

**MINUTES OF THE
HOUSE GOVERNMENT OPERATIONS STANDING COMMITTEE
ROOM W010, WEST OFFICE BUILDING, STATE CAPITOL COMPLEX
FEBRUARY 11, 2005**

MEMBERS PRESENT: Rep. Gregory H. Hughes, Vice Chair
 Rep. DeMar "Bud" Bowman
 Rep. Craig W. Buttars
 Rep. Neil A. Hansen
 Rep. Neal B. Hendrickson
 Rep. Eric K. Hutchings
 Rep. John G. Mathis
 Rep. Aaron Tilton
 Rep. Mark Wheatley

MEMBERS ABSENT: Rep. Douglas C. Aagard, Chair
 Rep. Stephen D. Clark

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. Hughes called the meeting to order at 3:25 p.m.

MOTION: Rep. Hendrickson moved to approve the minutes of the February 10, 2005 meeting. The motion passed unanimously with Rep. Bowman, Rep. Hutchings and Rep. Mathis absent for the vote.

H.B. 58 Government Efficiency and Effectiveness Review Committee (*Rep. P. Wallace*)

MOTION: Rep. Buttars moved to return H.B. 58 to the Rules Committee. The motion passed unanimously with Rep. Bowman, Rep. Hutchings and Rep. Mathis absent for the vote.

H.B. 166 Utah Indoor Clean Air Act Amendments (*Rep. P. Ray*)

Rep. Ray introduced H.B. 166 and explained it to the committee.

Spoke to the bill: Michael Bernier, citizen
 Diana Elliott, citizen

Spoke in opposition to the bill: Phil Dyer, attorney (handout)

MOTION: Rep. Hutchings moved to pass H.B. 166 out favorably. The motion failed with Rep. Hutchings and Rep. Mathis voting in favor of the motion. Rep. Bowman was absent for the vote.

Rep. Hughes relinquished the chair to Rep. Hendrickson.

H.B. 266 Changes to Quality Growth Commission (Rep. C. Buttars)

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

1. Page 1, Line 15:

15 ▶ requires ~~{legislative approval for}~~ the commission to report to the Legislative Management Committee before making certain loans or grants of money from the LeRay

2. Page 2, Lines 34 through 35:

34 [~~(b)~~] (iii) six elected officials at the local government level, ~~{two}~~ three of whom may not be
35 residents of a county of the first or second class; and

3. Page 2, Lines 36 through 37:

36 [~~(c)~~] (iv) five persons from the profit and nonprofit private sector,
 ~~{three}~~ two of whom may
37 not be residents of a county of the first or second class and no more than three of whom may be

4. Page 4, Line 120 through Page 5, Line 121:

120 (f) (i) The commission may not ~~{, without the Legislature's prior approval,}~~ make a grant or
121 loan from the fund that exceeds \$1,000,000 until after making a report to the Legislative Management Committee about the grant or loan .
 (ii) The Legislative Management Committee may make a recommendation to the commission concerning the intended grant or loan, but the recommendation is not binding on the commission.

The motion to amend the bill passed unanimously with Rep. Bowman, Rep. Tilton, and Rep. Hughes absent for the vote.

Rep. Buttars introduced H.B. 266 as amended and explained it to the committee.

Spoke to the bill: John Bennett, Governor's Office of Planning and Budget
Carlton Christensen, Quality Growth Commission

Spoke in favor of the bill: Todd Bingham, Utah Farm Bureau
Bill Rigby, Utah Association of Conservation Districts

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

H.B. 274 Referendum Procedure (Rep. D. Hogue)

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

1. *Page 2, Line 50:*

50 (d) a copy of the law that is subject to ~~{the}~~ a referendum.

2. *Page 2, Lines 56 through 57:*

56 (i) notify the sponsors and identify the corrections that must be made in order
to meet the requirements of
57 Subsection (2); and

3. *Page 4, Lines 112 through 120:*

112 (3) (a) If the lieutenant governor refuses to [~~accept and file any referendum petition~~]
113 certify the referendum for the ballot after it has been declared sufficient , any voter
may apply to the Supreme Court for an

114 extraordinary writ to compel him to do so within ten days after the refusal.

115 (b) If the Supreme Court determines that the referendum [~~petition is legally~~
sufficient,

116 ~~the lieutenant governor shall file it, with a verified copy of the judgment attached to it, as~~
of the

117 ~~date on which it was originally offered for filing in his office]~~ has been declared
sufficient and meets the legal requirements to

118 be placed on the ballot, the Supreme Court shall order the lieutenant governor and all
other
119 officers to certify and print the ballot title and numbers of that measure on the official
ballot for
120 the next election.

4. *Page 5, Line 139:*

139 (d) one copy of the law that is subject to ~~{the}~~ a referendum.

5. *Page 5, Lines 145 through 146:*

145 (i) notify the sponsors and identify the corrections that must be made in order
to meet the requirements of
146 Subsection (2); and

6. *Page 7, Lines 202 through 209:*

202 (4) (a) If the local clerk refuses to [~~accept and file any referendum petition~~] certify
the
203 referendum for the ballot after it has been declared sufficient , any voter may apply
to the Supreme Court for an extraordinary writ
204 to compel him to do so within ten days after the refusal.

205 (b) If the Supreme Court determines that the referendum [~~petition is legally~~
~~sufficient;~~
206 ~~the local clerk shall file it, with a verified copy of the judgment attached to it, as of the~~
~~date on~~
207 ~~which it was originally offered for filing in his office]~~ has been declared sufficient
and meets the legal requirements to be placed
208 on the ballot, the Supreme Court shall order the local clerk and all other officers to certify
and
209 print the ballot title and numbers of that measure on the official ballot for the next
election.

The motion to amend the bill passed unanimously with Rep. Bowman, Rep. Buttars, and Rep. Hughes absent for the vote.

Rep. Hogue introduced H.B. 274 as amended and explained it to the committee.

Spoke to the bill: Eric Weeks, Associate General Counsel, Office of Legislative Research

MOTION: Rep. Hansen moved to pass the bill as amended out favorably. The motion passed unanimously with Rep. Bowman, Rep. Buttars, and Rep. Hughes absent for the vote.

H.B. 282 State Employee Ethics Amendments (*Rep. J. Dougall*)

H.B. 282 was not considered at this meeting.

MOTION: Rep. Hansen moved to adjourn. The motion passed unanimously with Rep. Bowman, Rep. Buttars, and Rep. Hughes absent for the vote.

Rep. Hendrickson adjourned the meeting at 4:15 p.m.

Rep. Douglas C. Aagard, Chair