

**MINUTES OF THE
HOUSE POLITICAL SUBDIVISIONS
STANDING COMMITTEE**

Room W125, West Office Building, State Capitol Complex
Monday, February 21, 2005

COMMITTEE MEMBERS: Rep. Brad L. Dee, Chair
Rep. M. Susan Lawrence, Vice Chair
Rep. D. Gregg Buxton
Rep. Julie Fisher
Rep. Kerry W. Gibson
Rep. Ann W. Hardy
Rep. Kory M. Holdaway
Rep. Brad King
Rep. Ronda Rudd Menlove
Rep. LaWanna Lou Shurtliff

MEMBERS ABSENT: Rep. Ralph Becker

STAFF PRESENT: Joseph Wade, Policy Analyst
Doris Donat, Committee Secretary

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

Rep. Dee called the meeting to order at 8:03 a.m.

MOTION: Rep. Gibson moved to approve the minutes of February 17, 2005. The motion passed unanimously, with Rep. Becker, Rep. Holdaway, Rep. King, Rep. Shurtliff, and Rep. Lawrence absent for the vote.

1st Sub. S.B. 31 Local Government Amendments (Sen. D. Thomas)

Sen. Thomas introduced and explained the bill to the committee.

MOTION: Rep. Hardy moved to pass 1st Sub S.B. 31 out favorably. The motion passed unanimously, with Rep. Becker, Rep. Holdaway, Rep. King, and Rep. Lawrence absent for the vote.

H.B. 309 Municipal Budget Amendments (Rep. M. Walker)

Rep. Walker introduced and explained the bill to the committee.

MOTION: Rep. Menlove moved to pass H.B. 309 out favorably. The motion passed unanimously, with Rep. Becker, Rep. Gibson, Rep. Holdaway, Rep. King, and Rep. Lawrence absent for the vote.

H.B. 380 **Amendments to Local Districts** (*Rep. K. Morgan*)

Rep. Morgan with the help of Brian Allen of Cottonwood Heights City, and Jan Furner of Utah Assn. of Special Districts introduced the bill and explained it to the committee.

MOTION: Rep. Shurtliff moved to pass H.B. 380 out favorably. The motion passed unanimously, with Rep. Becker, Rep. Holdaway, and Rep. Lawrence absent for the vote.

S.B. 136 **Justice Court Operations Amendments** (*Sen. E. Mayne*)
This bill was not considered.

H.B. 307 **Redevelopment Agency Changes** (*Rep. J. Dougall*)

Rep. Dougall with the help of Robyn Bagley, Citizen Coalition for Redevelopment Agency Reform, introduced the bill and explained it to the committee. (handouts)

Spoke to the bill: Gary Cameron, Utah School Board Assn./Utah School Supt. Assn. (handouts)
Thomas Hannum, Hypercomp Engineering
Randy Sant, Utah League of Cities and Towns

MOTION: Rep. Holdaway moved to pass H.B. 307 out favorably. The motion passed unanimously, with Rep. Becker and Rep. Buxton absent for the vote.

H.B. 207 **Prescriptive Easements Act** (*Rep. G. Hughes*)

Rep. Hughes, with the help of Brenda Scharman, citizen and owner of Cameo College of Essential Beauty, introduced and explained the bill to the committee.

MOTION: Rep. Shurtliff moved to delete in body and title H.B. 207 and to replace it with 1st Substitute H.B. 207. The motion passed unanimously, with Rep. Becker, Rep. Buxton, and Rep. Holdaway absent for the vote.

MOTION: Rep. Gibson moved to amend 1st Sub. H.B. 207 as follows:

1. *Page 2, Lines 38 through 39:*

38 This chapter does not apply to **;**

(1) an easement established under Chapter 13a, Easement

39 for Water Conveyance { } **;** or

(2) any easement established in a county of the first or second class.

2. Page 2, Line 53:

53 (2) A private or public utility company, as defined in Section
72-6-116. =

(3) A government entity.

(4) An easement created by public use.

(5) An easement established for agricultural use.

3. Page 3, Lines 59 through 61:

59 This chapter does not apply to an easement { ~~established under~~ } :

60 (1) established under Chapter 13a, Easement for Water Conveyance;
{ ~~or~~ }

61 (2) established under Chapter 13b, Easement for Historical Livestock
Trail Act { ~~.~~ } ; or

(3) established in a county of the first or second class. "

Spoke to the bill: Todd Bingham, Utah Farm Bureau
Mike Peterson, Utah Rural Electric Association
Dan McConkie, Davis County Commissioner

MOTION: Rep. Hardy moved to send 1st Sub H.B. 207 as amended back to the Rules Committee and recommends the bill be sent to Interim Study. The motion passed with a 6-2-3 vote, with Rep. Fisher, Rep. Gibson, Rep. Hardy, Rep. Menlove, Rep. Shurtliff, and Rep. Dee voting yes, and Rep. King, and Rep. Lawrence voting no, with Rep. Becker, Rep. Buxton, and Rep. Holdaway absent for the vote.

H.J.R. 7 Resolution Amending State Auditor Qualifications (Rep. R. Romero)

Rep. Romero with the help of Betsy Ross of the State Auditor's Office, introduced the bill and explained it to the committee.

Spoke to the bill: Victor Sipos, Salt Lake County Auditor's Office
Betsy Ross, State Auditor's Office

MOTION: Rep. Gibson moved to adjourn the meeting. The motion failed.

MOTION: Rep. Shurtliff moved to pass H.J.R. 7 out favorably. The motion passed with an 8-1-2 vote, with Rep. Fisher, Rep. Gibson, Rep. Hardy, Rep King, Rep. Menlove, Rep. Shurtliff, Rep. Lawrence, Rep. Dee voting yes, and Rep. Buxton voting no, with Rep. Becker and Rep. Holdaway absent for the vote.

H.B. 158 **Election Requirements for County Candidates (*Rep. R. Romero*)**
This bill was not considered.

MOTION: Rep. Gibson moved to adjourn the meeting. The vote was unanimous. Rep. Dee adjourned the meeting at 9:30 a.m.

Rep. Brad L. Dee, Chair