

**MINUTES OF THE  
LEGISLATIVE MANAGEMENT COMMITTEE**  
March 31, 1999 -- 1:00 p.m. -- Room 303 State Capitol

**Members Present:**

President R. Lane Beattie, Chairman  
Speaker Martin R. Stephens, Vice-chairman  
Sen. Leonard M. Blackham  
Sen. Mike Dmitrich  
Sen. Lyle W. Hillyard  
Sen. Paula F. Julander  
Sen. L. Alma Mansell  
Sen. Millie M. Peterson  
Rep. Patrice M. Arent  
Rep. Ralph Becker  
Rep. Greg J. Curtis  
Rep. Kevin S. Garn  
Rep. David M. Jones  
Rep. Brad King  
Rep. David Ure

**Members Excused:**

Sen. Scott N. Howell

**Staff Present:**

Richard V. Strong,  
Director  
M. Gay Taylor,  
General Counsel  
L. Kaye Clark,  
Secretary

**Note:** A list of others present and a copy of materials on file in the Office of Legislative Research and General Counsel.

**1. Call to Order**

Chairman Beattie called the meeting to order at 1:20 p.m.

**2. Approval of Minutes**

**MOTION:** Sen. Hillyard moved to approve the minutes of the November 17, 1998 and February 16, 1999 meetings. The motion passed unanimously.

**3. Review of the 1999 General Session**

A. Statistics - Mr. Strong reported that 71 percent of the files that were opened were introduced, and that 60 percent of the bills that were introduced were passed. He noted that there has been a general decline in the number of bill files requested and bills introduced.

B. Vetoed Legislation - Chairman Beattie noted that the Governor had vetoed five bills, and that the Representatives and Senators will be polled as the Utah Constitution requires.

C. Reconvening - Chairman Beattie reviewed the process for holding an override session and noted any veto override must begin before May 3, 1999.

**4. Legislative Management Organization**

A. Duties - Mr. Strong highlighted the duties of the Legislative Management Committee (LMC) including assigning interim committee study items, receiving requests from interim committees, establishing a budget, and designating the meeting schedule for the interim committees (Utah Code 36-12-7).

B. Subcommittees - Mr. Strong reviewed the duties of the three subcommittees (Utah Code 36-12-8) and distributed the membership list of the subcommittees that had been approved last January. The committee discussed the need for subcommittees to meet, and on what schedule. Chairman Beattie noted that chairmen would soon be designated for each of the subcommittees.

**MOTION:** Rep. Garn moved that each subcommittee hold a meeting prior to the next meeting of the LMC in May and that the directors recommend agenda items for the year at that time. The motion passed unanimously.

**5. Legislative Management Policies** - Mr. Strong explained that every two years the LMC adopts certain policies containing detail for the operations of various legislative activities. The committee then reviewed the following policies:

- A. General
- B. Reimbursements - Mr. Strong noted under Reimbursements, page 6, the membership of the Crime Reduction Task Force should be corrected to read 3 from the Senate and 8 from the House with the specified political party composition.
- C. Voting Records
- D. Committee Rooms - Chairman Beattie noted that if a legislator schedules the use of a committee room, it is expected that the legislator will in fact be there.
- E. Work Requests
- F. Overtime
- G. Military Service Credit
- H. Pay Plan

**MOTION:** Speaker Stephens moved to increase the pay plan salary range of the legislative staff directors, Chief Clerk of the House, and Secretary of the Senate by 2.5 percent. The motion passed unanimously.

Chairman Beattie directed that this issue be considered as part of each subcommittee's agenda for its May meeting.

- I. Legal Counsel
- J. Records Requests - Ms. Taylor reviewed the "Utah Legislature Policies for Handling Records Requests" and recommended the following change to Section 2:  
"(7) If the legislative office fails to provide the requested records or issue a denial within the specified time period, that failure is considered the equivalent of a determination

[~~denying access to the records~~] of denial."

**MOTION:** Rep. Garn moved to adopt the proposed change. The motion passed unanimously. Sen. Blackham was absent for the vote.

Ms. Taylor explained that because state agencies can access bill status from the Internet at no cost, the \$100 fee for providing the agencies with that information has been removed from Appendix E.

**MOTION:** Speaker Stephens moved to approve the deletion of the \$100 fee. The motion passed unanimously.

Rep. Arent raised concerns about the fee of \$1 per sheet for faxing documents. After a brief discussion, the committee decided to revisit this issue when the committee had more information.

**MOTION:** Speaker Stephens moved to approve the Policies of the Legislative Management Committee as amended. The motion passed unanimously. Sen. Mansell was absent for the vote.

**6. Proposed Study Items from H.J.R. 9 and Additional Items** - Mr. Strong noted that H.J.R. 9, Master Study Resolution contains 227 study items, and said that there have been requests for additional study items. Chairman Beattie stated that each of the interim committees will be asked to provide the LMC with a list of the items selected for study by their committee from this list or other items recommended by the committee. He suggested that the committees should focus on doing quality work on a few items rather than trying to consider everything.

**MOTION:** Rep. Becker moved to add a study item concerning the department of transportation and community cooperation. The motion passed unanimously.

**MOTION:** Sen. Peterson moved to have legislative staff provide copies of H.J.R. 9 to the interim committees along with Mr. Strong's preliminary recommendations on committee assignments. The motion passed unanimously.

**MOTION:** Rep. Jones moved to add as a study item the magnitude and definition of deferred maintenance in state owned buildings, including school buildings. The motion passed unanimously.

**MOTION:** Sen. Hillyard moved to add as a study item the prevention or blocking of pornographic materials on the Internet. The motion passed unanimously.

**MOTION:** Speaker Stephens moved to approve two additional meetings of the Capital Facilities Committee during the interim. The motion passed unanimously.

A. House Action re: SB 118 Plumbing Code Provisions - Mr. Strong referred to the House Journal (page 1893) which states that the LMC will assign S.B. 118 to the appropriate interim committee for study and possible resolution to the issues raised in the bill. Mr. Strong recommended the bill be assigned to the Business, Labor, and Economic Development Interim Committee.

**MOTION:** Sen. Blackham moved to assign the study of S.B. 118 to the Business, Labor, and Economic Development Interim Committee. The motion passed unanimously.

B. Items from Appropriations Acts - Mr. Strong highlighted items from the appropriations acts that require action by the Committee.

**MOTION:** Sen. Dmitrich moved that the report required in H.B. 1, items 71 and 79 be made to the Executive Appropriations Committee. The motion passed unanimously.

**MOTION:** Sen. Hillyard moved to have the report of findings to the Legislature as required in H.B. 1, items 251 through 257 be made to the Executive Appropriations Committee. The motion passed unanimously.

**MOTION:** Speaker Stephens moved to request that the chairmen of the Transportation Interim Committee and the Natural Resources, Agriculture, and Environment Interim Committee schedule a joint meeting for the purpose of hearing a report as required in H.B.1, item 262. The motion passed unanimously.

C. House Rules Committee Request - Mr. Strong reviewed a written request from the House Rules Committee for authorization to meet during the 1999 interim to review rules governing impeachment, ethics, decorum, and other issues. Speaker Stephens stated that the intent was to hold joint meetings of the House and Senate Rules Committees.

**MOTION:** Speaker Stephens moved to approve two joint meetings of the House and Senate Rules Committees. The motion passed unanimously.

**7. Sunset Reviews and Repealers** - Mr. Strong reviewed the handout "Legislative Oversight and Sunset Act," listing items that will be repealed in the year 2000.

**MOTION:** Speaker Stephens moved to send this information to the interim committees with a request that the committees indicate any reviews they plan to undertake. The motion passed unanimously.

**8. Proposed Management/Executive Appropriations and Interim Meeting Schedule** - The

members reviewed a proposed 1999 interim schedule.

**MOTION:** Speaker Stephens moved to schedule (except for the April meeting) Executive Appropriations Committee meetings at 1:00 p.m. and Legislative Management Committee meetings at 3:00 p.m. The motion passed unanimously.

**MOTION:** Rep. Curtis moved to hold the April 22, 1999 meeting of the Executive Appropriations Committee at 1:00 p.m. The motion passed unanimously.

Mr. Strong noted that the proposed schedule contained language relating to meetings for appropriations subcommittees. He reported that the Public Education Appropriations Subcommittee has requested by letter approval from the LMC to hold three meetings during the 1999 interim. Speaker Stephens stated that the LMC must receive a proposed agenda in order to receive approval. He stated that the list of 11 items did not meet that standard. (See item 11)

Speaker Stephens reviewed the issue of rotating the two blocks of interim committees between morning and afternoon meetings.

**MOTION:** Speaker Stephens moved that the interim committee meeting schedule rotate the morning and afternoon meetings each year with this year's schedule being opposite from the one last year. The motion passed unanimously. Sen. Peterson was absent for the vote.

## **9. Site Visits -**

A. 1999 - Chairman Beattie reviewed the timetable and issues for the annual legislative site visit. He explained that details concerning the visit would be presented at a later meeting, but that it is important that the Legislature establish the days for the visit at this time.

**MOTION:** Sen. Julander moved that the site visit be scheduled on September 21 and 22, 1999. The motion passed unanimously.

B. 2000 - Sen. Dmitrich requested that the Legislature visit Carbon and Emery Counties in 2000. Speaker Stephens recommended that Utah County, Weber and Davis Counties, and the southern part of Salt Lake County be considered for future site visits.

**MOTION:** Sen. Dmitrich moved to hold the 2000 legislative site visit in Carbon and Emery Counties. The motion passed unanimously.

**10. Status of Current and Proposed Interim Committee Budgets -** Mr. Michael Kjar, Office of the Legislative Fiscal Analyst, reported that the budgets are in line with the appropriation.

**11. Other Business** - Mr. Strong distributed a letter from the chairs of the Public Education Appropriations Subcommittee requesting that the Legislative Audit Committee authorize the Legislative Auditor General to study applied technology funding, the benefits of federal lands related to public education, and the cost of complying with the conditions attached to Utah's acceptance of federal funds. Sen. Stephenson stated that this letter was to highlight these issues for the LMC.

**MOTION:** Speaker Stephens moved that this request be forwarded to the Legislative Audit Subcommittee. The motion passed unanimously.

Rep. Ure commented that the Executive Appropriations Committee needs to better fulfill its responsibility regarding federal funds and mandates as provided in a bill that Rep. Garn sponsored and that became state law in 1996.

Sen. Stephenson stated that the letter from the Public Education Appropriations Subcommittee containing its 11 study items really is the proposed agendas. They would like to meet initially on an interim committee day so that staff may begin their research and then schedule two additional meetings. Chairman Beattie suggested the LMC would approve this initial meeting on an interim day, but highlighted that approval for the remaining meetings would require an agenda to be approved by the LMC.

Sen. Peterson recommended that legislators carrying similar bills meet in December to decide sponsorship, which could probably reduce the number of bills. Mr. Strong reviewed the background and current process regarding this issue, and highlighted confidentiality issues involved with protected bills. Chairman Beattie emphasized that the implementation of time lines and prioritization have moved the process up even before December.

**MOTION:** Speaker Stephens moved that the chairmen of the LMC be authorized to draft a letter on behalf of the LMC to the Legislative Process Committee to address the following issues and report back with their recommendations: (1) what plan they would recommend for handling individually sponsored mini appropriation bills during the session; and (2) what procedures would be needed to assure committee hearings in both the Senate and the House on every bill prior to passage. The motion passed unanimously. Sens. Blackham and Dmitrich were absent for the vote.

## **12. Adjournment**

**MOTION:** Sen. Peterson moved to adjourn the meeting at 3:05 p.m. The motion passed unanimously.