

**Senator Howard C. Nielson** proposes to substitute the following bill:

**RESOLUTION AMENDING LOCAL  
GOVERNMENT PROVISIONS**

2000 GENERAL SESSION

STATE OF UTAH

**Sponsor: Howard C. Nielson**

A JOINT RESOLUTION OF THE LEGISLATURE PROPOSING TO AMEND THE UTAH CONSTITUTION; CLARIFYING STATUS OF COUNTIES; PROVIDING LEGISLATIVE INTENT; DIRECTING THE LIEUTENANT GOVERNOR TO INCLUDE CHANGES MADE BY THIS JOINT RESOLUTION IN PREVIOUS JOINT RESOLUTION AND TO SUBMIT THE PREVIOUS JOINT RESOLUTION, AS MODIFIED, TO VOTERS; AND PROVIDING AN EFFECTIVE DATE.

This resolution proposes to change the Utah Constitution as follows:

AMENDS:

**ARTICLE XI, SECTION 1**

*Be it resolved by the Legislature of the state of Utah, two-thirds of all members elected to each of the two houses voting in favor thereof:*

Section 1. It is proposed to amend Utah Constitution Article XI, Section 1, to read:

**ARTICLE XI. LOCAL GOVERNMENTS**

**Article XI, Section 1. [Counties recognized as legal subdivisions -- Powers of counties.]**

The [several] counties of the [Territory] State of Utah[, existing at the time of the adoption of this Constitution,] are [hereby] recognized as legal subdivisions of this State[, and the precincts, and school districts,]. The counties now existing [in said counties, as legal subdivisions thereof, and they] shall [so] continue until changed as provided by [law in pursuance of this article] statute.

**Section 2. Replacing portions of previous resolution -- Submittal to voters.**

26 (1) It is the intent of the Legislature that:

27 (a) Article XI, Section 1 of the Utah Constitution, as proposed to be amended in this joint  
28 resolution, replace and supersede that same section as proposed to be amended in S.J.R. 5,  
29 Resolution Amending State and Local Government Provisions, passed during the 1999 General  
30 Session;

31 (b) Article XI, Section 7 of the Utah Constitution, as proposed to be enacted in S.J.R. 5,  
32 Resolution Amending State and Local Government Provisions, passed during the 1999 General  
33 Session, be deleted and the remaining sections of Article XI as proposed to be enacted in S.J.R.  
34 5 be renumbered accordingly;

35 (c) S.J.R. 5, Resolution Amending State and Local Government Provisions, passed during  
36 the 1999 General Session, be submitted to voters with the changes in this joint resolution described  
37 in Subsection (1)(a) and (b) included in S.J.R. 5 as though S.J.R. 5 included those changes at the  
38 time it passed the Legislature in the 1999 General Session; and

39 (d) because the amendments in this joint resolution replace and supersede amendments in  
40 S.J.R. 5 and become a part of that resolution, the amendments proposed by this joint resolution not  
41 be submitted separately to the voters of the state.

42 (2) The lieutenant governor is directed to modify S.J.R. 5, Resolution Amending State and  
43 Local Government Provisions, passed during the 1999 General Session, as proposed by this joint  
44 resolution and to submit S.J.R. 5, as modified, to the voters of the state at the next regular general  
45 election in the manner provided by law.

46 **Section 3. Effective date.**

47 In accordance with Section 2 of this act, the amendments proposed by this joint resolution  
48 shall have the same effective date as S.J.R. 5, Resolution Amending State and Local Government  
49 Provisions, passed during the 1999 General Session, if S.J.R. 5 is approved by a majority of those  
50 voting on it at the next regular general election.

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