

**MINUTES OF THE
HOUSE GOVERNMENT OPERATIONS STANDING COMMITTEE
ROOM 20, HOUSE OFFICE BUILDING, STATE CAPITOL COMPLEX
February 12, 2009**

MEMBERS PRESENT: Rep. Craig Frank, Chair
 Rep. Keith Grover, Vice Chair
 Rep. Douglas C. Aagard
 Rep. Ron Bigelow
 Rep. Jim Bird
 Rep. Neil A. Hansen
 Rep. Neal B. Hendrickson
 Rep. John Mathis
 Rep. Larry B. Wiley

MEMBERS ABSENT: Rep. Ben Ferry

STAFF PRESENT: Benjamin N. Christensen, Policy Analyst
 Sylvia Newton, Committee Secretary

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

Rep. Grover called the meeting to order at 8:35 a.m.

MOTION: Rep. Bird moved to approve the minutes of the February 10, 2009 meeting. The motion passed unanimously with Rep. Aagard and Rep. Bigelow absent for the vote.

H.B. 310 Authority of Lieutenant Governor to Perform Marriage (*Rep. C. Wimmer*)

Rep. Wimmer explained the bill to the committee.

Spoke to the bill: Rep. Curt Oda, House District 14

MOTION: Rep. Wiley moved to pass H.B. 310 with a favorable recommendation. The motion passed unanimously with Rep. Aagard and Rep. Bigelow absent for the vote.

MOTION: Rep. Wiley moved to place the bill on the Consent Calendar. The motion failed with Rep. Hansen, Rep. Hendrickson, and Rep. Frank voting in opposition to the motion. Rep. Aagard and Rep. Bigelow were absent for the vote.

H.B. 141 Billboard Amendments (*Rep. C. Frank*)

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

1. *Page 2, Line 34:*

(1) As used in this section, "clearly visible" has the same meaning as defined in Subsection 72-7-510.5(4).

34 ~~{(1)}~~ **(2)** (a) A municipality is considered to have initiated the acquisition of a billboard

2. *Page 2, Line 38:*

38 (ii) except as provided in Subsection ~~{(1)}~~ **(2)** (c), relocating or rebuilding a billboard

3. *Page 2, Line 58:*

58 ~~{(1)}~~ **(2)** (a)(iii) or relocating the billboard under Subsection
~~{(1)}~~ **(2)** (a)(iv):

4. *Page 3, Line 61:*

61 (I) **(Aa)** to a height [~~that is at least the same as, but no higher than,~~] of up to
~~{65}~~ **45** feet or the

5. *Page 3, Lines 63 through 65:*

63 ordinances allow or the municipality consents to a higher structure; ~~{and}~~ **or**
(Bb) if the street or highway for which the sign is intended is an interstate, to a height of up to 65 feet or the height of the previous use or structure, whichever is higher, unless the municipality's ordinances allow or the municipality consents to a higher structure; or

64 (II) to a height and angle to make it clearly visible ~~{to traffic on the main traveled way~~

65 ~~of the street or highway on which the billboard is located}~~ ; and

6. *Page 3, Line 73:*

73 Subsection ~~{(1)}~~ **(2)** (a) if the mistake in placement or erection of the billboard is determined by clear

7. *Page 3, Line 77:*

77 ~~{(2)}~~ (3) Notwithstanding Subsection ~~{(1)}~~ (2) and Section
10-9a-512, a municipality may remove

8. *Page 3, Line 88:*

88 or more of the conditions listed in Subsections ~~{(2)}~~ (3) (a)(i) and (ii);

9. *Page , Line 90 through Page 4, Line 91:*

90 (i) except as provided in Subsection ~~{(2)}~~ (3) (c)(ii), 90 days following the
billboard owner's

91 receipt of written notice under Subsection ~~{(2)}~~ (3) (b); or

10. *Page 4, Lines 95 through 96:*

95 Subsection ~~{(2)}~~ (3) (b); and

96 (d) following the expiration of the applicable period under Subsection
~~{(2)}~~ (3) (c) and after

11. *Page 4, Line 104:*

104 ~~{(3)}~~ (4) A municipality may not allow a nonconforming billboard to be
rebuilt or replaced

12. *Page 4, Line 106:*

106 ~~{(4)}~~ (5) A permit issued, extended, or renewed by a municipality for a
billboard remains

13. *Page 4, Line 116:*

(1) As used in this section, "clearly visible" has the same meaning as defined in
Subsection 72-7-510.5(4).

116 ~~{(1)}~~ (2) (a) A county is considered to have initiated the acquisition of a
billboard structure

14. *Page 4, Line 120:*

120 (ii) except as provided in Subsection ~~{(1)}~~ (2) (c), relocating or rebuilding a
billboard

15. *Page 5, Line 140:*

140 ~~{(1)}~~ (2) (a)(iii) or relocating the billboard under Subsection

{~~(1)~~} (2) (a)(iv):

16. Page 5, Line 143:

143 (I) (Aa) to a height [that is at least the same as, but no higher than,] of up to
144 {~~65~~} 45 feet or the

17. Page 5, Lines 145 through 147:

145 allow or the county consents to a higher structure; {~~and~~} or
(Bb) if the street or highway for which the sign is intended is an interstate, to a
height of up to 65 feet or the height of the previous use or structure, whichever is
higher, unless the county's ordinances allow or the county consents to a higher
structure; or
146 (II) to a height and angle to make it clearly visible {~~to traffic on the main~~
~~traveled way~~
147 ~~of the street or highway on which the billboard is located~~ } ; and

18. Page 6, Line 155:

155 {~~(1)~~} (2) (a) if the mistake in placement or erection of the billboard is determined
by clear and

19. Page 6, Line 159:

159 {~~(2)~~} (3) Notwithstanding Subsection {~~(1)~~} (2) and Section
17-27a-511, a county may remove a

20. Page 6, Line 170:

170 more of the conditions listed in Subsections {~~(2)~~} (3) (a)(i) and (ii);

21. Page 6, Lines 172 through 173:

172 (i) except as provided in Subsection {~~(2)~~} (3) (c)(ii), 90 days following the
billboard owner's
173 receipt of written notice under Subsection {~~(2)~~} (3) (b); or

22. Page 6, Lines 177 through 178:

177 {~~(2)~~} (3) (b); and
178 (d) following the expiration of the applicable period under Subsection
{~~(2)~~} (3) (c) and after

23. Page 7, Line 186:

186 {~~(3)~~} (4) A county may not allow a nonconforming billboard to be rebuilt or replaced by

24. Page 7, Line 188:

188 {~~(4)~~} (5) A permit issued, extended, or renewed by a county for a billboard remains valid

25. Page 8, Lines 215 through 216:

215 without obstruction from a distance of 500 feet {~~on the main-traveled way of the highway by the~~
216 ~~traffic for which intended~~} from the base of the sign by an occupant of a vehicle traveling on a street or highway until the point where the vehicle and the sign are on a plane that is perpendicular to the street or highway .

The motion to amend the bill passed unanimously with Rep. Aagard and Rep. Bigelow absent for the vote.

Rep. Frank explained the amended bill, assisted by Dewey Reagan, Reagan Outdoor Advertising.

Spoke in opposition to the bill: Lincoln Shurtz, Utah League of Cities and Towns
 Gary Uresk, Woods Cross City
 Zachery Fountain, Murray City

Spoke in favor of the bill: Dewey Reagan, Reagan Outdoor Advertising
 Morgan Philpot, Reagan Outdoor Advertising

MOTION: Rep. Bird moved to proceed to the next item on the agenda. The motion failed with Rep. Bird and Rep. Wiley voting in favor of the motion. Rep. Aagard and Rep. Bigelow were absent for the vote.

MOTION: Rep. Hansen moved to pass H.B. 141 with a favorable recommendation.

SUBSTITUTE

MOTION: Rep. Wiley moved to proceed to the next item on the agenda and recommend the issue for interim study. The motion failed with Rep. Aagard, Rep. Bird, and Rep. Wiley voting in favor of the motion.

The motion to pass the bill with a favorable motion passed with Rep. Bird and Rep. Wiley voting in opposition to the motion and Rep. Bigelow absent for the vote.

S.J.R. 11 Joint Resolution Urging Football Playoff (*Sen. S. Jenkins*)

Sen. Jenkins explained the resolution.

MOTION: Rep. Hansen moved to pass S.J.R. with a favorable recommendation. The motion passed unanimously with Rep. Bigelow and Rep. Mathis absent for the vote.

MOTION: Rep. Wiley moved to place the resolution on the Consent Calendar. The motion passed unanimously with Rep. Bigelow and Rep. Mathis absent for the vote.

H.B. 319 Disaster Recovery Funding Amendments (*Rep. C. Oda*)

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

1. Page 4, Lines 115 through 116:

- 115 (D) provides consolidated 911 and emergency dispatch service; {~~or~~}
116 (E) operates an airport {~~:~~} ; **or**
 (F) operates a sewage system.

The motion to amend the bill passed unanimously with Rep. Bigelow absent for the vote.

Rep. Oda explained the amended bill, assisted by LeGrand Bitter, Utah Association of Special Districts.

MOTION: Rep. Frank moved to pass H.B. 319 with a favorable recommendation. The motion passed unanimously.

MOTION: Rep. Wiley moved to place the bill on the Consent Calendar. The motion passed unanimously.

MOTION: Rep. Hansen moved to adjourn. The motion passed unanimously.

Rep. Grover adjourned the meeting at 9:46 a.m.