

**AMENDED MINUTES OF THE
HOUSE POLITICAL SUBDIVISIONS
STANDING COMMITTEE
Room 450 Utah State Capitol
22 February 2010**

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

MEMBER ABSENT: Rep. R. Curt Webb, Vice Chair

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. Hunsaker called the meeting to order at 8:05 a.m.

MOTION: Rep. Chavez-Houck moved to approve the minutes of Tuesday, February 16, 2010. The motion passed unanimously with Rep. Dunnigan, Rep. Edwards, Rep. Fisher, and Rep. Gibson absent for the vote.

H.B. 401 Residential Facilities for Elderly Persons *(Rep. B. Daw)*

Rep. Daw introduced and explained the bill to the committee, assisted by Mary Street, Orem City Council, and a real estate agent by profession. Questions from the committee were discussed.

MOTION: Rep. Black moved to recommend H.B. 401 favorably. The motion passed unanimously with Rep. Gibson, Rep. Oda and Rep. Poulson absent for the vote.

H.B. 419 Alcoholic Beverage Control and Signage At State Stores *(Rep. K. Powell)*

MOTION: Rep. Draxler moved to amend H.B. 419 as follows:

1. *Page 1, Lines 17 through 21:*

17 Other Special Clauses:

18 { ~~None~~ } **This bill coordinates with S.B. 167, Alcoholic Beverage Control**
Act Recodification, to technically merge the changes.

19 Utah Code Sections Affected:

20 AMENDS:

21 32A-2-101, as last amended by Laws of Utah 2008, Chapter 391

Utah Code Sections Affected by Coordination Clause:

32B-2-501, Utah Code Annotated 1953

2. Page 4, Lines 109 through 110:

109 (c) The text described in Subsection (5)(b) shall be in lettering that is equal to or
larger

110 than the size of any text on the same signage that refers to "liquor" or "wine."

Section 2. Coordinates this H.B. 419 with S.B. 167 - Technically merging changes.
If this bill H.B. 419 and S.B. 167, Alcoholic Beverage Control Act Recodification,
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, because
S.B. 167 takes effect on July 1, 2011, modify Section 32B-2-501 enacted in S.B. 167 to
include, effective July 1, 2011, the following Subsection (5):

"(5) (a) The commission shall ensure that signage at or near a state store
complies with Subsection (5)(b) if the signage is:

(i) attached to the exterior of the premises of a state store; or

(ii) not attached to the premises of a state store, but otherwise alerts or directs a
person to the location of a state store.

(b) Signage described in Subsection (5)(a) shall contain the following words in
the size of lettering required by Subsection (5)(c):

(i) "state"; or

(ii) "State of Utah".

(c) The text described in Subsection (5)(b) shall be in lettering that is equal to or
larger than the size of any text on the same signage that refers to "liquor" or
"wine.""

The motion to amend passed favorably with Rep. Gibson, Rep. Oda, and Rep. Poulson absent for the vote.

Rep. Powell explained H.B. 419 and the amendment to the committee. Questions from the committee were addressed.

David Spatafore, representing the City of Holladay, spoke for the bill.

MOTION: Rep. Draxler moved to recommend H.B. 419 favorably, as amended.

SUBSTITUTE MOTION: Rep. Edwards moved to advance to the next item on the agenda. The substitute motion passed with Rep. Gibson and Rep. Greenwood against and Rep. Oda and Rep. Poulson absent for the vote.

H.B. 189 Closed Meetings Amendments *(Rep. P. Painter)*

MOTION: Rep. Gibson moved to amend H.B. 189 as follows:

1. *Page 1, Lines 13 through 14:*

- 13 ▶ allows a closed meeting to be held to discuss the purchase, exchange, lease, or
 sale
14 of a water right or { ~~source of a water supply~~ } water shares .

2. *Page 2, Lines 31 through 37:*

- 31 (d) strategy sessions to discuss the purchase, exchange, or lease of real property,
32 including any form of a water right or { ~~source of a water supply~~ } water shares ,
 if public discussion of the
33 transaction would:
34 (i) disclose the appraisal or estimated value of the property under consideration; or
35 (ii) prevent the public body from completing the transaction on the best possible
 terms;
36 (e) strategy sessions to discuss the sale of real property, including any form of a water
37 right or { ~~source of a water supply~~ } water shares , if:

The motion to amend passed unanimously with Rep. Oda and Rep. Poulson absent for the vote.

Rep. Painter introduced and explained the bill and the amendment to the committee. Questions from the committee were discussed.

Dale Pierson, Executive Director, Rural Water Association of Utah, spoke for the bill.

Jeff Hunt, representing Utah Media Coalition, spoke for the bill.

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

Fred Finlinson, representing the Utah Water Coalition, spoke for the bill.

MOTION: Rep. Draxler moved to recommend H.B. 189 favorably, as amended. The motion passed unanimously with Rep. Dunnigan and Rep. Oda absent for the vote.

MOTION: Rep. Gibson moved to place H.B. 189, as amended, on the Consent Calendar. The motion passed unanimously with Rep. Dunnigan, Rep. Greenwood, and Rep. Oda absent for the vote.

S.C.R. 6 Concurrent Resolution Approving Classification of Solid Waste Facility Solid Waste Permit (*Sen. B. Goodfellow*) (Rep. S. Duckworth)

Rep. Goodfellow introduced and explained the bill to the committee, assisted by Lance Allen, representing Waste Management. Questions from the committee were discussed.

MOTION: Rep. Fisher moved to recommend S.C.R. 6 favorably. The motion passed unanimously with Rep. Dunnigan, Rep. Gibson, Rep. Greenwood, and Rep. Oda absent for the vote.

MOTION: Rep. Black moved to place S.C.R. 6 on the Consent Calendar. The motion passed unanimously with Rep. Dunnigan, Rep. Gibson, and Rep. Greenwood absent for the vote.

MOTION: Rep. Black moved to adjourn the meeting. The motion passed unanimously with Rep. Dunnigan, Rep. Gibson, and Rep. Greenwood absent for the vote.

Rep. Hunsaker adjourned the meeting at 9:00 a.m.

Rep. Fred R Hunsaker, Chair