

**MINUTES OF THE SENATE GOVERNMENT OPERATIONS & POLITICAL SUBDIVISIONS  
STANDING COMMITTEE  
MONDAY, FEBRUARY 4, 2008  
ROOM W020, WEST OFFICE BUILDING, STATE CAPITOL COMPLEX**

Members Present:            Sen. Peter C. Knudson, Chair  
                                  Sen. D. Chris Buttars  
                                  Sen. Scott K. Jenkins  
                                  Sen. Scott D. McCoy  
                                  Sen. Ross I. Romero

Member Excused:            Sen. John W. Hickman

Staff Present:                Mark D. Andrews, Policy Analyst  
                                  Nedra Duzett, Secretary

Public Speakers Present:    Arie VanDeGraaf, Utah Association of Counties  
                                  Lynn Pace, Deputy City Attorney, Salt Lake City  
                                  Reed Richards, Weber County Attorney's Office  
                                  Leonard Gilroy, Reason Foundation  
                                  Ronald Mortensen, Citizen, Citizens Coalition for Tax Fairness  
                                  Lincoln Shurtz, Utah League of Cities and Towns  
                                  Jodi Hofman, Utah League of Cities and Towns

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

Committee Chair Knudson called the meeting to order at 8:05 a.m.

**MOTION:** Sen. Buttars moved to approve the minutes of the January 31, 2008 meeting.

The motion passed unanimously.

**1.     H.B. 27 Lieutenant Governor Powers - Administration of Oaths (G. Donnelson)**

Rep. Donnelson explained the bill.

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

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

**MOTION:** Sen. Buttars moved to place the bill on the Consent Calendar.

The motion passed unanimously.

2. **H.B. 43 Allowance of Polling Places for Early Voting** (*G. Donnelson*)

Rep. Donnelson explained the bill.

Arie VanDeGraaf, Utah Association of Counties, spoke in support of the bill.

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

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

**MOTION:** Sen. Buttars moved to place the bill on the Consent Calendar.

The motion passed unanimously.

3. **S.B. 20S1 Municipal Government Amendments** (*C. Walker*)

Sen. Walker explained Second Substitute S.B. 20, "Municipal Government Amendments."

Lynn Pace, Deputy City Attorney, Salt Lake City, spoke in support of the bill and provided additional information on the bill.

Lincoln Shurtz, Utah League of Cities and Towns spoke in support of the bill.

**MOTION:** Sen. McCoy moved to delete in title and body First Substitute S.B. 20 and substitute in place thereof Second Substitute S.B. 20, "Municipal Government Amendments."

The motion passed unanimously.

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

The motion passed unanimously.

4. **H.B. 107 Emergency Management Administrative Council** (*C. Oda*)

Rep. Oda explained the bill.

Reed Richards, Weber County Attorney's Office, spoke in support of the bill.

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

The motion passed unanimously.

**5. S.B. 167 Alcoholic Beverages on Election Day (S. McCoy)**

**MOTION:** Sen. Jenkins moved to adopt the following amendment:

1. *Page 1, Lines 18 through 19*

18 Other Special Clauses:

19            ~~{None}~~     **This bill coordinates with H.B. 344, Alcoholic Beverage Enforcement Provisions, by providing superseding amendments.**

2. *Page 47, Line 1436*

1436    only an immediate and unrecorded right of replay not exchangeable for value.

**Section 7. Coordinating S.B. 167 with H.B. 344 -- Superseding amendments.**

**If this S.B. 167 and H.B. 344, Alcoholic Beverage Enforcement Provisions, both pass, it is the intent of the Legislature that the Office of Legislative Research and General Counsel in preparing the Utah Code database for publication shall have the amendments to:**

**(1) Subsection 32A-4-106(9)(a) in this bill supersede the amendments to Subsection 32A-4-106(9)(a) in H.B. 344;**

**(2) Subsection 32A-4-307(9)(a) in this bill supersede the amendments to Subsection 32A-4-307(9)(a) in H.B. 344; and**

**(3) Subsection 32A-5-107(27)(a) in this bill supersede the amendments to Subsection 32A-5-107(27)(a) in H.B. 344.**

The motion passed unanimously.

Sen. McCoy explained the amended bill.

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

The motion passed unanimously.

**6. S.B. 45 Accounting for Competitive Activities of Local Entities (H. Stephenson)**

**MOTION:** Sen. Jenkins moved to delete title in title and body S.B. 45 and substitute in place thereof First Substitute S.B. 45, "Inventory for Competitive Activities of Local Entities."

The motion passed unanimously.

Sen. Stephenson explained the substitute bill.

Leonard Gilroy, Director of Government Reform, Reason Foundation, gave additional information on the bill and spoke in support of the bill.

Lincoln Shurtz, Utah League of Cities and Towns, spoke in opposition to the bill.

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

The motion passed with Sens. McCoy and Romero voting in opposition.

7. **S.B. 177 Local Government Disposal of Real Property Acquired by Exaction**  
(*W. Niederhauser*)

Sen. Niederhauser explained the bill.

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

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

1. *Page 1, Lines 14 through 17:*

14           ▶ extends from five years to ~~{15}~~ 25 years the period of time that a  
                  county or municipality

15   may own surplus real property acquired by exaction in order for the county or  
16   municipality to be subject to a requirement that the county or municipality offer to  
17   reconvey the property to the original owner.

2. *Page 2, Lines 36 through 39:*

36           (2) (a) If a municipality plans to dispose of surplus real property that was acquired  
37   under this section and has been owned by the municipality for less than [five]

~~{15}~~ 25 years, the  
38   municipality shall first offer to reconvey the property, without receiving additional

39 consideration, to the person who granted the property to the municipality.

3. *Page 2, Lines 54 through 57:*

54 (2) (a) If a county plans to dispose of surplus real property under Section 17-50-312  
55 that was acquired under this section and has been owned by the county for less than [~~five~~  
56 {~~15~~} 25  
57 years, the county shall first offer to reconvey the property, without receiving additional  
58 consideration, to the person who granted the property to the county.

The motion passed unanimously.

**MOTION:** Sen. Buttars moved to pass the bill out as amended.

The motion passed unanimously.

8. **S.J.R. 8 Joint Rules Resolution - Base Budget Amendments** (*W. Niederhauser*)

Sen. Niederhauser explained the bill.

Ronald Mortensen, Citizens Coalition for Tax Fairness spoke in support of the bill.

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

The motion passed with Sen. Romero voting in opposition.

9. **S.B. 92 Real Property Recording Amendments** (*D. Stowell*)

Sen. Stowell explained the bill.

Arie VanDeGraff, Utah Association of Counties, spoke in support of the bill.

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

The motion passed unanimously.

**MOTION:** Sen. McCoy moved to place the bill on the Consent Calendar.

The motion passed unanimously.

**10. S.B. 81 Illegal Immigration (J. Hickman)**

The bill was not heard.

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

Committee Chair Knudson adjourned the meeting at 9:35 a.m.

Minutes reported by Nedra Duzett, Secretary

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Sen. Peter C. Knudson, Committee Chair