

**MINUTES OF THE
HOUSE POLITICAL SUBDIVISIONS
STANDING COMMITTEE**
Room 450 Utah State Capitol
February 3, 2011

MEMBERS PRESENT: Rep. R. Curt Webb, Chair
 Rep. Rebecca P. Edwards, Vice Chair
 Rep. Johnny Anderson
 Rep. Jack R. Draxler
 Rep. James A. Dunnigan
 Rep. Michael T. Morley
 Rep. Dixon M. Pitcher
 Rep. Marie H. Poulson
 Rep. Stephen E. Sandstrom
 Rep. Jennifer M. Seelig
 Rep. Larry B. Wiley

MEMBERS ABSENT: Rep. Jeremy A. Peterson

STAFF PRESENT: Joseph Wade, Policy Analyst
 Karen Mitchell, 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 2:18 p.m.

MOTION: Rep. Poulson moved to approve the minutes of January 31, 2011 and
 February 2, 2011.
 The motion passed unanimously with Rep. Dunnigan, Rep. Morley, Rep. Peterson,
 Rep. Sandstrom, Rep. Seelig, and Rep. Wiley absent for the vote.

H.B. 100 County Nuisance Abatement (Rep. D. Brown)

Rep. D. Brown introduced the bill to the committee

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

1. Page 2, Lines 48 through 49:

- 48 (c) **except as provided in Subsection (4),** recording on the county assessment
 roll a lien against the property of an owner who
49 fails to pay an expense in accordance with Subsection (3)(b).
 (4) The county may not record a lien against a public building, structure, or
 improvement.

The motion to amend the bill passed unanimously with Rep. Morley, Rep. Peterson, Rep. Sandstrom and Rep. Wiley absent for the vote.

Spoke in favor of the bill: Adam Trupp, Utah Association of Counties

Spoke in opposition to the bill: Sterling Brown, Utah Farm Bureau

Spoke to the bill: Gavin Anderson, Salt Lake County Public Works

MOTION: Rep. Anderson moved to proceed to the next item on the agenda.

SUBSTITUTE

MOTION: Rep. Seelig moved to pass out H.B. 100, as amended, with a favorable recommendation. The motion passed with Rep. Anderson, Rep. Draxler, Rep. Sandstrom, and Rep. Webb voting in opposition. Rep. Morley and Rep. Peterson were absent for the vote.

Rep. Webb relinquished the chair to Rep. Edwards.

H.B. 236 Abandoned Roads (*Rep. R. C. Webb*)

Rep. Webb introduced the bill to the committee.

Spoke in favor of the bill: Michael Lewis, Citizen

Spoke in opposition to the bill: Lynn Pace, Salt Lake City and League of Cities and Towns
Alan Spriggs, Summit County Recorder
Ernest Rowley, Weber County Recorder

MOTION: Rep. Webb moved to pass H.B. 236 out with a favorable recommendation. The motion failed with Rep. Anderson, Rep. Morley, Rep. Pitcher, and Rep. Webb voting in favor of the bill. Rep. Peterson and Rep. Seelig were absent for the vote.

Rep. Webb resumed the chair.

H.B. 55 Volunteer Search and Rescue Workers' Compensation Claims (*Rep. K. Powell*)

Rep. Powell introduced the bill to the committee.

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

1. *Page 1, Lines 16 through 17:*

- 16 rescue team member under specified circumstances; { ~~and~~ }
▶ allowing use of money in the Search and Rescue Financial Assistance Program
for volunteer search and rescue workers' compensation costs; and
17 ▶ makes technical and conforming amendments.

2. *Page 1, Lines 23 through 24:*

- 23 AMENDS:
= 53-2-107, as last amended by Laws of Utah 2010, Chapter 208
24 67-20-2, as last amended by Laws of Utah 2010, Chapter 300

3. *Page 2, Lines 29 through 30:*

- 29 *Be it enacted by the Legislature of the state of Utah:*
= Section 1. Section 53-2-107 is amended to read:
**53-2-107. Search and Rescue Financial Assistance Program -- Uses --
Rulemaking -- Distribution.**
(1) (a) "Reimbursable expenses," as used in this section, means those reasonable
costs incidental to search and rescue activities.
(b) "Reimbursable expenses" include:
(i) rental for fixed wing aircraft, helicopters, snowmobiles, boats, and generators;
(ii) replacement and upgrade of search and rescue equipment;
(iii) training of search and rescue volunteers; { ~~and~~ }
= (iv) costs of providing workers' compensation benefits for volunteer search
and rescue team members under Section 67-20-7.5; and
(iv) any other equipment or expenses necessary or appropriate for conducting
search and rescue activities.
(c) "Reimbursable expenses" do not include any salary or overtime paid to any
person on a regular or permanent payroll, including permanent part-time employees of any
agency or political subdivision of the state.
(2) There is created the Search and Rescue Financial Assistance Program within
the division.
(3) (a) The program shall be funded from the following revenue sources:
(i) any voluntary contributions to the state received for search and rescue

operations;

(ii) money received by the state under Section 23-19-42, Section 41-22-34, and Section 73-18-24; and

(iii) appropriations made to the program by the Legislature.

(b) All funding for the program shall be nonlapsing.

(4) The director shall use the money to reimburse counties for all or a portion of each county's reimbursable expenses for search and rescue operations, subject to:

(a) the approval of the Search and Rescue Advisory Board as provided in Section 53-2-109;

(b) money available in the program; and

(c) rules made under Subsection (7).

(5) Program money may not be used to reimburse for any paid personnel costs or paid man hours spent in emergency response and search and rescue related activities.

(6) The Legislature finds that these funds are for a general and statewide public purpose.

(7) The division, with the approval of the Search and Rescue Advisory Board, shall make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and consistent with this act:

(a) specifying the costs that qualify as reimbursable expenses;

(b) defining the procedures of agencies to submit expenses and be reimbursed;

and

(c) providing a formula to govern the distribution of available money among the counties for uncompensated search and rescue expenses based on:

(i) the total qualifying expenses submitted;

(ii) the number of search and rescue incidents per county population;

(iii) the number of victims that reside outside the county; and

(iv) the number of volunteer hours spent in each county in emergency response and search and rescue related activities per county population.

30 Section ~~{+}~~ 2 . Section **67-20-2** is amended to read:

Renumber remaining sections accordingly.

The motion to amend the bill passed unanimously with Rep. Peterson and Rep. Seelig absent for the vote.

Spoke in favor of the bill: Lynn Nelson, Utah Sheriff's Association
Adam Trupp, Association of Counties

Spoke to the bill: Dennis Lloyd, Workers Compensation Fund

MOTION: Rep. Poulson moved to pass out H.B. 55, as amended, with a favorable recommendation. The motion passed unanimously with Rep. Peterson absent for the vote.

H.B. 197 Amendments to Municipal and County Powers (*Rep. J. Anderson*)

The committee did not lift H.B. 197 from the table.

MOTION: Rep. Edwards moved to adjourn the meeting. The motion passed unanimously with Rep. Peterson absent for the vote.

Rep. Webb adjourned the meeting at 3:54 p.m.

Rep. Curt Webb, Chair