

**MINUTES OF THE SENATE GOVERNMENT OPERATIONS & POLITICAL SUBDIVISIONS
STANDING COMMITTEE
JANUARY 23, 2004, 2:00 P.M.
ROOM 403, STATE CAPITOL BUILDING**

Members Present: Sen. Carlene M. Walker, Chair
 Sen. Patrice Arent
 Sen. Dan Eastman
 Sen. Karen Hale
 Sen. Bill Hickman
 Sen. Peter Knudson

Member Excused: Sen. Beverly Evans

Staff Present: Richard North, Policy Analyst
 Saundra Maeser, Secretary

Public Speakers Present: Jack Lucero, Asst. Chief, Weber Fire District
 Dale Zabriskie, Gold Cross Ambulance
 David Church, Attorney, Utah League of Cities and Towns
 Ray Walker, Division of Occupational and Professional Licensing
 Chris Blake, Executive Director, Utah Republican Party

A list of visitors and a copy of handouts are filed with the committee minutes.

Committee Chair Walker called the meeting to order at 2:25 p.m.

1. **Approval of Minutes**

MOTION: Sen. Arent moved to approve the minutes of the January 23, 2004 meeting.

The motion passed unanimously with Sen. Eastman absent at the time of voting.

2. **S.B. 91 Emergency Medical Service Provider Amendments** (S. Jenkins)

Sen. Scott Jenkins introduced the bill, assisted by Jack Lucero, Asst. Chief, Weber Fire District.

Dale Zabriskie, Gold Cross Ambulance, spoke in support of the bill.

MOTION: Sen. Knudson moved to pass S.B. 91 out with a favorable recommendation.

The motion passed unanimously.

2. **S.B. 23 Amendments to Municipal Government** (T. Hatch)

Sen. Thomas Hatch introduced the bill, assisted by David Church, Attorney, Utah League of Cities and Towns.

MOTION: Sen. Hickman moved to amend S.B. 23 as follows:

1. Page 2, Lines 41 through 54:

- 41 (2) Subsection (1) does not apply to:
 * * * *Some lines not shown* * * *
49 (f) a deputy or assistant fire chief of the municipality;
 * * * *Some lines not shown* * * *
53 (j) a probationary employee of the municipality; ~~[[or]]~~ .
 (k) a part-time employee of the municipality; or
54 ~~[[k]]~~ (l) a seasonal employee of the municipality.

2. Page 2, Line 58 through Page 3, Line 72:

- 58 (1) ~~No officer or~~ An employee ~~[covered by]~~ to which Section 10-3-1105 ~~[shall]~~
59 applies may not be discharged, suspended without pay, or involuntarily transferred to
60 a position with less
 remuneration;
 * * * *Some lines not shown* * * *
64 (2) (a) If an employee is discharged, suspended without pay, or
 involuntarily transferred from one
65 position to another for any reason, ~~he shall have the right to~~ the employee may subject to Subsection (2)(b), appeal the
66 discharge, suspension without pay, or involuntary transfer to a board to be known as
67 the appeal board
68 ~~[which shall consist of five members, three of whom shall be chosen by and from the~~
69 ~~appointive officers and employees, and two of whom shall be members of the governing~~
70 ~~body],~~
 established under Subsection (7).
 (b) If the municipality provides an internal grievance procedure, the
 employee shall exhaust the employee's rights under that grievance procedure before
 appealing to the board.
70 ~~(2) The~~ (3) (a) Each appeal under Subsection (2) shall be taken by filing written

- 71 notice of the appeal with the recorder within ten days after :
- (i) if the municipality provides an internal grievance procedure, the employee receives notice of the final disposition of the municipality's internal grievance procedure; or
- (ii) if the municipality does not provide an internal grievance procedure, the discharge, suspension, or involuntary
- 72 transfer.

3. *Page 3, Line 88 through Page 4, Line 90:*

- 88 (5) [~~The~~] (a) (i) Each decision of the appeal board shall be by secret ballot, and shall be
- 89 certified to the recorder ~~[[with]]~~ within 15 days from the date the matter is referred to it , except as provided in Subsection (5)(a)(ii) . [~~The board may,~~
- 90 ~~in its decision,~~]
- (ii) For good cause, the board may extend the 15-day period under Subsection (5)(a)(i) to a maximum of 60 days, if the employee and municipality both consent.

4. *Page 4, Lines 106 through 108:*

- 106 (6) (a) ~~[[An employee who is the subject of a]]~~ A final action or order of the appeal board
- 107 may ~~[[appeal the action or order]]~~ be appealed to the Court of Appeals by filing with that court a notice of
- 108 appeal.

The motion passed unanimously.

MOTION: Sen. Hale moved to pass S.B. 23, as amended, out with a favorable recommendation.

The motion passed unanimously.

3. **S.B. 113 Administrative Procedures Act Amendments** (*L. Hillyard*)

Sen. Sen. Hickman introduced the bill in place of Sen. Lyle Hillyard. Ray Walker, DOPL, assisted in the presentation.

MOTION: Sen. Arent moved to pass S.B. 113 out with a favorable recommendation.

The motion passed unanimously.

4. S.B. 97 Certification Deadline for Political Parties (C. Bramble)

Sen. Bramble introduced the bill, assisted by Chris Blake, Executive Director of the Utah Republican Party.

MOTION: Sen. Eastman moved to pass S.B. 97 out with a favorable recommendation.

The motion passed unanimously.

MOTION: Sen. Hickman moved to adjourn.

The motion passed unanimously.

Committee Chair Walker adjourned the meeting at 2:55 p.m.

Minutes reported by Sandra Maeser, Secretary.

Sen. Carlene Walker, Committee Chair

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