

**MINUTES OF THE  
HOUSE GOVERNMENT OPERATIONS STANDING COMMITTEE  
ROOM 405, STATE CAPITOL BUILDING  
February 10, 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  
                                 John Fellows, Associate General Counsel  
                                 Sylvia Newton, Committee Secretary

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

Rep. Hutchings called the meeting to order at 8:34 a.m.

MOTION:    Rep. Hansen moved to approve the minutes of the February 6, 2004 meeting. The motion passed unanimously with Rep. Hendrickson and Rep. Bigelow absent for the vote.

**H.B. 114      Money Management Act Amendments (Rep. D. Clark)**

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

*1. Page 9, Lines 247 through 249:*

247            (2) ~~[[Certified]]~~ **(a) Except as provided in subsection (2)(b),**  
**certified** investment advisers acting on behalf of a public treasurer shall conduct  
248 **investment transactions only through qualified depositories, certified dealers, or**  
**directly with**  
249 **issuers of the investment securities.**  
**(b) Certified investment advisers may use a primary dealer who is not a**  
**certified dealer or a broker-dealer who is not a certified dealer, if the council**  
**has qualified the dealer or broker-dealer according to the procedures and**  
**requirements established in the rules made as required in Subsection (2)(c).**

**(c) The council shall make rules establishing standards and procedures that certified investment advisers may follow in order to qualify primary dealers and broker-dealers who are not certified dealers.**

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

Rep. Clark introduced H.B. 114 as amended and explained it to the committee.

Spoke in favor of the bill: Larry Richardson, Salt Lake County Treasurer

MOTION: Rep. Bush moved to pass H.B. 114 out favorably as amended. The motion passed unanimously with Rep. Bigelow absent for the vote.

**H.B. 228 Sale, Exchange, or Donation of Real Property by State Agencies (Rep. D. Ure)**

MOTION: Rep. Hendrickson moved to delete in title and body H.B. 228 and replace it with 1st Sub. H.B. 228. The motion passed unanimously with Rep. Bigelow absent for the vote.

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

*1. Page 9, Line 272 through Page 10, Line 282:*

- 272 (6) Notwithstanding the provisions of Subsection (2) (a)(iv), the following entities  
may  
273 hold title to any real property, buildings, fixtures, and appurtenances held by them for  
purposes  
274 other than administration that are under their control and management:  
275 (a) the Office of Trust Administrator;  
276 (b) the Department of Transportation;  
277 ~~[(c) the Division of Forestry, Fire and State Lands; ]]~~  
278 ~~[(d)]~~ (c) the Department of Natural Resources and its divisions ;  
279 ~~[(e)]~~ (d) the ~~[Utah National Guard]~~ State Armory Board;  
280 ~~[(f)]~~ (e) any area vocational center or other institution administered by the  
State Board of  
281 Education; and  
282 ~~[(g)]~~ (f) any institution of higher education.

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

Rep. Ure introduced 1st Sub. H.B. 228 as amended and explained it to the committee.

Spoke to the bill: Kevin Walthers, Office of Legislative Fiscal Analyst  
John Njord, Executive Director, Department of Transportation

MOTION: Rep. Hansen moved to pass the bill out favorably as amended. The motion passed unanimously.

**H.B. 265 Designation of Commemorative Days (Rep. D. Bush)**

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

1. *Page 1, Lines 12 through 14:*

12 This bill:

13 ▶ designates the third Monday in May as Yellow Ribbon Day;

14 ▶ designates ~~[[September 19]]~~ **the third Friday in September** as  
POW/MIA Recognition Day; and

2. *Page 2, Lines 28 through 35:*

28 (1) The following days shall be commemorated yearly ~~[on the designated~~  
~~calendar~~

29 ~~date]~~:

30 ~~[(+)]~~ (a) Bill of Rights Day, on December 15; ~~[and]~~

31 ~~[(2)]~~ (b) Constitution Day, on September 17~~[-]~~;

32 (c) Yellow Ribbon Day, on the third Monday in May, in honor of men and  
women who

33 are serving or have served in the U.S. armed forces around the world in defense of  
freedom;

34 and

35 (d) POW/MIA Recognition Day, on ~~[[September 19.]]~~ **the third**  
**Friday in September.**

The motion to amend the bill passed with Rep. Ferrin voting in opposition to the motion and Rep. Newbold absent for the vote.

Rep. Bush introduced H.B. 265 as amended and explained it to the committee.

Spoke in favor of the bill: Terry Schow, Utah Division of Veterans Affairs

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

MOTION: Rep. Hansen moved to place H.B. 265 on the Consent Calendar. Because the rules require a unanimous vote, the motion failed with Rep. Aagard, Rep. Bowman, Rep. Bush, Rep. Hansen, Rep. Hendrickson, Rep. McGee, Rep. Pace, Rep. Hutchings, and Rep. Ferrin voting in favor of the motion. Rep. Bigelow voted in opposition to the motion and Rep. Newbold was absent for the vote.

MOTION: Rep. Bowman moved to adjourn. The motion passed unanimously with Rep. Newbold absent for the vote. The meeting adjourned at 9:31 a.m.

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Rep. James A. Ferrin, Chair