

**MINUTES OF THE  
HOUSE POLITICAL SUBDIVISIONS  
STANDING COMMITTEE**  
Room 450 Utah State Capitol  
28 January 2010

MEMBERS PRESENT:     Rep. Fred R Hunsaker, Chair  
                          Rep. R. Curt Webb, Vice Chair  
                          Rep. Laura Black  
                          Rep. Rebecca Chavez-Houck  
                          Rep. Jack R. Draxler  
                          Rep. James A. Dunnigan  
                          Rep. Becky Edwards  
                          Rep. Janice M. Fisher  
                          Rep. Richard Greenwood  
                          Rep. Curtis Oda  
                          Rep. Marie H. Poulson

MEMBERS ABSENT:     Rep. Kerry W. Gibson

STAFF PRESENT:       Joseph Wade, Policy Analyst  
                          Becky Lawyer, Committee Secretary

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

Rep. Webb called the meeting to order at 8:09 a.m.

**H.B. 205        Impact Fee Amendments (*Rep. S. Sandstrom*)**

Rep. Sandstrom reminded the committee that the bill had been amended during the previous meeting.

Jodi Hoffman, representing the Utah League of Cities and Towns spoke against the bill.

Peggy Joe Knecht, representing the Utah School Board Association, spoke for the bill.

Gary Payne, representing the Utah School Superintendants Association and the Davis School District, spoke for the bill.

David Holdaway, Facilities Director of the Alpine School District and representing UFOMA, spoke for the bill.

Steve Peterson, of the Utah School Board Association, spoke for the bill.

Mike Ostermiller, of the Utah Realtor Association, spoke to the bill.

MOTION: Rep. Fisher moved to hold the bill until changes could be made.

SUBSTITUTE MOTION: Rep. Draxler moved to pass the bill out favorably. The motion failed with Rep. Black, Rep. Draxler, Rep. Greenwood and Rep. Webb voting in favor of the motion.

The vote on the original motion to hold the bill was unanimous.

**H.B. 211 Improvement District Board Membership (Rep. K. Powell)**

Rep. Powell introduced the bill.

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

1. Page 4, Lines 94 through 96:

- 94 (b) Notwithstanding Subsection (7)(a) and subject to Subsection (7)(c) , each  
remaining area member shall be chosen from the district at large if :  
(i) the population of the remaining area is less  
95 than ~~{+} 5% {+}~~ ~~{25%}~~ of the total district population ~~{, each remaining~~  
~~area member shall be chosen~~  
96 ~~from the district at large.}~~ ; or  
(ii)(A) the population of the remaining area is less than 50% of the total district  
population; and  
(B) the majority of the members of the board of trustees are remaining  
area members.  
(c) Application of Subsection (7)(b) may not prematurely shorten the term of any  
remaining area member serving the remaining area member's elected or appointed term  
on May 11, 2010.

The motion passed unanimously with Rep. Draxler and Rep. Dunnigan absent for the vote.

LeGrand Bitter, Utah Association of Special Districts, spoke to the bill.

MOTION: Rep. Black moved to pass the bill out favorably, as amended. The motion passed unanimously with Rep. Draxler absent for the vote.

**H.B. 220 Disproportionate Rental Fee Amendments (Rep. G. Froerer)**

This bill was not considered.

**H.B. 94 Uniform Fiscal Procedures Act Amendments for Towns, Cities, and Counties Amendments (Rep. F. Hunsaker)**

MOTION: Rep. Hunsaker moved to replace HB94 with 1st Substitute HB94. The motion passed unanimously with Rep. Black and Rep. Draxler absent for the vote.

MOTION: Rep. Hunsaker moved to amend 1st Substitute HB94 as follows:

1. Page 2, Lines 33 through 36:

33 AMENDS:

- 34 10-5-107, as last amended by Laws of Utah 2006, Chapter 178  
35 10-5-108, as last amended by Laws of Utah 2009, Chapter 388  
36 { ~~10-5-117, as last amended by Laws of Utah 1986, Chapter 181~~ }

2. *Page 4, Lines 104 through 109:*

- 104 { ~~Section 3. Section 10-5-117 is amended to read:~~  
105 ~~10-5-117. Increasing budget total of fund.~~  
106 ~~[Except for enterprise funds, which may be increased without a public hearing, the]~~  
~~A~~  
107 town council may not increase the budget total of one or more funds or enterprise funds  
unless  
108 the town council [may increase the budget total of one or more of these funds by  
following]  
109 follows the procedures set forth in Section 10-5-108. }

The motion to amend passed unanimously with Rep. Black and Rep. Draxler absent for the vote.

Rep. Hunsaker, assisted by MacRay Curtis, Utah State Auditor's Office, introduced the substitute bill and explained it to the committee.

Jeff Hatch, Salt Lake County Auditor, and Royce Van Tassell, Utah Tax Payer's Association, spoke to the bill.

MOTION: Rep. Fisher moved to hold the bill in committee. The motion passed unanimously with Rep. Rep. Black and Rep. Draxler absent for the vote.

MOTION: Rep. Greenwood moved to adjourn. The motion passed unanimously with Rep. Rep. Black and Rep. Draxler absent for the vote.

Rep. Webb adjourned the meeting at 9:57 a.m.

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Rep. Fred R Hunsaker, Chair