

2-10-21

House Government Operations Committee

Bill: HB 293, Open Meeting Minutes Amendments

Sponsor: Rep. Peterson

Floor Sponsor:

UASD Position: Tracking

This Bill: amends provisions related to the posting of minutes of open meetings.

Discussion: The sponsor said this bill requires a state body that is not a state public body or local public body to post on the state public notice website a copy of the approved minutes and any public materials distributed at the meeting. Currently, interlocal entities and districts are required to post approved minutes to their respective websites, but are not required to post the approved minutes and open meeting materials on the state's public notice website. The State Auditor's Office testified that this bill would amend the Open and Public Meeting Act to require these entities to post approved minutes, not simply the meeting agendas. Rep. Lyman asked if the main change was in Lines 107-108. The sponsor said the law currently requires a hard copy of the approved minutes be made available in the office of the governmental entity, but they don't necessarily post the approved minutes online.

Yeas: 8

Nays: 0

N/V: 3

Outcome: Passed out of committee with a favorable recommendation

Bill: HB 246, Ballot Measure Transparency Amendments

Sponsor: Rep. Christiansen

Floor Sponsor:

UASD Position: Tracking

This Bill: provides for a ballot information statement, relating to a statewide initiative or referendum or a proposed constitutional amendment, that consists of an impartial, accurate description of the measure and the effect of the measure.

Discussion: The sponsor said this bill is meant to improve voter transparency. Hb 246 creates the Utah Ballot Measure Board. The Board would be required to prepare a ballot information statement, relating to any statewide ballot initiative, referendum or constitutional amendment. The ballot information statement will consist of an impartial, accurate description of the measure in question. The Board will be made up of five individuals appointed by different members of the State Legislature. The sponsor said this bill is needed because there is nothing in State Statute requiring the 200 word ballot information statement be true. The sponsor is open to using a different number of people on the Board, as long as it is an odd number. Rep. Dailey-Provost voiced concern about the increased burden on the County Clerk's Office. The sponsor explained that the proposed amendment would decrease the information printed on the ballot. Rep. Dailey-Provost expressed appreciation for the intent of the bill, but has issues with the execution of this bill. Rep. Dailey-Provost asked for the vote by the board to be a super majority and not a simple majority. The sponsor said he would like to keep it a simple majority so information can be approved more easily. It is unclear if this type of Board has been used in any other state. The Weber County Clerk Auditor said it is a delicate balance from keeping the ballot uncluttered and giving information to the voters. The Weber County Clerk Auditor said the amendment definitely decreases the number of words, but still might require a second page making election officers jobs more difficult and more expensive. The Weber County Clerk Auditor said they support the idea of this bill, but do not support the logistics. The Director of Elections said they initially had some technical concerns with the language in the bill, but those concerns have been addressed and are neutral on this bill. The Weber County Clerk and Director of Elections said it would be a toss-up on if this legislation will help voters be more informed and engaged. Rep. Dailey-Provost motioned to move to the next item on the agenda. The motion passed.

Yeas:

Nays:

N/V:

Outcome: Committee moved to the next agenda item.

Bill: HB 312, State Residency Amendments

Sponsor: Rep. Teuscher

Floor Sponsor:

UASD Position: Tracking

This Bill: makes changes to the Election Code regarding residency determinations for candidates.

Discussion: Rep. Teuscher said this bill will require an individual who has been absent from the state for six months or more in the past three years to provide evidence of residency when submitting a declaration of candidacy. The bill changes the deadline for an objection of a person's declaration of candidacy from five days to ten days. Any statement made in a declaration of candidacy will be subject to the penalties of perjury. Rep. Dailey-Provost asked about line 131 which deals with someone who is gone for religious or schooling reasons. A person will not lose their residency status if the person moves to another country, state or voting precinct within Utah for temporary purposes with the intent of returning. Lines 135-137 specifically address Rep. Dailey-Provost's question. Members of the public voiced their support for this bill. The Director of Elections voiced support for this bill, saying this is a step in the right direction. The sponsor said there might need to be clarification with the word "only" including the word "state", because it might not include the local level. The Weber County Clerk Auditor said they support this bill. The 1st substitute HB 312 was adopted by the Committee. Rep. Waldrip voiced concern for how this affects the courts. The Chair moved to amend line 125, changing the word "shall" to "may". The sponsor said he does not necessarily oppose the amendment, but worries individuals may interpret the requirement as something they do not have to do. Rep. Lyman voiced the same desire for the amendment. Rep. Dailey-Provost voiced opposition to the amendment. The motion to amend "shall" to "may" on line 125 of 1st substitute HB 312 passed.

Yeas: 10

Nays: 0

N/V: 1

Outcome: 1st substitute HB 312, as amended, passed out of committee with a favorable recommendation.