

**MINUTES OF THE  
GOVERNMENT OPERATIONS INTERIM COMMITTEE**  
Wednesday, June 20, 2007 – 9:00 a.m. – Room W025 House Building

**Members Present:**

Sen. Peter C. Knudson, Senate Chair  
Rep. Glenn A. Donnelson, House Chair  
Sen. Gregory S. Bell  
Sen. Brent H. Goodfellow  
Rep. Douglas C. Aagard  
Rep. Ron Bigelow  
Rep. DeMar Bud Bowman  
Rep. Lorie D. Fowlke  
Rep. Keith Grover  
Rep. Neil A. Hansen  
Rep. John G. Mathis  
Rep. Curtis Oda

Rep. Larry B. Wiley  
Rep. Eric K. Hutchings

**Members Absent:**

Pres. John L. Valentine  
Rep. Neal B. Hendrickson

**Staff Present:**

Mr. Benjamin N. Christensen, Policy Analyst  
Mr. Eric N. Weeks, Associate General Counsel  
Ms. A. Brooke Ollerton, Legislative Secretary

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at [www.le.utah.gov](http://www.le.utah.gov).

**1. Committee Business**

Chair Donnelson called the meeting to order at 9:06 a.m.

**MOTION:** Rep. Hansen moved to approve the minutes of the May 16, 2007 meeting. The motion passed unanimously with Rep. Hutchings absent for the vote.

**2. State Capitol Complex Construction Projects and Plans -- Update**

Mr. David Hart, Capitol Preservation Board, presented a slide show including photographs of the capitol renovation project. He reported on the status of parking and building projects. By December 1, 2007 the parking structure directly east of the capitol is expected to be completed. He reported that on June 7, 2007 the last base isolator providing earthquake protection to the capitol was released so that the anticipated earthquake upgrade is now functioning. He indicated that on December 1, 2007, a temporary certificate of occupancy would be issued allowing furniture to be moved into the capitol and on December 19, 2007 a certificate of occupancy is expected to be issued for the capitol. An open house will be provided to the public December 21, 2007 through January 4, 2008 and the grand opening will be held on January 24, 2008. He gave an overview of the Capitol Preservation Board's responsibilities, organization, and stewardship.

**3. Ombudsman Functions**

Mr. Brent Bateman, OPRO (Office of the Property Rights Ombudsman), presented a slide show and described the clash that often occurs between the public good and private rights in the property arena. He described the creation of his office, its statutory mission, and functions. He answered questions from the Committee about OPRO attorneys and public notice of OPRO services.

Mr. Fred Finlinson, chairman, Land Use and Eminent Domain Advisory Board, OPRO, explained that the three OPRO attorneys provide a valuable public service by creating an alternative to litigation in the process of resolving land use issues.

Ms. Diane Warner Kearny, OCPO (Office of Child Protection Ombudsman), Department of Human Services, described the creation of OCPO and its purpose. She said that OCPO investigates complaints against the Division of Child and Family Services of acts that are contrary to rule, statute, or division policy. She described the process by which complaints are heard, investigated, and reported and distributed "Department of Human Services, Office of Child Protection Ombudsman." She answered questions about dispute resolution, public notice of its services, and maintaining OCPO's independence and expertise.

Rep. Fowlke requested data about the number of complaints that are resolved through OCPO. Ms. Warner Kearney said she would provide the information. Chair Donnelson asked that the statistic be provided to the entire Committee.

Ms. Kathleen Bailey, long-term care ombudsman, Division of Aging and Adult Services, Department of Human Services, said her role is to help people in nursing homes and assisted living facilities to solve problems about their rights and care by investigating complaints and mediating a resolution with staff and family. She distributed "Long Term Care Ombudsman Program" and outlined the top complaints of the elderly in long-term care. She answered questions about allegations of abuse, public notice of their services, and ombudsman expertise.

Mr. Alan Ormsby, director, Division of Aging and Adult Services, Department of Human Services, answered questions of committee members.

Committee members discussed creating a water rights ombudsman.

Rep. Hutchings agreed to follow up on the 211 information service that may be used to help the public work with government better.

#### **4. Sunset Review - Bonding or Veterans Nursing Home - Ogden**

Mr. Christensen explained that in 2005 the Legislature authorized bonding authority contingent upon obtaining federal funds. A sunset provision was included in the bill, which was subsequently extended through 2008.

Sen. Knudson said the issue has not been resolved and spoke in support of extending the sunset.

Chair Donnelson said that if the provision was allowed to sunset, the project would no longer be a priority in the federal list of veterans projects and spoke in favor of extending it.

**MOTION:** Rep. Bigelow moved to extend the sunset provision of Section 63B-14-101 for five years, until December 31, 2013. The motion passed unanimously with Sen. Goodfellow and Rep. Fowlke absent for the vote.

Mr. Terry Schow, Division of Veterans Affairs, spoke in support of extending the sunset.

Mr. Dennis McFall, Veterans Nursing Home, Utah National Guard, thanked the Committee for extending the sunset. He reported that progress is being made on the project.

## **5. Other Items / Adjourn**

Mr. Weeks explained that Utah Code Title 63, State Affairs in General, needed to be recodified in order to clean it up and provide room for new chapters. He asked committee members whether they wanted to authorize a recodification and to ask permission of the Legislative Management Committee to recodify.

**MOTION:** Sen. Knudson moved to authorize the recodification of Title 63 and to bring a request before the Legislative Management Committee. The motion passed unanimously with Sen. Goodfellow and Rep. Fowlke absent for the vote.

**MOTION:** Rep. Aagard moved to adjourn. The motion passed unanimously.

Chair Donnelson adjourned the meeting at 10:57 a.m.