

**MINUTES OF THE  
HOUSE GOVERNMENT OPERATIONS STANDING COMMITTEE  
ROOM 405, STATE CAPITOL BUILDING  
JANUARY 28, 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. Roz McGee  
                                 Rep. Merlynn T. Newbold  
                                 Rep. Loraine T. Pace  
  
                                 Rep. Neal B. Hendrickson

STAFF PRESENT:              John Cannon, Managing Policy Analyst  
                                 Sylvia Newton, Committee Secretary

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

Rep. Ferrin called the meeting to order at 8:10 a.m.

MOTION:    Rep. Bush moved to approve the minutes of the January 26, 2004 meeting. The motion passed unanimously with Rep. Aagard, Rep. Bigelow, Rep. Hansen, and Rep. Hutchings absent for the vote.

**H.B. 206      Constitutional Defense Council Amendments (Rep. M. Noel)**

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

1.    *Page 3, Lines 59 through 64:*

59            (d)    (i) Each agenda shall include the following items :

60            =    ~~[(i)]~~ (A) a financial report ~~[[detailing all of the monies available to the~~  
                                 ~~council and how those~~  
61            ~~monies have been spent]]~~ ; and

62            =    ~~[(ii)]~~ (B) a litigation report ~~[[by the attorney general or his designee~~  
                                 ~~detailing the status,~~  
63            ~~schedule, timing, and outlook for each case initiated by the council or for which the~~  
                                 ~~council has~~  
64            ~~requested a report]]~~ . =

(ii) The financial report presented to the council shall detail all of the monies

- available to the council and how those
- 61 monies have been spent, excluding monies spent on and available for litigation.**  
**(iii) The attorney general or his designee shall present the litigation report and detail**  
**the legal status,**
- 63 schedule, timing, outlook, and financial status for each case initiated by the council**  
**or for which the council has**
- 64 requested a report.**  
**(iv) Nothing in this Subsection (d) prohibits the council from closing a meeting**  
**under Title 52, Chapter 4, Open and Public Meetings, or prohibits the council from**  
**complying with Title 63, Chapter 2, Government Records Access and Management**  
**Act.**

The motion to amend the bill passed unanimously with Rep. Bigelow and Rep. Hutchings absent for the vote.

Rep. Noel introduced H.B. 206 as amended and explained it to the committee. He was assisted by Mark Walsh, Utah Association of Counties.

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.

**S.B. 15 Carryover of Authorized Capital Outlay Amendments (*Sen. B. Evans*)**

Sen. Evans introduced S.B. 15 and explained it to the committee.

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

**H.B. 217 Changes to Division of Facilities and Construction Management Contract Procedures and Requirements (*Rep. W. Harper*)**

Rep. Harper introduced H.B. 217 and explained it to the committee.

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

1. Page 2, Line 52:

52 (iii) comply with applicable building codes and inspection requirements; and

The motion to amend the bill passed unanimously with Rep. Aagard and Rep. Bigelow absent for the vote.

Spoke in favor of the bill: Ken Nye, Division of Facilities, Construction & Management  
John Young, Utah Subcontractors Council

Spoke to the bill: Richard Thorn, Associated General Contractors  
Clegg Mabey, Associated Builders & Contractors

MOTION: Rep. Pace moved to hold the bill in committee. The motion passed unanimously.

Rep. Ferrin relinquished the chair to Rep. Hutchings.

**S.B. 10 Amendments to Local Referendum Process (Sen. J. Hickman)**

Sen. Hickman introduced S.B. 10 and explained it to the committee.

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

*1. Page 2, Lines 55 through 57  
Senate 2nd Reading Amendments  
1-21-2004:*

55 (3) (a) Sponsors of any referendum petition challenging, under Subsection (1) or (2),  
56 any local law passed by a local legislative body shall file the petition within [35] §  
[[+]] 45 [[+]] [[-60]] § days  
56a after  
57 the passage of the local law.

The motion to amend the bill passed unanimously with Rep. Pace and Rep. Ferrin absent for the vote.

Spoke in favor of the bill: Lincoln Shurtz, Utah League of Cities and Towns  
Stacey Haws, citizen

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

MOTION: Rep. Bowman moved to adjourn. The motion passed unanimously with Rep. Ferrin absent for the vote. The meeting adjourned at 9:12 a.m.

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Rep. James A. Ferrin, Chair