

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
137 on
137 which { }~~a~~ ~~an inactive~~ local district is dissolved in accordance with Part 13,
138 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
139 ~~inactive~~ local district;
140 and
141 (b) is located in substantially the same area as the dissolved ~~inactive~~ local
141 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
149 proposed to be dissolved is active or inactive and does not have a duly constituted
149 board of trustees in sufficient numbers to form a quorum:
150 (i) for a local district located entirely within a single municipality, the legislative
150 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.

Rep. Michael Noel, Chair