with~~
358 ~~the Utah Rules of Civil Procedure.}~~

Yeas - 8
Rep. J. Dailey-Provost
Rep. S. Hayes
Rep. A. Maloy
Rep. C. Musselman
Rep. M. Petersen
Rep. V. Peterson
Rep. A. Stoddard
Rep. D. Welton

Nays - 0

Absent - 5
Rep. B. Brammer
Rep. S. Gricius
Rep. C. Pierucci
Rep. M. Schultz
Rep. N. Thurston

MOTION: Rep. Maloy moved to pass 1st Substitute H.B. 266 out favorably. The motion passed with a vote of 9 - 0 - 4.

Yeas - 9
Rep. J. Dailey-Provost
Rep. S. Hayes
Rep. A. Maloy
Rep. C. Musselman
Rep. M. Petersen
Rep. V. Peterson
Rep. C. Pierucci
Rep. A. Stoddard
Rep. D. Welton

Nays - 0

Absent - 4
Rep. B. Brammer
Rep. S. Gricius
Rep. M. Schultz
Rep. N. Thurston

2. H.B. 407 Eminent Domain Modifications (Bolinder, B.)

Rep. Bridger Bolinder presented the bill.

MOTION: Rep. Val Peterson moved to amend H.B. 407 with Amendment #1. The motion passed with a vote of 9 - 0 - 4.

**Amendment 1
H.B. 407**

1. Page 6, Lines 163 through 171:
163 (5) If the intended public purpose is for a mining use, a private person may not exercise the
164 power of eminent domain over property, or an interest in property, that is already used for a
165 mining use within the boundary of:
166 (a) a permit area, as defined in Section 40-8-4;
167 (b) an area for which a permit has been issued by the Division of Water Quality, as part
168 of the underground injection control program, under rules made by the Water Quality Board in

- 169 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;
- 170 (c) private property; or
- 171 (d) an area under a state or federal lease.

Yeas - 9

Rep. J. Dailey-Provost
Rep. S. Hayes
Rep. A. Maloy
Rep. C. Musselman
Rep. M. Petersen
Rep. V. Peterson
Rep. C. Pierucci
Rep. A. Stoddard
Rep. D. Welton

Nays - 0

Absent - 4

Rep. B. Brammer
Rep. S. Gricius
Rep. M. Schultz
Rep. N. Thurston

MOTION: Rep. Val Peterson moved to pass H.B. 407 out favorably. The motion passed with a vote of 9 - 0 - 4.

Yeas - 9

Rep. J. Dailey-Provost
Rep. S. Hayes
Rep. A. Maloy
Rep. C. Musselman
Rep. M. Petersen
Rep. V. Peterson
Rep. C. Pierucci
Rep. A. Stoddard
Rep. D. Welton

Nays - 0

Absent - 4

Rep. B. Brammer
Rep. S. Gricius
Rep. M. Schultz
Rep. N. Thurston

3. H.B. 380 Attorney General Amendments (Stoddard, A.)

Rep. Andrew Stoddard presented the bill

MOTION: Rep. Welton moved to pass H.B. 380 out favorably. The motion passed with a vote of 8 - 0 - 5.

Yeas - 8

Rep. S. Hayes
Rep. A. Maloy
Rep. C. Musselman
Rep. M. Petersen
Rep. V. Peterson
Rep. C. Pierucci
Rep. A. Stoddard
Rep. D. Welton

Nays - 0

Absent - 5

Rep. B. Brammer
Rep. J. Dailey-Provost
Rep. S. Gricius
Rep. M. Schultz
Rep. N. Thurston

4. H.J.R. 22 Joint Resolution Regarding District Court Operations (Peterson, V.)

Rep. Val Peterson presented the bill with the assistance of Ron Gordon, State Court Administrator.

MOTION: Rep. Thurston moved to pass H.J.R. 22 out favorably. The motion passed with a vote of 9 - 0 - 4.

Yeas - 9

Rep. S. Hayes
Rep. A. Maloy
Rep. C. Musselman
Rep. M. Petersen
Rep. V. Peterson
Rep. C. Pierucci
Rep. A. Stoddard
Rep. N. Thurston
Rep. D. Welton

Nays - 0

Absent - 4

Rep. B. Brammer
Rep. J. Dailey-Provost
Rep. S. Gricius
Rep. M. Schultz

MOTION: Rep. Thurston moved to place H.J.R. 22 on the Consent Calendar. The motion passed with a vote of 9 - 0 - 4.

Yeas - 9

Rep. S. Hayes
Rep. A. Maloy
Rep. C. Musselman
Rep. M. Petersen
Rep. V. Peterson
Rep. C. Pierucci
Rep. A. Stoddard
Rep. N. Thurston
Rep. D. Welton

Nays - 0

Absent - 4

Rep. B. Brammer
Rep. J. Dailey-Provost
Rep. S. Gricius
Rep. M. Schultz

5. H.B. 335 State Grant Process Amendments (Peterson, V.)

Rep. Val.Peterson presented the bill.

Liam Thrailkill, Policy Analyst, Utah League of Cities and Towns, spoke to the bill.

MOTION: Rep. Michael Petersen moved to replace H.B. 335 with 1st Substitute H.B. 335. The motion passed with a vote of 8 - 0 - 5.

Yeas - 8

Rep. S. Hayes
Rep. C. Musselman
Rep. M. Petersen
Rep. V. Peterson
Rep. C. Pierucci
Rep. A. Stoddard
Rep. N. Thurston
Rep. D. Welton

Nays - 0

Absent - 5

Rep. B. Brammer
Rep. J. Dailey-Provost
Rep. S. Gricius
Rep. A. Maloy
Rep. M. Schultz

MOTION: Rep. Michael Petersen moved to pass 1st Substitute H.B. 335 out favorably. The motion passed with a vote of 7 - 1 - 5.

Yeas - 7

Rep. C. Musselman
Rep. M. Petersen
Rep. V. Peterson
Rep. C. Pierucci
Rep. A. Stoddard
Rep. N. Thurston
Rep. D. Welton

Nays - 1

Rep. S. Hayes

Absent - 5

Rep. B. Brammer
Rep. J. Dailey-Provost
Rep. S. Gricius
Rep. A. Maloy
Rep. M. Schultz

MOTION: Rep. Welton moved to adjourn. The motion passed with a vote of 7 - 0 - 6.

Yeas - 7

Rep. S. Hayes
Rep. C. Musselman
Rep. M. Petersen
Rep. V. Peterson
Rep. A. Stoddard
Rep. N. Thurston
Rep. D. Welton

Nays - 0

Absent - 6

Rep. B. Brammer
Rep. J. Dailey-Provost
Rep. S. Gricius
Rep. A. Maloy
Rep. C. Pierucci
Rep. M. Schultz

Chair Musselman adjourned the meeting at 8:46 a.m.