

**MINUTES OF THE
SENATE GOVERNMENT OPERATIONS AND POLITICAL SUBDIVISIONS
STANDING COMMITTEE**

Room 415, Utah State Capitol
February 25, 2014

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

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

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

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

Chair Dayton called the meeting to order at 7:58 a.m.

S.B. 113 Public Meetings Amendments (*K. Mayne*)

Sen. Mayne explained the bill to the committee.

MOTION: Sen. Van Tassell moved to amend the bill as follows:

1. *Page 4, Lines 97 through 98:*

97 (c) includes at least one member who is ~~{an elected official of the state or of a political~~
~~98—subdivision of the state}~~ ;
 (i) a legislator; and
 (ii) officially appointed to the body by the President of the Senate, Speaker of the
House of Representatives, or governor .

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

MOTION: Sen. Van Tassell moved to pass the bill out favorably. The motion passed unanimously with Sen. Robles and Sen. Thatcher absent for the vote.

MOTION: Sen. Van Tassell moved to approve the minutes of the February 21, 2014 meeting. The motion passed unanimously with Sen. Robles and Sen. Thatcher absent for the vote.

1st Sub. H.B. 283 Nonprofit Entity Receipt of Government Money (*Rep. Menlove*)

MOTION: Sen. Van Tassell moved to replace the bill with 3rd Sub. H.B. 283. The motion passed unanimously with Sen. Robles and Sen. Thatcher absent for the bill.

MOTION: Sen. Van Tassell moved to amend the bill as follows:

1. *Page 5, Lines 143 through 146:*

- 143 (b) procedures for the governing board of the nonprofit entity to designate an
144 administrator who manages the state money; ~~{and}~~
145 (c) procedures for the governing board to dismiss the administrator described by
146 Subsection (3)(b) ~~{c}~~ ; and
(d) procedures for compliance with Title 34A, Chapter 5, Utah Antidiscrimination
Act, if the nonprofit entity is subject to Title 34A, Chapter 5, Utah
Antidiscrimination Act.

The motion failed with Sen. Shiozawa voting in favor and Sen. Robles and Sen. Thatcher absent for the vote.

Rep. Menlove explained the bill to the committee.

Spoke for the bill: Chris Bray, Chief Executive Officer, Utah Nonprofits Organization

MOTION: Sen. Robles moved to amend the bill as follows:

1. *Page 4, Line 118 through Page 5, Line 129:*

- 118 irrespective of the one or more names by which the codes of rules are designated.
(2)(a) "Grant" means the furnishing by a state entity of state money to a nonprofit
entity.
(b) "Grant" does not include a contract between a state entity and a nonprofit entity
to purchase goods or services from the nonprofit entity that was subject to the state
procurement process provided in Title 63G, Chapter 6a, Utah Procurement Code.
119 ~~{2}~~ (3) "Nonprofit entity" means an entity that:
120 (a) is operated primarily for a scientific purpose, educational purpose, religious
121 purpose, charitable purpose, or similar purpose in the public interest;
122 (b) is not organized primarily for profit; and
123 (c) no part of the net earnings of which inures to the benefit of any private
shareholder
124 or individual holding an interest in the entity.
125 ~~{3}~~ (4) "State entity" means a department, commission, board, council, agency,
institution,
126 officer, corporation, fund, division, office, committee, authority, laboratory, library, unit,
127 bureau, panel, or other administrative unit of the state.
128 ~~{4}~~ (5)(a) "State money" means money that is owned, held, or administered by
a state entity
129 and derived from state fee or tax revenues.

(b) "State money" does not include contributions or donations received by a state entity.

The motion passed unanimously with Sen. Shiozawa and Sen. Thatcher absent for the vote.

MOTION: Sen. Van Tassell moved to pass the bill out favorably. The motion passed unanimously with Sen. Shiozawa and Sen. Thatcher absent for the vote.

S.B. 70 State Data Portal Amendments (D. Henderson)

Sen. Henderson explained the bill to the committee.

Spoke for the bill: Patricia Smith Mansfield, Director, State Archives
Mark Van Orden, Chief Information Officer, Department of Technology Services
Cameron Diehl, Attorney, Utah League of Cities and Town

MOTION: Sen. Van Tassell moved to pass the bill out favorably. The motion passed unanimously.

S.B. 93 Internal Audit Amendments (H. Stephenson)

Sen. Stephenson explained the bill to the committee.

Spoke to the bill: John Dougall, State Auditor

MOTION: Sen. Van Tassell moved to replace the bill with 1st Sub. S.B. 93. The motion passed unanimously.

MOTION: Sen. Van Tassell moved to amend S.B. 93 as follows:

1. *Page 4, Lines 97 through 102:*

97 [~~(2)~~] (3) "Agency internal audit director" or "audit director" means the person
98 [appointed by the agency head, with the approval of the audit committee if one has been
99 established, to direct the internal audit function for the state agency.] who:
100 (a) directs the internal audit program for the state agency; and
101 (b) is appointed by the {agency head with approval of the} audit committee or,
if {one} no audit committee has
102 been established , by the agency head .

The motion passed unanimously.

MOTION: Sen. Van Tassell moved to amend S.B. 93 as follows:

1. *Page 5, Lines 138 through 140:*

- 138 (b) "State agency" does not mean:
139 (i) a legislative branch agency;
140 (ii) an independent state agency as defined in Section 63E-1-102 ;

The motion passed unanimously.

MOTION: Sen. Van Tassell moved to amend S.B. 93 as follows:

1. *Page 4, Lines 103 through 107:*

- 103 [~~3~~] (4) "Appointing authority" means:
104 (a) the governor, for state agencies other than the State Tax Commission ;
105 (b) the Judicial Council, for judicial branch agencies;
106 (c) the Board of Regents, for higher education entities; **{and}**
107 (d) the State Board of Education, for the State Office of Education **{·}** ; and
(e) the four tax commissioners, for the State Tax Commission.

2. *Page 6, Line 177:*

- 177 state program described in **{Section}** Subsection 63I-5-204 **(1)** at the request of the
governor or the lieutenant

The motion passed unanimously.

Spoke for the bill: Deena King, Citizen
Jennifer Johnson, Citizen
D'Arcy Dixon, Commissioner, Tax Commission

MOTION: Sen. Van Tassell moved to pass the bill out favorably. The motion passed unanimously.

S.B. 167 Regulation of Drones (H. Stephenson)

Sen. Stephenson explained the bill to the committee.

MOTION: Sen. Van Tassell moved to replace the bill with 2nd Sub. S.B. 165. The motion passed unanimously.

A video clip of the movie 1984 was shown accompanied by the 2014 Senate Intern Choir.

Spoke for the bill: Steve Erickson, Citizens Education Project
Connor Boyac, President, Libertas Institute
Amy Pameroy, Attorney
Keith Squires, Commissioner, Utah Department of Public Safety
Marina Low, Legislative and Policy Counselor, ACLU of Utah

MOTION: Sen. Van Tassell moved to pass the bill out favorably. The motion passed unanimously.

H.B. 99 County Officer Election Revisions (*J. Draxler*)

Rep. Draxler explained the bill to the committee.

MOTION: Sen. Van Tassell moved to pass the bill out favorably. The motion passed unanimously.

MOTION: Sen. Van Tassell moved to place the bill on the Consent Calendar. The motion passed unanimously.

1st Sub. H.J.R 10 Joint Rules Resolution Regarding a Long-term Planning Conference (*B. Wilson*)

Rep. Wilson explained the bill to the committee.

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

MOTION: Sen. Van Tassell moved to place the bill on the Consent Calendar. The motion passed unanimously.

H.B. 217 Service Animals (*R. Wilcox*)

Rep. Wilcox explained the bill to the committee.

Spoke for the bill: Wendell Nope, Seargent, Department of Public Safety

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

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

Chair Dayton adjourned the meeting at 9:38 a.m.