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MINUTES OF THE
WORKFORCE SERVICES & COMMUNITY & ECONOMIC DEVELOPMENT
STANDING COMMITTEE
MONDAY, FEBRUARY 10, 2003 - 8:00 A.M.
Room 414/416, State Capitol Building

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Members Present:	Sen. David Thomas, Committee Chair
	Sen. Thomas Hatch
	Sen. Lyle Hillyard
	Sen. Scott Jenkins
	Sen. Paula Julander
	Sen. David Steele
	Sen. John Valentine
Members Absent:	Sen. Ed Mayne
Staff Present:	Jami Momberger, Policy Analyst
	Bonnie Brinton, Committee Secretary
Public Speakers Present:	Nancy Brown, GOPB
	Mayor Janice Auger, Chair, Taylorsville UACIR
	David Patton, Director, Public Policy, U of U
	Laura Poe, Assistant Director, BPG
	Mark Bedel, Deputy State Planning Coordinator, GOPB
	John Fellows, Legislative Analyst and General Counsel
	Lynne Ward, Director, GOPB
	Steve Peterson, Utah School Board
	Jan T. Furner, Executive Director, UASD
	Dan Reese, Legislative Analyst and General Counsel
	Rich Thorn, President, Association of Contractors
	Steven Allred, Attorney, Salt Lake City
	Brent Gardner, Utah Association of Counties
	Gary Doxey, General Counsel, Utah State Government
	Brian Allen, Board Chair, Volunteers of America/Utah
	Sheila Walsh-McDonald, Salt Lake CAP
	Matt Mikevitch, Executive Director, The Road Home

Visitor List on File.

Chair Thomas called the meeting to order at 8:10 a.m.

1.   **S.B. 67 Revisions to Boards and Commissions** *(H. Stephenson)*

        Sen. Stephenson presented the bill.

Nancy Brown, Director of Boards and Commissions, Governor's Office, explained the bill.

Mayor Janice Auger, Chair, Taylorsville UACIR, spoke to the bill.

David Patton, Director, Public Policy, U of U, spoke in opposition to the bill.

Laura Poe, Assistant Director, BPG, spoke in support of the bill.

Mark Bedel, Deputy State Planning Coordinator, GOPB, spoke in support of the bill.

MOTION: Sen. Valentine moved to accept 1ˢᵗ Sub. S.B. 67 in place of S.B. 67.

The motion passed unanimously.

MOTION: Sen. Julander moved to delete lines 267 through 292.

Sen. Jenkins assumed the Chair.

John Fellows, Legislative Associate General Counsel, clarified the motion.

Lynne Ward, Director, GOPB, spoke in favor of the bill.

SUBSTITUTE MOTION: Sen. Valentine moved to pass 1ˢᵗ Sub. S.B. 67 out of committee with a favorable recommendation.

The motion passed, with Sen. Thomas absent for the vote; and Sens. Hillyard and Julander voting against the motion.

2.   **S.B. 141 Local Government Capital Projects** *(H. Stephenson)*

Sen. Stephenson explained the bill.

MOTION: Sen. Steele moved to accept the following amendments to S.B. 141:

1.   Page 1, Line 25:After line 25 insert "**11-39-107**, Utah Code Annotated 1953"

2.   Page 4, Line 91:At the beginning of line 91 delete "The legislative body of each" and insert "Each"

3.   Page 4, Line 101:After "<u>limit, the</u>" delete "<u>legislative body</u>" and insert "<u>local entity</u>"

4.   Page 4, Line 113:After "<u>indicate that the</u>" delete "<u>legislative body</u>" and insert "<u>local entity</u>"

5.   Page 4, Line 115:After "<u>(b)</u>" insert "<u>(i)</u>"

6.   Page 4, Lines 116-117:Delete lines 116 and 117 and insert "<u>avoid:</u>
<u>(A) exceeding the bid limit; and</u>
<u>(B) subjecting the local entity to the requirements of this section.</u>
<u>(ii) Notwithstanding Subsection (2)(b)(i), a local entity may divide</u>
<u>the cost of a building improvement or public works project that</u>
<u>would, without dividing, exceed the bid limit if the local entity</u>
<u>complies with the requirements of this section with respect to each</u>
<u>part of the building improvement or public works project that</u>
<u>results from dividing the cost.</u>"

7.   Page 4, Line 118:After "<u>(3)(a) The</u>" delete "<u>legislative body</u>" and insert "<u>local entity</u>"

8.   Page 4, Line 119:After "<u>(b) If the</u>" delete "<u>legislative body</u>" and insert "<u>local entity</u>"

9.   Page 4, Line 120:After "<u>project, the</u>" delete "<u>legislative body</u>" and insert "<u>local entity</u>"

10.   Page 5, Line 123:After "<u>(1)(a), the</u>" delete "<u>legislative body</u>" and insert "<u>local entity</u>"

11.   Page 5, Line 145:After line 145 insert:

       "Section 7. Section **11-39-107** is enacted to read:
       <u>11-39-107. County may adopt procurement code.</u>
       <u>(1) This chapter may not be construed to prohibit a county</u>
       <u>legislative body from adopting the procedures of Title 63, Chapter</u>
       <u>56, Utah Procurement Code.</u>
       <u>(2)(a) In seeking bids and awarding a contract for a building</u>
       <u>improvement or public works project, a county legislative body</u>
       <u>may elect to follow the provisions of Title 63, Chapter 56, Utah</u>

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Procurement Code, as the county legislative body considers appropriate under the circumstances for specification preparation, source selection, or contract formation.
(b) An election to adopt the procedures of Title 63, Chapter 56, Utah Procurement Code, may not excuse the county from complying with the requirements to award a contract for work in excess of the bid limit and to publish notice of the intent to award.
(3) An election under Subsection (2) may be made on a case-by-case basis, unless the county has previously adopted the Utah Procurement code as permitted by Subsection 63-56-2(3)(e).
(4) If an election is made, it shall be done in an open meeting of the county legislative body, and the portions of the Utah Procurement Code to be followed for the work under consideration shall be specified in the legislative body's action."
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Renumber remaining sections accordingly.

The motion passed unanimously, with Sens. Thomas and Valentine absent for the vote.

Steve Peterson, Utah School Board, spoke to the bill.

Chair Thomas assumed the Chair.

Jan T. Furner, Executive Director, UASD, spoke to the bill.

Robert Reese, Legislative Associate General Counsel, clarified the bill.

Rich Thorn, President, Association of Contractors, spoke in support of the bill.

Steven Allred, Attorney, Salt Lake City, spoke in support of the bill.

Brent Gardner, Utah Association of Counties, spoke in support of the bill.

MOTION: Sen. Steele moved to amend the bill to delete lines 17 and 247 through 302.

The motion passed, with Sens. Hatch and Valentine absent for the vote; and Sens. Hillyard and Jenkins voting against the motion.

MOTION: Sen. Steele moved to pass S.B. 141 as amended out of committee with a favorable recommendation.

The motion passed unanimously, with Sens. Hatch and Valentine absent for the vote.

3.   **S.B. 165 Gubernatorial Nominee Amendments** *(L. Hillyard)*

Sen. Hillyard explained the bill.

Gary Doxey, General Counsel, Governor's Office, spoke in support of the bill.

MOTION: Sen. Hillyard moved to pass S.B. 165 out of committee with a favorable recommendation.

The motion passed unanimously, with Sens. Hatch and Valentine absent for the vote.

4.   **H.B. 15 State Armory Board Amendments** *(D. Bush)*

Rep. Bush explained the bill.

MOTION: Sen. Steele moved to pass H.B. 15 out of committee with a favorable recommendation.

The motion passed unanimously, with Sens. Hatch and Valentine absent for the vote.

5.   **H.B. 171 Pamela Atkinson Homeless Trust Account** *(M. Stephens)*

Sen. Steele explained the bill.

Rep. Bush spoke in support of the bill.

Brian Allen, Board Chair, Volunteers of America/Utah, spoke in support of the bill.

Sheila Walsh-McDonald, Salt Lake CAP, spoke in support of the bill.

Matt Mikevitch, Executive Director, The Road Home, spoke in support of the bill.

Speaker Stephens presented a summation of the bill.

MOTION: Sen. Steele moved to pass H.B. 171 out of committee with a favorable recommendation.

The motion passed unanimously, with Sens. Hatch, Hillyard, Jenkins, and Valentine

absent for the vote.

MOTION: Sen. Steele moved to place H.B. 171 on the Consent Calendar.

The motion passed unanimously, with Sens. Hatch, Hillyard, Jenkins, and Valentine absent for the vote.

MOTION: Sen. Julander moved to adjourn the meeting.

The motion passed unanimously, with Sens. Hatch, Hillyard, Jenkins, and Valentine absent for the vote.

Chair Thomas adjourned the meeting at 10:05 a.m.

Minutes were reported by Bonnie Brinton, Secretary.

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Sen. David Thomas, Committee Chair