

**MINUTES OF THE
HOUSE POLITICAL SUBDIVISIONS
STANDING COMMITTEE**
Room 223 - State Capitol Building
February 14, 2003

COMMITTEE MEMBERS: Rep. Kory M. Holdaway, Chair
Rep. Roger E. Barrus, Vice Chair
Rep. Ralph Becker
Rep. Duane E. Bourdeaux
Rep. D. Gregg Buxton
Rep. Brad L. Dee
Rep. Carl W. Duckworth
Rep. Ann W. Hardy
Rep. David L. Hogue
Rep. Joseph G. Murray

STAFF PRESENT: Art Hunsaker, Policy Analyst
Karen Holt, Committee Secretary

VISITORS: (List filed with committee minutes.)

Chair Holdaway called the meeting to order at 2:04 p.m.

Motion: Rep. Duckworth moved to adopt the minutes of February 13, 2003. The motion passed with a vote of **6-0-4**, with Reps. Becker, Bourdeaux, Buxton and Hogue absent for the vote.

H.B. 302 **Privatization Policy Board Amendments** (*R. Bigelow*)

Motion: Rep. Hardy moved that H.B. 302 be deleted in title and body and be replaced with **1st Substitute H.B. 302**. The motion passed with a vote of **8-0-2**, with Reps. Bourdeaux and Hogue absent for the vote.

Rep. Bigelow introduced the substitute bill.

James Kesler, Chair, Privatization Control Board, spoke against the bill.

Motion: Rep. Becker moved to adopt the following amendments:

1. Page 3, Line 76: After "(1)" delete "The" and insert "Except as otherwise provided in Subsection (5), the"
2. Page 4, Line 109: After line 109 insert:
"(5) The board may not exercise its authority under Subsection (1) over an agency referred to in Subsection 63-55a-1(b), unless requested by the agency."

James Kesler, Privatization Control Board, spoke against the amendment.

The motion to amend passed with a vote of **8-2-0**, with Reps. Hogue and Holdaway voting no.

Motion: Rep. Dee moved that the committee report a favorable recommendation on 1st Substitute H.B. 302 as amended. The motion passed unanimously with a vote of **10-0-0**.

S.B. 75 **Criminal Background Checks by Political Subdivisions Operating Water Systems**
(C. Walker)

Rep. Hogue, House co-sponsor, introduced the bill.

Verdi White, Deputy Commissioner of Public Safety, further explained the bill.

Russ Donaghue, Rural Water Association, spoke for the bill.

Motion: Rep. Barrus moved to adopt the following amendment:

1. Page 79: After line 79, insert "(3) The Public Water Utility will prepare criteria for which criminal activity will preclude employment."
Renumber

Rep. Barrus withdrew the motion to amend.

Motion: Rep. Bourdeaux moved that the committee report a favorable recommendation on S.B. 75. The motion passed with a vote of **9-1-0**, with Rep. Duckworth voting no.

H.B. 122 **Planning Commission Review of Changes to Public Uses** (A. Hardy)

Motion: Rep. Hardy moved that the H.B. 122 be deleted in title and body and be replaced with **2nd Substitute H.B. 122, Local Government Amendments**. The motion passed with a vote of **9-0-1**, with Rep. Bourdeaux absent for the vote.

Rep. Hardy introduced the substitute bill.

Gary Crane, Attorney, Layton City, spoke for the bill.

Neil Lundberg, attorney for Provo City Council, spoke for the bill.

Haynes Fuller, Weber, spoke for the bill.

Robert Sykes, citizen and attorney, spoke against the bill.

Gary Uresk, city administrator for Woods Cross City, spoke for the bill.

Russ Sommerkorn, Dir. for Community and Economic Development, Davis County, spoke for the bill.

Robert Fuller, citizen, Roy, spoke for the bill.

Motion: Rep. Hogue moved that the committee report a favorable recommendation on 2nd Substitute H.B. 122.

Substitute Motion: Rep. Murray moved to adopt the following amendments:

1. Page 3, Line 80: After "provide" delete "reasonable" and
insert "a minimum of 14 days"
2. Page 3, Line 82: Delete "·:"
3. Page 3, Lines 83 and 84: Delete "(i)" and after "(4)(a)" delete "; and
(ii) reasonable notice for purposes of Subsection (4)(a)(i)"
4. Page 6, Line 174: After "provide" delete "reasonable" and
insert "a minimum of 14 days"
5. Page 6, Line 176: Delete "·:"
6. Page 6, Lines 176 and 177: Delete "(i)" and after "(4)(a)" delete "; and
(ii) reasonable notice for purposes of Subsection (4)(a)(i)"

Rep. Becker declared a conflict of interest.

The substitute motion to amend failed with a vote of **1-9-0**, with Rep. Murray voting yes, and Reps. Barrus, Becker, Bourdeaux, Buxton, Dee, Duckworth, Hardy, Hogue and Holdaway voting no.

The original motion to move 2nd Sub. H.B. 122 out favorably passed with a vote of **9-0-1**, with Rep. Hogue absent for the vote.

H.B. 277 **Residential Mortgage Practices Amendments** (*J. M. Philpot*)

Rep. Philpot introduced the bill.

Dexter Bell, Exec. Director, Division of Real Estate, further explained the bill.

Alan Blunt, Utah Association of Mortgage Brokers, spoke for the bill.

Doug Foutz, attorney, representing Utah Assn. of Financial Services and Utah Mortgage Lenders Assn., spoke for the bill.

Motion: Rep. Dee moved that the committee report a favorable recommendation on H.B. 277.

Rep. Bourdeaux declared a conflict of interest.

The motion passed unanimously with a vote of **9-0-1**, with Rep. Hogue absent for the vote.

Motion: Rep. Duckworth moved to adjourn. The motion passed and the meeting adjourned at 4:00 p.m.

Kory M. Holdaway, Chair