

**MINUTES OF THE HOUSE**  
**PUBLIC UTILITIES & TECHNOLOGY STANDING COMMITTEE**  
**Room 20, House Building**  
February 29, 2012

**MEMBERS PRESENT:** Rep. Michael Noel, Chair  
Rep. Steve Handy, Vice Chair  
Rep. Roger Barrus  
Rep. Fred C. Cox  
Rep. John Dougall  
Rep. Lynn Hemingway  
Rep. Neal Hendrickson  
Rep. Chris Herrod  
Rep. Ken Ivory  
Rep. Lowry Snow  
Rep. Ryan Wilcox

**STAFF PRESENT:** Mr. Richard North, Policy Analyst  
Ms. Sylvia Newton, Committee Secretary

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

Chair Noel called the meeting to order at 4:07 p.m.

**MOTION:** Rep. Handy moved to approve the minutes of the February 28, 2012 meeting. The motion passed unanimously with Rep. Barrus, Rep. Dougall, Rep. Herrod, and Rep. Wilcox absent for the vote.

**H.B. 443      Corrections Issues Task Force (*Rep. E. Hutchings*)**

Rep. Hutchings introduced the bill to the committee, assisted by Travis Wood, citizen

Spoke in favor of the bill:      Mr. Pat Fleming, Salt Lake County Behavioral Health Services

**MOTION:** Rep. Handy moved to pass the bill out favorably. The motion passed unanimously with Rep. Dougall, Rep. Hendrickson, and Rep. Wilcox absent for the vote.

**H.B. 320      Utility Facility Siting (*Rep. D. Sagers*)**

**MOTION:** Rep. Hemingway moved to adopt 1st Substitute H.B. 320. The motion passed unanimously with Rep. Dougall, Rep. Hendrickson, and Rep. Wilcox absent for the vote.

**MOTION:** Rep. Hemingway moved to amend 1st Substitute H.B. 320 as follows:

1. *Page 2, Line 33:*

33 (1) The Utility Facility Review Board is created {~~within the Department of  
Commerce~~}

2. *Page 5, Line 120:*

120 Act; {~~and~~} or

The motion to amend the substitute bill pass unanimously with Rep. Dougall, Rep. Hendrickson, and Rep. Wilcox absent for the vote.

Spoke in favor of the bill: Ted Boyer, Public Service Commission  
Roger Tew, Utah League of Cities and Towns

**MOTION:** Rep. Hemingway moved to pass 1st Substitute H.B. 320 as amended out favorably. The motion passed unanimously with Rep. Dougall and Rep. Wilcox absent for the vote.

Chair Noel relinquished the chair to Vice Chair Handy.

**H.B. 467 Sovereign Lands Management Account Appropriation (Rep. M. Noel)**

Rep. Noel introduced the bill to the committee.

Spoke in favor of the bill: Margaret Bird, State Office of Education  
Kevin Carter, State and Institutional Trust Lands Administration

**MOTION:** Rep. Hendrickson moved to pass the bill out favorably. The motion passed unanimously.

Rep. Noel resumed the chair.

**H.B. 284S1 Higher Education Governance (Rep. J. Dougall)**

Rep. Dougall introduced 1st Substitute H.B. 284 to the committee, stating that he has been asking the Board of Regents to address this issue for some time.

Spoke to the bill: David Buhler, Board of Regents (handout)  
Douglas Hendricks, physics teacher  
Narnia Brockman, student

**MOTION:** Rep. Cox moved to pass the bill out favorably. The motion passed with Rep. Hemingway voting in opposition to the motion and Rep. Snow absent for the vote.

**H.B. 421 Local District Dissolution (Rep. D. McCay)**

**MOTION:** Rep. Herrod moved to amend the bill as follows:

1. *Page 5, Lines 136 through 141:*

136 (9) A local district may not be created under this chapter for two years after the date  
on  
137 which ~~{a}~~ **an inactive** local district is dissolved in accordance with Part 13,  
Dissolution of a Local District, if  
138 the local district proposed for creation:  
139 (a) provides the same or substantially similar services as the dissolved  
**inactive** local district;  
140 and  
141 (b) is located in substantially the same area as the dissolved **inactive** local  
district.

2. *Page 5, Line 146 through Page 6, Line 156:*

146 (2) "Administrative body" means:  
147 (a) if the local district proposed to be dissolved is active and has a duly constituted  
148 board of trustees in sufficient numbers to form a quorum, the board of trustees; ~~{or}~~  
149 (b) ~~{except as provided in Subsection (2)(a):}~~ **if the local district proposed**  
**to be dissolved is active or inactive and does not have a duly constituted board of**  
**trustees in sufficient numbers to form a quorum:**  
150 (i) for a local district located entirely within a single municipality, the legislative  
body  
151 of that municipality;  
152 (ii) for a local district located in multiple municipalities within the same county or at

153 least partly within the unincorporated area of a county, the legislative body of that county;  
or

154 (iii) for a local district located within multiple counties, the legislative body of the  
155 county whose boundaries include more of the local district than is included within the  
156 boundaries of any other county {~~.~~} ; or

(c) if the local district proposed to be dissolved is inactive and has a duly  
constituted board of trustees in sufficient numbers to form a quorum:

(i) the board of trustees, if the board of trustees receives a petition or adopts  
a resolution to dissolve before the legislative body described in Subsection (2)(c)(ii);  
or

(ii) a legislative body described in Subsection (2)(b)(i), (ii), or (iii),  
respectively, if the legislative body receives a petition or adopts a resolution to  
dissolve before the board of trustees described in Subsection (2)(c)(i).

The motion to amend the bill passed unanimously with Rep. Dougall, Rep. Snow, and Rep. Wilcox absent for the vote.

Rep. McCay introduced the amended bill to the committee.

Spoke in favor of the bill: LeGrand Bitter, Utah Association of Special Districts  
David Wilde, Salt Lake County Council

**MOTION:** Rep. Cox moved to pass H.B. 421 as amended out favorably. The motion passed unanimously with Rep. Snow and Rep. Wilcox absent for the vote.

**MOTION:** Rep. Dougall moved to place the bill on the Consent Calendar. The motion passed unanimously with Rep. Herrod, Rep. Snow, and Rep. Wilcox absent for the vote.

### **S.B. 169S1 Judicial Conduct Commission Amendments (Sen. K. Mayne)**

Sen. Mayne introduced the bill, assisted by Collin Winchester, Judicial Conduct Commission

**MOTION:** Rep. Hendrickson moved to amend the bill as follows:

1. Page 1, Line 14: After "Commission" delete ", and" and insert a "."
2. Page 1, Lines 15-17: Delete lines 15 thru 17
3. Page 4, Lines 92-93: After "occurred" delete "and determines that a public sanction is

warranted"

The motion to amend the bill passed unanimously with Rep. Dougall, Rep. Herrod, Rep. Snow, Rep. Wilcox absent for the vote.

**MOTION:** Rep. Handy moved to pass the amended bill out favorably. The motion passed unanimously with Rep. Dougall, Rep. Herrod, Rep. Snow, Rep. Wilcox absent for the vote.

**S.B. 99      Employment Amendments (*Sen. M. Madsen*)**

Sen. Madsen introduced the bill to the committee.

Spoke in favor of the bill:    Mont Evans, Utah Restaurant Association

**MOTION:** Rep. Hemingway moved to pass the bill out favorably. The motion passed unanimously with Rep. Dougall, Rep. Hendrickson, Rep. Herrod, Rep. Snow, and Rep. Wilcox absent for the vote.

**MOTION:** Rep. Barrus moved to adjourn. The motion passed unanimously with Rep. Dougall, Rep. Hendrickson, Rep. Herrod, Rep. Snow, and Rep. Wilcox absent for the vote.

Chair Noel adjourned the meeting at 5:43 p.m.

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Rep. Michael Noel, Chair