

**MINUTES OF THE SENATE GOVERNMENT OPERATIONS &
POLITICAL SUBDIVISIONS STANDING COMMITTEE
ROOM 415 STATE CAPITOL
MARCH 5, 2013**

Members Present: Sen. Margaret Dayton, Chair
 Sen. Luz Robles
 Sen. Brian E. Shiozawa
 Sen. Daniel Thatcher
 Sen. Kevin T. Van Tassell

Members Excused: Sen. Lyle W. Hillyard
 Pres. Wayne L. Niederhauser

Staff Present: Mr. Rich North, Policy Analyst
 Ms. Karen C. Allred, Committee Secretary

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

Chair Dayton called the meeting to order at 8:40 a.m.

Sen. Dayton announced that H.B. 325 would not be heard.

Approval of Minutes

MOTION: Sen. Van Tassell moved to approve the minutes of the March 4, 2013 meeting. The motion passed unanimously with Sens. Robles and Shiozawa absent for the vote.

S.B. 278 Capital Improvement Amendments (Sen. W. Harper)

Sen. Harper introduced and explained the bill.

Spoke to the bill: Mr. David Buhler, Commissioner, Utah System of Higher Education

MOTION: Sen. Van Tassell moved to pass S.B. 278 out favorably. The motion passed unanimously with Sens. Robles and Shiozawa absent for the vote.

S.B. 246 Volunteer Workers Amendments (Sen. S. Jenkins)

Sen. Jenkins introduced and explained the bill.

MOTION: Sen. Robles moved to amend S.B. 246 as follows:

1. Page 2, Lines 44 through 49:

44 ~~Any~~ (1) A person performing services on a voluntary basis, without compensation,
45 under the general supervision of, and on behalf of any public entity, ~~shall be~~ is immune

from
46 liability with respect to any decisions or actions, other than in connection with the
operation of
47 a motor vehicle, taken during the course of those services, unless it is established that
{+} such
48 decisions or actions were grossly negligent, not made in good faith, or were made
maliciously {+}
49 {—~~the volunteer willfully and knowingly caused harm to a person or property~~} .

Spoke to the amendment: Mr. Dave Hardman, President, Prosperity 2020
Mr. Edward Havas, Attorney, Utah Association for Justice

The motion failed, with Sens. Robles and Thatcher voting in favor.

Spoke to the bill: Mr. Edward Havas, Attorney, Utah Association for Justice
John Ray, Attorney

MOTION: Sen. Van Tassell moved to go on to the next item on the agenda.

SUBSTITUTE MOTION: Sen. Thatcher moved to amend S.B. 246 as follows:

Page 2, Line 49: After "knowingly" insert "or recklessly"

The motion failed with Sens. Dayton, Robles, Shiozawa and Van Tassell voting in opposition.

The original motion passed unanimously.

S.B. 265 Referendum Amendments (*Sen. J. Valentine*)

Sen. Valentine introduced and explained the bill.

Spoke in favor of the bill: Mr. Roger Tew, Utah League of Cities and Towns

Spoke to the bill: Mr. Arie Van DeGraph, Legislative Analyst, Utah Association of
Counties

MOTION: Sen. Van Tassell moved to pass S.B. 265 out favorably. The motion passed
unanimously with Sen. Robles and Shiozawa absent for the vote.

H.J.R. 9 Joint Resolution Recommending a Name for New Federal Courthouse (*Rep.
Johnny Anderson*) (**Sen. L. Hillyard**)

Rep. Johnny Anderson introduced and explained the bill.

MOTION: Sen. Van Tassell moved to pass H.J.R. 9 out favorably. The motion passed unanimously with Sens. Robles and Shiozawa absent for the vote.

H.B. 352 County Government Amendments (*Rep. D. Brown*) (Sen. B. Shiozawa)

Rep. D. Brown introduced and explained the bill.

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

MOTION: Sen. Shiozawa moved to pass H.B. 352 out favorably. The motion passed unanimously with Sens. Robles absent for the vote.

1st Sub. H.B. 280 County Government Reform (*Rep. M. Brown*)

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

MOTION: Sen. Van Tassell moved to pass 1st Sub. H.B. 280 out favorably. The motion passed unanimously with Sen. Robles absent for the vote.

H.B. 256 Reauthorization of Administrative Rules (*Rep. C. Oda*) (Sen. H. Stephenson)

Rep. Oda introduced and explained the bill.

MOTION: Sen. Van Tassell moved to pass H.B. 256 out favorably. The motion passed unanimously with Sen. Robles absent for the vote.

1st Sub. H.B. 131 Constitutional and Federalism Defense Act (*Rep. K. Ivory*)

Rep. Ivory introduced and explained the bill.

MOTION: Sen. Thatcher moved to pass 1st Sub. H.B. 131 out favorably. The motion passed unanimously with Sen. Robles absent for the vote.

MOTION: Sen. Thatcher moved to place 1st Sub. H.B. 131 on the Consent Calendar, The motion failed with Sen. Van Tassell voting in opposition.

H.B. 111 Eminent Domain Amendments (Rep. L. Perry)

Rep. Perry introduced and explained the bill.

Spoke in favor of the bill: Mr. Craig Call, Citizen

MOTION: Sen. Thatcher moved to pass 2nd Sub. H.B. 111 out favorably. The motion passed unanimously with Sen. Robles absent for the vote.

MOTION: Sen. Thatcher moved to place 2nd Sub. H.B. 111 on the Consent Calendar. The motion passed unanimously with Sen. Robles absent for the vote.

H.B. 330 Financial Reporting Amendments (*Rep. S. Eliason*) (Sen. C. Bramble)

This bill was not heard today.

MOTION: Sen. Van Tassell moved to adjourn. The motion passed unanimously.

Chair Dayton adjourned the meeting at 5:11 p.m.

Minutes reported by Karen C. Allred, Secretary.

Sen. Margaret Dayton, Committee Chair