

**MINUTES OF THE
HOUSE GOVERNMENT OPERATIONS STANDING COMMITTEE
ROOM 405, STATE CAPITOL BUILDING**

JANUARY 20, 2004

MEMBERS PRESENT: Rep. James A. Ferrin, Chair
 Rep. Eric K. Hutchings, Vice Chair
 Rep. Doug Aagard
 Rep. Ron Bigelow
 Rep. DeMar "Bud" Bowman
 Rep. Don E. Bush
 Rep. Neil A. Hansen
 Rep. Neal B. Hendrickson
 Rep. Roz McGee
 Rep. Merlynn T. Newbold
 Rep. Loraine T. Pace

STAFF PRESENT: John Cannon, Managing Policy Analyst
 Sylvia Newton, Committee Secretary
 John Fellows, Associate General Counsel

Note: A list of visitors and copy of handouts are filed with committee minutes.

Rep. Ferrin called the meeting to order at 3:40 p.m.

Rep. Ferrin announced that H.B. 67 would not be considered at this meeting.

H.B. 9 Absentee Ballot Amendments (*Rep. D. Aagard*)

Rep. Aagard introduced H.B. 9 and explained it to the committee.

MOTION: Rep. Aagard moved to amend the bill as follows:

Page 1, Line 12: After line 12 insert:
 "► establishes requirements for making absentee ballot
 information available to the public;"

Page 1, Line 24: After line 25 insert:
 "ENACTS:
 20A-3-304.1, Utah Code Annotated 1953"

Page 5, Line 133: After line 133 insert:
 "Section 4. Section **20A-3-304.1** is enacted to read:
 20A-3-304.1. County clerk to provide absentee ballot

information and status.

(1) As used in this section:

(a) "Absentee ballot record" means the information about the existence and status of absentee ballot requests required by this section.

(b) "Qualified absentee ballot application" means an absentee ballot application filed under Section 20A-3-304 from a voter who the county clerk determines is eligible to receive an absentee ballot.

(2) (a) Each county clerk shall maintain an absentee ballot record in the county clerk's office.

(b) The absentee ballot record is a public record under Title 63, Chapter 2, Government Records Access and Management Act.

(3) The county clerk shall ensure that the absentee ballot record contains, for each voting precinct:

(a) the name and address of each person who has filed a qualified absentee ballot application;

(b) the date that the application was received;

(c) the current status of each qualified absentee ballot application including specifically:

(i) whether or not the absentee ballot has been mailed to the voter; and

(ii) whether or not the voted absentee ballot has been received by the county clerk.

(4) (a) Notwithstanding the time limits for response to a request for records under Section 63-2-204 or the time limits for a request for records established in any county ordinance, the county clerk shall ensure that the information required by this section is recorded and made available no later than twenty-four hours after its receipt.

(b) Notwithstanding the fee requirements of Section 63-2-203 or the fee requirements established in any county ordinance, the clerk shall make copies of the absentee ballot record available to the public for the actual cost of production or copying."

Renumber remaining sections accordingly.

The motion to amend H.B. 9 passed unanimously with Rep. Bigelow, Rep. McGee, and Rep. Newbold absent for the vote.

MOTION: Rep. Hansen moved to pass the amended bill out favorably. The motion passed unanimously with Rep. Bigelow and Rep. McGee absent for the vote.

H.B. 40 Filling Midterm Vacancies in the Legislature (*Rep. C. Frank*)

Rep. Frank introduced H.B. 40 and explained it to the committee.

John Fellows, Associate General Counsel, clarified points of the bill for the committee.

MOTION: Rep. Bush moved to pass the bill out favorably. The motion passed unanimously.

H.B. 175 Process for Filling Midterm Vacancies in the Legislature (*Rep. W. Harper*)

Rep. Harper introduced H.B. 175 and explained it to the committee.

MOTION: Rep. Hendrickson moved to pass the bill out favorably. The motion passed with Rep. Pace voting in opposition to the motion.

H.B. 57 Amendments to Budgetary Procedures Act (*Rep. J. Seitz*)

Rep. Seitz introduced H.B. 57 and explained it to the committee. He was assisted by Lynn Vellinga, Department of Administrative Services.

MOTION: Rep. Aagard moved to pass the bill out favorably. The motion passed unanimously.

H.J.R. 1 Resolution Amending Dates of Annual Legislative Session (*Rep. S. Mascaro*)

Rep. Mascaro introduced H.J.R. 1 and explained it to the committee.

MOTION: Rep. Hansen moved to table the resolution.

SUBSTITUTE

MOTION: Rep. Newbold moved to adjourn. The motion passed unanimously. The meeting adjourned at 4:25 p.m.