

**MINUTES OF THE SENATE GOVERNMENT OPERATIONS &
POLITICAL SUBDIVISIONS STANDING COMMITTEE**
ROOM 415 STATE CAPITOL
FEBRUARY 23, 2012

Members Present: Sen. Peter C. Knudson, Chair
 Sen. Casey Anderson
 Sen. Margaret Dayton
 Sen. Luz Robles
 Sen. Daniel Thatcher

Members Excused: Sen. Scott K. Jenkins

Staff Present: Mr. Rich North, Policy Analyst
 Ms. Lorna Wells, Committee Secretary

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

Chair Knudson called the meeting to order at 8:07 a.m.

Chair Knudson announced that S.B. 250 would not be heard at today's meeting.

Approval of Minutes

MOTION: Sen. Dayton moved to approve the minutes of the February 21, 2012 meeting. The motion passed unanimously with Sen. Robles absent for the vote.

S.B. 277 Municipal Government Authority (J. S. Adams)

Sen. Adams presented and explained this bill.

MOTION: Sen. Dayton moved to pass the bill out favorably. The motion passed unanimously., with Sen. Robles absent for the vote.

MOTION: Sen. Dayton moved to place the bill on the consent calendar. The motion passed unanimously.

H.B. 74 S01 Eminent Domain Amendments (M. Noel)

Rep. Noel presented and explained this bill.

Spoke for the bill: Mr. Brent Bateman, State Property Rights Ombudsman
 Mr. Lee Peacock, President, Utah Petroleum Association

MOTION: Sen. Dayton moved to pass the bill out favorably. The motion passed, with Sen. Robles absent for the vote.

H.B. 237 S02 Child Welfare Amendments (W. Harper)

Rep. Harper presented and explained this bill.

MOTION: Sen. Dayton moved to amend the bill as follows:

1. *Page 1, Line 20:*

20 Family Services;

requires an appellate court to apply de novo review to issues presented in an appeal of a juvenile court's finding of abuse, neglect, or an order to terminate parental rights;

2. *Page 3, Line 67:*

67 Utah 2008, Chapter 17

ENACTS:

78A-4-201, Utah Code Annotated 1953

3. *Page 20, Line 585:*

585 soon as possible.

Section 8. Section 78A-4-201 is enacted to read:

78A-4-201. Appellate review of juvenile courts.

(1) The court shall apply nondeferential de novo review to issues of fact and law raised in an appeal of a juvenile court's:

(a) finding of abuse;

(b) finding of neglect; or

(c) order terminating parental rights.

(2) The issue of whether the evidence presented in a juvenile court, taken as a whole, constitutes clear and convincing evidence shall be a matter of law subject to review by the court.

Renumber remaining sections accordingly.

Spoke for the bill: Ms. Dalane England, Vice President, Utah Eagle Forum

MOTION: Sen. Dayton moved to pass the bill out favorably. The motion passed unanimously.

H.C.R. 11 Concurrent Resolution Recognizing the Sesquicentennial of the City of St. George (D. Ipson)

Rep. Ipson presented and explained the bill.

MOTION: Sen. Dayton moved to pass the bill out favorably. The motion passed unanimously.

MOTION: Sen. Dayton moved to adjourn. The motion passed unanimously. Chair Knudson adjourned the meeting at 8:32 a.m.

Minutes reported by Lorna Wells, Secretary.

Sen. Peter C. Knudson, Committee Chair