

**MINUTES OF THE
GOVERNMENT OPERATIONS INTERIM COMMITTEE**
Wednesday, September 12, 2001 – 9:00 a.m. – Room 405 State Capitol

Members Present:

Sen. John W. Hickman, Senate Chair
Rep. Craig W. Buttars, House Chair
Sen. Ron Allen
Sen. Lyle W. Hillyard
Sen. Millie M. Peterson
Rep. Eli H. Anderson
Rep. Ron Bigelow
Rep. DeMar “Bud” Bowman
Rep. Don E. Bush
Rep. Neil A. Hansen
Rep. Neal B. Hendrickson
Rep. Bradley A. Winn
Rep. Peggy Wallace

Members Excused:

President Al Mansell

Staff Present:

Mr. John Q. Cannon, Research Analyst
Mr. John L. Fellows, Associate General Counsel
Ms. Glenda S. Whitney, Legislative Secretary

Note: A list of others present and a copy of materials can be found at <http://www.image.le.state.ut.us.imaging/history.asp> or contact the Office of Legislative Research and General Counsel.

1. Call to Order

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

2. Committee Business

MOTION: Rep. Hansen moved to approve the minutes of the July 18, 2001 minutes. The motion passed unanimously with Sen. Allen, Sen. Hillyard, Rep. Anderson, Rep. Bigelow and Rep. Bush absent for the vote.

3. Progress Report on One-Stop Shopping Vehicle Registration

Mr. David Creer, Executive Director, Utah Trucking Association, spoke to the concept of implementing one-stop shopping vehicle registration. He spoke of the groups involved and concluded that there will be funding issues to address.

Mr. Kevin Park, Assistant Director, Motor Vehicles Division, State Tax Commission, and Mr. Richard Clasby, Director, Motor Carriers, Utah Department of Transportation, distributed the report "State of Utah One-Stop Motor Carriers Services Plan, UDOT Motor Carriers Division and Utah State Tax Commission." Mr. Park and Mr. Clasby presented an overview of the plan indicating that it is broken into two phases: (1) to provide one-stop services in St. George, Utah (Pilot Project), and (2) to provide one-stop electronic credentialing via the web. They explained the activities of the plan, the issues, time lines, and requested resources.

Committee discussion followed.

Chair Hickman said the issue will be discussed further in the November meeting.

4. Audit Report on Utah Veterans' Nursing Home Transfer

Mr. Darin Underwood, Office of the Legislative Auditor General, referred to a report in the mailing packet "Utah Veterans' Nursing Home Transfer Audit Report." He noted that their office conducted a review of the administrative overhead costs, personnel, capital, and other long-term needs at the Utah Veterans' Nursing Home in anticipation of the July 1, 2002 administrative transfer of the nursing home from the Department of Health to the Utah National Guard.

Mr. Underwood presented an overview of the initial and ongoing funding needed for nursing home oversight. Funding can come from direct state appropriations or through increased residence fees or a combination of both. He indicated that \$160,000 is needed for the initial transfer year for nursing home administration. Currently, he said, the residents of the home pay a \$3 per resident-day administration fee which provides for about \$80,000 of the \$160,000. He noted \$80,000 is needed for the first year if the fee remains the same. Other recommendations reviewed are found in the report.

Mr. Terry Schow, Chair, Veterans Advisory Council, said the nursing home costs are more than \$6 million to build and explained that the federal government pays two-thirds of the cost and the state pays one-third. He suggested the committee give strong consideration to the recommendations presented in the report. Some veterans already have difficulty in meeting their nursing home fee. To pass the costs onto the veterans further adds to their burden.

Mr. Denis Yoggerst, State Budget and Accounting Officer, Utah National Guard, said the National Guard is behind the nursing home and will provide whatever management is needed to make it a success.

5. Voting by Secret Ballot for Persons with Disabilities

Mr. John Q. Cannon, Research Analyst, referred to the legislation in the mailing packet and explained that during the 2001 General Session, the Legislature passed H.B. 143, "Voting by Secret Ballot for Persons with Disabilities." He said that the bill requires the Lieutenant Governor's Elections Office to study and report any possible methods for allowing persons with disabilities to vote a secret ballot and to report its findings to the committee.

Ms. Rian Williams, Deputy Elections Director, State Elections Office, said the process and study has provided the opportunity for dialogue between election officials and disability advocates. She presented an overview of the recommendations, which were distributed in the mailing packet. She indicated that it is important to move forward to facilitate secret voting by persons with disabilities. Ms. Williams addressed voting equipment, polling place accessibility, best practices from other states, and changes to election administration.

Mr. Ron Gardner, Legal Director of the Disability Law Center and President of the National Federation of the Blind of Utah, expressed concern that he has never been able to vote a secret ballot and independently confirm that his vote was exactly what he meant. He expressed concern with the voting equipment or

systems being different for those with disabilities. He expressed concern with statutory language concerning absentee ballots.

Mr. Lloyd Carr, President, Carr Printing Company, expressed concern that voting equipment should satisfy people with all types of disabilities. He proposed that the committee consider providing at least one piece of disability equipment for every voting precinct.

MOTION: Sen. Peterson moved to request the Lt. Governors' Office to work with legislative staff to develop legislation on the issue in connection with other election reform legislation. The motion passed unanimously with Sen. Allen, Sen. Hillyard, Rep. Bigelow, and Rep. Bowman absent for the vote.

6. Boards and Commissions

Mr. Sherman Anderson, Office of Legislative Research and General Counsel, distributed a handout "Government Operations Survey Report." The study identified areas of possible opposition to repealing certain boards, committees, commissions, and councils in the state. The survey reported on the following boards:

- National Guard Advisory Board
- Environmental Quality Coordinating Committee
- State Advisory Planning Committee
- Utah Occupational Safety and Health Advisory Board
- Human Resource Advisory Committee
- Health Benefit Plan Committee
- Investment Advisory Committee
- Medical Examiner Committee
- Local Government Information Technology Review Committee

Commissioner Lee Ellertson recommended elimination of the Utah Occupational Safety and Health Advisory Council and the Investment Advisory Committee.

Mr. Brent Bradford, Department of Environmental Quality, said that the Environmental Quality Coordinating Committee is not functioning or necessary at this point and suggested it be eliminated.

Ms. Suzette Green-Wright, Health Insurance Director, Utah Insurance Department, recommended eliminating the Health Benefit Plan Committee.

MOTION: Rep. Bush moved to accept the report and direct staff to prepare legislation repealing the boards and commissions in the report. The motion passed unanimously with Sen. Allen, Sen. Hillyard, Rep. Bigelow and Rep. Bowman absent for the vote.

Mr. John L. Fellows, Associate General Counsel, noted that in a previous meeting it was suggested by the committee that the advice and consent language be reviewed in the code. He explained that two tables were created that provide the requested information for the committee to review.

Ms. Lorraine Ripley, Paralegal in the Office of Legislative Research and General Counsel, distributed two handouts "Appointments Requiring Advice and Consent" and "Appointments Not Requiring Senate Confirmation." She presented an overview on the information and answered questions from the committee.

MOTION: Rep. Winn moved for staff to draft legislation clarifying the advice and consent language to "consent" and make it consistent throughout the code. The motion passed unanimously with Sen. Allen, Rep. Bigelow and Rep. Bowman absent for the vote.

MOTION: Sen. Hillyard moved to request the co-chairs work with staff and come back with a recommendation of boards and commissions not requiring senate confirmation that should have such confirmation and boards and commissions that do have Senate confirmation where it is unnecessary. Also, that the two Senate Caucuses also review this information and have input. The motion passed unanimously with Rep. Bigelow and Rep. Bowman absent for the vote.

7. Adjourn

MOTION: Rep. Anderson moved to adjourn the meeting. The motion passed unanimously with Rep. Bigelow and Rep. Bowman absent for the vote. Chair Hickman adjourned the meeting at 11:33 a.m.