

**MINUTES OF THE SENATE GOVERNMENT OPERATIONS & POLITICAL SUBDIVISIONS  
STANDING COMMITTEE  
FRIDAY, JANUARY 27, 2006  
ROOM W020, WEST OFFICE BUILDING, CAPITOL BUILDING**

Members Present: Sen. Parley G. Hellewell, Chair  
Sen. Allen M. Christensen  
Sen. Karen Hale  
Sen. Bill Hickman

Member Absent: Sen. Gene Davis

Staff Present: Rich North, Policy Analyst  
Nedra Duzett, Secretary

Public Speakers Present: Jeff Hunt, Utah Media Coalition  
Karl Hendrickson, Utah Assn. of Counties  
Fred Finlinson, Water Coalition  
LeGrand Bitter, Utah Assn. of Special Districts  
Jeff Rowley, Risk Manager, Salt Lake County  
Spencer Stokes, Cardon Healthcare  
Shelly Teuscher-Cordon, Tesoro

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

Committee Chair Hellewell called the meeting to order at 2:15 p.m.

**MOTION:** Sen. Johnson moved to approve the minutes of the January 25, 2006 meeting.

The motion passed with Sen. Hale absent for the vote.

**1. H.B. 0258 Government Records Access and Management Act - Public Records  
(B. Ferry)**

Sen. Ferry explained the bill.

**MOTION:** Sen. Christensen moved to pass the bill out favorably.

The motion passed with Sen. Hale absent for the vote.

**2. S.B. 66 Price Controls During Emergencies Amendments (P. Arent)**

Sen. Arent explained the bill.



44            {~~(d) There is no limit to the aggregate amount of individual awards that may~~  
be awarded  
45    in relation to a single occurrence.}

5. Page 3, Line 67:

67 new limitations of judgment.

Section 2. Direction to refer to interim committee.

An appropriate legislative interim committee, as designated by the Legislative Management Committee, shall consider the issue of creating a catastrophic disaster fund or pool for the purpose of providing additional funds to persons whose recovery of damages has been capped or limited under the Governmental Immunity Act of Utah. Consideration of the issue may include adopting a supplementary pool or fund, establishing procedures, and creating a governing body or board to administer the fund.

**MOTION:** Sen. Hale moved to adopt the amendment.

**SUBSTITUTE MOTION:** Sen. Christensen moved to amend the bill as follows:

1. Page 1, Lines 17 through 18:

17            {~~→ permits unlimited aggregate damages to be awarded in a single event;~~  
and}

18            ▶ provides that the limitations on damages should be adjusted after the year  
2006 {~~.~~} ; and

▶ enacts uncodified language directing the legislature to consider the issue of creating a pool or fund to provide additional funds to persons whose judgment for damages has been limited under the Governmental Immunity Act of Utah.

2. Page 1, Lines 21 through 22:

21 Other Special Clauses:

22            {~~None~~} This bill provides an effective date.

3. Page 1, Line 25:

25            63-30d-604, as enacted by Chapter 267, Laws of Utah 2004 .

Uncodified Material Affected:  
ENACTS UNCODIFIED MATERIAL

4. Page 2, Lines 31 through 35:

31 (1) (a) Except as provided in Subsections (2) and (3), if a judgment for damages for  
32 personal injury against a governmental entity, or an employee whom a governmental entity  
has  
33 a duty to indemnify, exceeds [~~\$553,500~~] \$1,000,000 for one person in any one  
occurrence {~~,for~~} not to exceed an aggregate amount of  
34 {~~\$1,107,000~~} \$10,000,000 {~~for two or more persons in any one~~  
occurrence;} , for individual awards that may be awarded in relation to a single  
occurrence, the court shall reduce the judgment  
35 to that amount.

5. Page 2, Lines 44 through 45:

44 {~~(d) There is no limit to the aggregate amount of individual awards that may~~  
be awarded  
45 in relation to a single occurrence.}

6. Page 3, Line 67:

67 new limitations of judgment.

Section 2. Direction to refer to interim committee.

An appropriate legislative interim committee, as designated by the Legislative Management Committee, shall consider the issue of creating a catastrophic disaster fund or pool for the purpose of providing additional funds to persons whose recovery of damages has been capped or limited under the Governmental Immunity Act of Utah. Consideration of the issue may include adopting a supplementary pool or fund, establishing procedures, and creating a governing body or board to administer the fund.

Section 2. Effective Date

This bill takes effect on July 1, 2007.

The following individuals spoke on the amendments to the bill:

Jeff Hunt, Utah Media Coalition  
Karl Hendrickson, Utah Assn. of Counties  
Fred Finlinson, Water Coalition  
LeGrand Bitter, Utah Assn. of Special Districts  
Jeff Rowley, Risk Manager, Salt Lake County

The motion passed unanimously.

**MOTION:** Sen. Hickman moved to adopt the bill as amended and pass it out with the understanding there will be a substitute bill to integrate issues discussed in committee.

The motion passed unanimously.

4. **S.B. 0074 Privatization of Government Functions Task Force** (H. Stephenson)

Sen. Stephenson explained the bill.

Melva Sign, President, Utah Restaurant Assn., spoke in favor of the bill.  
Spencer Stokes, Cardon Healthcare, also spoke in favor of the bill.

**MOTION:** Sen. Hickman moved to pass the bill out favorably.

The motion passed unanimously.

5. **S.B. 0155 1st Sub Amendments to County and Municipal Land Use Provisions**  
( G. Bell)

Sen. Bell proposed the original bill be replaced with the 1st substitute.

Jodi Hoffman, Utah League of Cities and Towns, spoke in support of the substitute bill.

**MOTION:** Sen. Hickman moved to adopt the substitute bill.

The motion passed unanimously.

**MOTION:** Sen. Hickman moved to pass the bill out favorably.

**MOTION:** Sen. Hickman moved to adjourn.

6. **S.B. 0077 Classification and Inspection of Records Under Grama** (M. Madsen)

The bill was not considered.

7. **S.B. 0105 County Officer Revisions** (C. Walker)

The bill was not considered.

The motion passed unanimously.

Committee Chair Hellewell adjourned the meeting at 3:30 p.m.

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Minutes reported by Nedra Duzett, Secretary

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Sen. Parley G. Hellewell, Committee Chair