

**MINUTES OF THE SENATE GOVERNMENT OPERATIONS &  
POLITICAL SUBDIVISIONS STANDING COMMITTEE  
ROOM 415 STATE CAPITOL  
FEBRUARY 27, 2012**

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

Staff Present:                Mr. Rich North, Policy Analyst  
                                  Ms. Cheryl Weight, 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 8:00 a.m.

**Approval of Minutes**

**MOTION:** Sen. Anderson moved to approve the minutes of the February 23, 2012 meeting. The motion passed unanimously with Sen. Dayton, Sen. Robles, and Sen. Thatcher absent for the vote.

**S.B. 231     Disposal of Surplus Property by the Legislature (Sen. C. Bramble)**

Sen. Bramble presented and explained the bill.

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

**S.B. 280     Budget Reserve Account Amendments (Sen. L. Hillyard)**

**MOTION:** Sen. Jenkins moved to amend S.B. 280 as follows:

1. *Page 1, Lines 14 through 15:*

- 14            ▶    modifies the limits on the Education Budget Reserve Account;    ~~{and}~~  
                                  ▶    corrects references to the Medicaid Growth Reduction and Budget Stabilization Account; and
- 15            ▶    makes technical changes.

2. *Page 1, Lines 22 through 23:*

- 22            63J-1-312, as last amended by Laws of Utah 2011, Chapters 211, 303, and 342
- 23            63J-1-313, as last amended by Laws of Utah 2011, Chapter 303  
                  =    63J-1-314, as last amended by Laws of Utah 2011, Chapters 211 and 303

3. *Page 6, Lines 178 through 179:*

178 (6) Interest generated from investments of money in the Education Fund Budget  
179 Reserve Account shall be deposited into the Education Fund.

**Section 3. Section 63J-1-314 is amended to read:**

**63J-1-314. Deposits related to the Disaster Recovery Funding Act.**

(1) As used in this section, "operating deficit" means that, at the end of the fiscal year, the unassigned fund balance in the General Fund is less than zero.

(2) Except as provided under Subsection (3), at the end of each fiscal year, the Division of Finance shall, after the transfer of General Fund revenue surplus has been made to the Medicaid Budget **Growth Reduction and** Stabilization

**{Restricted}** Account, as provided in Section 63J-1-315, and the General Fund Budget Reserve Account, as provided in Section 63J-1-312, transfer an amount into the State Disaster Recovery Restricted Account, created in Section 53-2-403, from the General Fund revenue surplus as defined in Section 63J-1-312, calculated by:

(a) determining the amount of General Fund revenue surplus after the transfer to the Medicaid **Growth Reduction and** Budget Stabilization **{Restricted}** Account under Section 63J-1-315 and the General Fund Budget Reserve Account under Section 63J-1-312;

(b) calculating an amount equal to the lesser of:

(i) 25% of the amount determined under Subsection (2)(a); or

(ii) 6% of the total of the General Fund appropriation amount for the fiscal year in which the surplus occurs; and

(c) adding to the amount calculated under Subsection (2)(b) an amount equal to the lesser of:

(i) 25% more of the amount described in Subsection (2)(a); or

(ii) the amount necessary to replace, in accordance with this Subsection (2)(c), any amount appropriated from the State Disaster Recovery Restricted Account within 10 fiscal years before the fiscal year in which the surplus occurs if:

(A) a surplus exists; and

(B) the Legislature appropriates money from the State Disaster Recovery Restricted Account that is not replaced by appropriation or as provided in this Subsection (2)(c).

(3) Notwithstanding Subsection (2), if, at the end of a fiscal year, the Division of Finance determines that an operating deficit exists, the division shall reduce the transfer to the State Disaster Recovery Restricted Account by the amount necessary to eliminate the operating deficit.

The motion passed unanimously with Sen. Robles absent for the vote.

Sen. Hillyard presented and explained the amended bill.

Spoke for the bill: Mr. Matthew Piccolo, Sutherland Institute

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

**H.B. 220 Classification of Counties (*Rep. R. Menlove*)**

Rep. Menlove presented and explained the bill.

Spoke for the bill: Mr. Paul Larsen, Community & Economic Development Director,  
Brigham City

**MOTION:** Sen. Jenkins moved to pass the bill out favorably.

**SUBSTITUTE MOTION:** Sen. Dayton moved to refer this bill to interim study. The motion failed with Sen. Knudson, Sen. Anderson and Sen. Jenkins voting in opposition and Sen. Robles being absent for the vote.

The original motion to pass the bill out favorably passed with Sen. Dayton voting in opposition and Sen. Robles being absent for the vote.

**S.C.R. 11 Concurrent Resolution on the National Defense Authorization Act  
(*Sen. T. Weiler*)**

Sen. Weiler presented and explained the resolution.

Spoke for the bill: Ms. Marina Lowe, Legislative & Policy Analyst, American Civil Liberties  
Union of Utah  
Ms. Delane England, Utah Eagle Forum

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

**MOTION:** Sen. Dayton moved to reconsider the action on S.C.R. 11. The motion passed unanimously.

**MOTION:** Sen. Dayton moved to replace S.C.R. 11 with 1st Sub. S.C.R. 11. The motion passed unanimously.

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

**S.J.R. 15 Joint Resolution Amending Rules of Civil Procedure on Peer Review  
(*Sen. J. Stevenson*)**

Sen. J. Stevenson presented and explained the resolution.

Spoke for the bill: Mr. Brian Shiozawa, Emergency Physician, St Mark's Hospital  
Mr. Dave Gessel, Vice President, Utah Hospital Association  
Ms. Michelle McOmber, CEO, Utah Medical Association  
Mr. Mark Brinton, General Counsel, Utah Medical Association

Spoke to the bill: Mr. Charles Thronson, Attorney at Law, Parsons, Behle & Latimer  
Mr. Michael Karras, Attorney at Law, G. Eric Nielson & Assoc.

Spoke against the bill: Ms. Michelle Jones, citizen representing her daughter Gracie

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

**H.B. 488 Wording on Election Ballots (*Rep. E. Vickers*)**

Rep. Vickers explained and presented the bill.

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

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

**H.B. 119 Study on Signing Petitions Online (*Rep. R. Chavez-Houck*)**

Rep. R. Chavez-Houck presented and explained the bill.

Spoke for the bill: Mr. Mark Thomas, Director of Elections, Lieutenant Governor's Office  
Ms. Jennifer Gonnely, Co-Legislative Director,  
Utah League of Women's Voters  
Mr. Quang Dang, Citizen & Veteran's Administration Volunteer

**MOTION:** Sen. Dayton moved to pass the bill out favorably. The motion passed with Sen. Jenkins and Sen. Thatcher voting in opposition.

**MOTION:** Sen. Dayton moved to adjourn. The motion passed unanimously. Chair Knudson adjourned the meeting at 9:38 a.m.

Minutes reported by Cheryl Weight, Secretary.