# MINUTES OF THE SENATE GOVERNMENT OPERATIONS & POLITICAL SUBDIVISIONS STANDING COMMITTEE TUESDAY, JANUARY 31, 2006 ROOM W020, WEST OFFICE BUILDING, CAPITOL BUILDING

Members Present: Sen. Parley G. Hellewell, Chair

Sen. Allen M. Christensen

Sen. Gene Davis Sen. Karen Hale Sen. Bill Hickman

Staff Present: Rich North, Policy Analyst

Nedra Duzett, Secretary

Public Speakers Present: Mark Anderson, attorney, Nielsen & Senior

Terel Grimley, Weber/Box Elder Court District

Ed Alter, Utah State Treasurer

Natalie Gordon, Trust Lands Commissioner, Utah PTA

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

Committee Chair Hellewell called the meeting to order at 3:15 p.m.

**MOTION:** Sen. Christensen moved to approve the minutes of the Jan. 27, 2006 meeting.

The motion passed unanimously.

#### 1. S.B. 0189 Constitutional Revision Commission Amendments (P. Knudson)

Sen. Knudson explained the bill.

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

The motion passed unanimously.

## 2. <u>S.B. 0156 Legislative Direction Relating to United States Senators</u> (H. Stephenson)

Sen. Stephenson explained a substitute to the bill and asked that it be adopted.

**MOTION:** Sen. Hickman moved to adopt S.B.0156 1st Substitute.

The motion passed unanimously.

**MOTION:** Sen. Hickman moved to pass S.B. 0156 1st Substitute favorably.

The motion passed with Sen. Davis and Sen. Hale voting in opposition.

Minutes of the Senate Government Operations and Political Subdivisions Standing Committee January  $31,\,2006$ 

Page 2

## **S.B. 0131 Authorization of Opinion Questions to Voters** (E. Mayne)

This bill was not considered.

# **4.** <u>H.B. 0036 Notice Requirements for Budget Transfers from Utility Funds</u> (A. Tilton)

Sen. Hickman chaired while Sen. Hellewell explained the bill.

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

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

#### 5. <u>H.B. 0078 Investment of Land Grant Trust Funds</u> (D. Clark)

Rep. Clark introduced Ed Alter, State Auditor. Mr. Alter explained that the bill will allow flexibility in investing land grant trust funds.

**MOTION:** Sen. Hale moved to passed the bill out favorably.

The motion passed unanimously.

#### **6. H.B. 0014 Open Meetings Law Amendments** (W. Harper)

Rep. Harper explained that the bill had been amended in a House Committee meeting and also on the House Floor. He proposed that the committee adopt the 2nd substitute to the bill.

Mark Anderson, attorney, Nielsen & Senior, spoke on concerns he has with the bill.

**MOTION:** Sen. Hickman moved to adopt H.B. 0014 2nd Substitute.

The motion passed unanimously.

**MOTION:** Sen. Hickman moved to pass H.B. 0014 2nd Substitute out favorably.

The motion passed unanimously with Sen. Davis absent for the vote.

#### 7. <u>H.B. 0016 Revisions to Open and Public Meetings Law</u> (G. Donnelson)

Rep. Donnelson explained the bill.

Sen. Christensen proposed the following amendment:

Minutes of the Senate Government Operations and Political Subdivisions Standing Committee January 31, 2006

Page 3

- 1. Page 1, Lines 24 through 26:

  - 25 the open meeting is a site visit or traveling tour and no vote or action is taken by the
  - 26 public body , with certain exceptions ;
- 2. Page 5, Lines 144 through 145:
  - (8) Either written minutes or a recording shall be kept of
    - (a) an open meeting that is a site
  - 145 <u>visit or a traveling tour</u> <u>if no vote or action is taken by the public body</u> { <u>i</u>}
    - (b) all open meetings of a town;
    - (c) all open meetings of a city of the fourth or fifth class;
    - (d) all open meetings of a county of the fourth, fifth, or sixth class;
    - (e) all open meetings of an independent special district as defined under Title
    - 17A, Special Districts; and
    - (f) all open meetings of a local district as defined under Title 17B, Chapter 2, Local Districts.

Mark Anderson, Utah Assn. of Special Districts, spoke in support of the amendment.

Terel Grimley, Weber/Box Elder Court District, spoke in opposition to the amendment.

**MOTION:** Sen. Christensen moved to adopt the amendment to the bill.

The motion passed with Sen. Hale voting in opposition.

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

The motion passed unanimously

#### 8. H.B. 0044S01 Local Government Amendments (B. Dee)

Rep. Dee asked that a 2nd Substitute to the bill be adopted.

Mark Anderson, attorney, Nielson and Senior, and LeGrand Bitter, Utah Assn. of Special Districts spoke in support of the 2nd substitute.

**MOTION:** Sen. Davis moved to adopt H.B. 0044 2nd substitute.

The motion passed unanimously.

Minutes of the Senate Government Operations and Political Subdivisions Standing Committee January  $31,\,2006$ 

Page 4

**MOTION:** Sen. Davis moved to amend H.B. 0044 2nd substitute as follows:

HB 44S1

Page 42, Lines 1293-94: After "Subsection (10)," delete ""active" means, with

reference to a voter, that the voter has voted in both of the two immediately preceding regular general elections." Insert ""active voter" has the same meaning as defined in 20A-1-

102."

The motion passed unanimously.

**MOTION:** Sen. Hickman moved to pass H.B. 0044 2nd substitute favorably as amended.

The motion passed unanimously.

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

The sponsor requested the bill be returned to the Rules Committee.

**MOTION:** Sen. Hickman moved to return S.B. 0105 to the Rules Committee.

The motion passed unanimously.

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

Committee Chair Hellewell adjourned the meeting at 4:42 p.m.

Minutes reported by Nedra Duzett, Secretary

Sen. Parley G. Hellewell, Committee Chair