

**MINUTES OF THE
LEGISLATIVE MANAGEMENT COMMITTEE**

April 15, 2002 – 1:00 p.m. – Room 303 State Capitol

Members Present:

Speaker Martin R. Stephens, Chair
President Al Mansell, Vice-Chair
Sen. Ron Allen
Sen. Gene Davis
Sen. Karen Hale
Sen. Peter C. Knudson
Sen. L. Steven Poulton
Sen. John L. Valentine
Rep. Patrice M. Arent
Rep. Ralph Becker
Rep. Jackie Biskupski

Rep. Greg J. Curtis
Rep. Brad King

Members Absent:

Sen. Mike Dmitrich
Rep. Kevin S. Garn
Rep. David Ure

Staff Present:

Mr. Michael E. Christensen, Director
Ms. M. Gay Taylor, General Counsel
Ms. Beverlee LeCheminant, 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 by contacting the Office of Legislative Research and General Counsel.

1. Call to Order

Chair Stephens called the meeting to order at 1:15 p.m.

2. Approval of the Minutes of the November 13, 2001 Meeting

MOTION: Sen. Knudson moved to approve the minutes of the November 13, 2001 meeting. The motion passed unanimously. Sens. Poulton and Valentine and Reps. Becker and Biskupski were absent for the vote.

3. Submittal of Master Plans for Annexations (H.B. 155, Annexation Amendments, 2001 General Session)

Deputy Mayor Dayton of Salt Lake County read a letter that he gave the committee regarding this issue. He presented maps showing the work that has been done regarding the requirements of *H.B. 155, Annexation Amendments*, 2001 General Session. He stated that the process of getting all municipalities within the county, and the residents living in the unincorporated part of the county to agree on all the issues dealing with annexation is more difficult than solving the Israeli-Palestine problem. He stated that Salt Lake County believes any annexations should be revenue neutral, and the issue must evolve naturally.

Senator Poulton complimented the mayors for going through this process. He stated that the requirements need to be fair and he emphasized that no one will be required to be annexed. Mr. Charles Faux, South Cottonwood, stated that his community wants to remain unincorporated. Mayor Seghini, Midvale, stated that the main goal of this process should be self-determination. She also expressed concerns about the county's desire to have all annexations revenue neutral. Mayor Gerald Wright, West Valley City,

expressed concerns about the revenue neutral recommendations of Mayor Dayton as well. The issue of revenue neutrality should not be a veto power for Salt Lake County. Mr. Bill Finch, South Cottonwood Community Council, stated that his area would prefer to be annexed by Murray or Holladay. He encouraged the Legislature to let the people of the areas decide. Ms. Rita Lund, Canyon Rim Citizens Association, stated that Canyon Rim residents do not want to be tied to the maps that have been presented and that the Association could not reach a consensus on the issue.

Speaker Stephens explained to those present that the Committee is taking no action on this issue. The purpose of this presentation is just to inform the Legislative Management Committee and fulfill a statutory requirement to report. He thanked those who made presentations and gave comments on this issue.

4. High Tech Subcommittee Proposal

Mayor Mont Evans, Riverton City, asked the Committee to create a High Tech Subcommittee in order to be sure that the state is doing everything it can to boost its high tech business sector. He stated that he did not have a recommendation as to the exact makeup of the committee but suggested that it consist of legislators, educators, and industry representatives. Representative Arent asked if this is appropriate when no funding was approved in the budget. Senator Davis stated that the Legislature already has a Public Utilities and Technology Interim Committee that could deal with this issue.

MOTION: Sen. Davis moved that the issue of a high tech subcommittee proposal be referred to the Public Utilities and Technology Interim Committee.

Sen. Valentine expressed concern that this process could proliferate task forces that failed to be created during the session.

SUBSTITUTE MOTION: President Mansell moved that this issue be referred to staff to look at the structure of the committee, what the costs would be, and if there is funding available for a high tech subcommittee. The motion passed unanimously.

5. Legislative Session Review of 2002 General Session

a. Statistics

Mr. Michael Christensen presented to the committee a statistical review of the 2002 legislative session. He told the committee that there were 929 total requests from legislators: 840 bills and 89 resolutions. Of those 929 requests, 624 were introduced and 382 passed - 338 bills, ten House and Senate Concurrent Resolutions, 27 House or Senate Joint Resolutions, and seven House and Senate Resolutions. Mr. Christensen also showed the committee graphs highlighting the work of each standing committee.

b. Task Forces

Five were authorized, bringing the total number of task forces to ten.

c. Vetoed Legislation

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Veto messages from the Governor were referred to.

6. Proposed Study Items from the Appropriations Acts and Additional Study Items

Mr. Christensen reviewed the Master Study Resolution, and additional items that were taken from the Appropriations Act, and other study items that were taken from bills that were passed during the 2002 General Session.

MOTION: Senator Poulton moved that study item #80 be moved from the Health and Human Services Interim Committee and sent to the Business, Labor and Economic Development Interim Committee. The motion passed unanimously.

MOTION: Representative Becker moved that a new study item, urban/wildlife interface, be assigned to the Natural Resources, Agricultural, and Environment Interim Committee. The motion passed unanimously.

MOTION: Representative Becker moved that an additional item, Renewable Energy Tax Credits - to add heat exchanges to the list of renewable energy tax credits and that it be assigned to the Public Utilities Interim Committee. The motion passed unanimously.

Mr. Christensen reviewed a letter from Representative Throckmorton requesting that the Legislative Management Committee assign a committee to study the protection of witnesses who testify before legislative committees and task forces.

MOTION: Representative Curtis moved that this issue be assigned to the Law Enforcement and Criminal Justice Interim Committee. The motion passed unanimously.

Mr. Christensen reviewed a letter from Representative Murray requesting that the Legislative Management Committee assign a committee to study the issue of Workers Compensation-Fire Department Employees (H.B. 174).

MOTION: Senator Davis moved that this issue be assigned to the Quasi-Governmental Entities Committee. The motion passed unanimously.

Mr. Christensen reviewed a letter from Senator Eastman requesting that the issue, drug free workplace be assigned to an interim committee for study.

MOTION: Representative Curtis moved that this issue be sent to the Business and Labor Interim Committee. The motion passed unanimously.

Rep. Curtis clarified that his motions of sending these issues to interim committees does not require those committees to study these issues. They should have no higher priority than issues from the Master Study Resolution.

Mr. Christensen reviewed a letter from the Utah Rural Electric Association requesting that existing state

laws be reviewed for possible changes so that owners of private businesses can have a voice in any proposed acquisition of their company by a municipality; the financial impact to the remaining owners will not be detrimental; and cities should not be able to condemn plant and equipment of a private electric company for the purpose of providing the same service to city residents.

MOTION: Senator Davis moved that this issue be assigned to the Public Utilities and Technology Interim Committee not just put on their list of possible study items. The motion passed unanimously.

7. Sunset Reviews and Repealers

MOTION: Sen. Poulton moved to assign Title 58, Chapter 24a, Physical Therapist Practice Act, to the Business and Labor Interim Committee. The motion passed unanimously.

MOTION: Sen. Poulton moved to assign Title 53, Chapter 12, State Olympic Public Safety Command Act, to the Law Enforcement and Criminal Justice Interim Committee. The motion passed unanimously.

MOTION: President Mansell moved to assign the Sunset Reviews and Repealers list, as amended. The motion passed unanimously.

8. Proposed Utah Legislature 2002 Interim Schedule

Mr. Christensen reviewed the proposed 2002 Interim Schedule with the committee members.

MOTION: Representative King moved to adopt the dates for the Executive Appropriations Committee, the Legislative Management Committee, and the interim committees. The motion passed unanimously.

9. Site visits - Done by Interim Appropriation Subcommittees

MOTION: Representative Curtis moved that the Legislative Management Committee communicate to all interim committees and appropriation subcommittees that due to budget constraints there will be no site visits involving overnight stays.

SUBSTITUTE MOTION: Senator Valentine moved that the Capitol Facilities Subcommittee be exempted from the motion with the approval of their agenda by Legislative Management Committee.

After some discussion, Senator Valentine withdrew his motion. The original motion was amended by Representative Curtis to include the statement that a subcommittee can submit a letter to the Legislative Management Committee if it feels that a site visit is crucial to this year's work. The motion passed unanimously.

Staff was directed to send a letter to committees informing them of this Legislative Management Committee action.

10. Status of Current and Proposed Interim Committee Budgets

Mr Mark Bleazard, Legislative Fiscal Analyst, informed the committee that there is sufficient funding for interim committees for this fiscal year, including up to two meetings of appropriation subcommittees.

11. Internet Broadcast of the Legislative Session

Mr. Mark Allred gave a statistical report of the Internet broadcast of the 2002 Legislative Session. He indicated that there were 5,000 visits in 22 days or 1,500 visits per day. He pointed out, however, that most of these visits were in the last several days of the session.

MOTION: Rep. Becker moved to direct staff to explore the possibility of using a back-up server from ITS. The motion passed unanimously.

12. Legislative Counsel Representation of Legislators Subpoenaed in their Legislative Capacity Relative to the Voluntary Contributions Act Lawsuit - Ms Gay Taylor, Legislative General Counsel, explained the potential political harassment being used in this lawsuit and recommended a motion giving her clear authority to defend any legislator subpoenaed in their legislative capacity relative to the Voluntary Contributions Act.

MOTION: Senator Valentine moved that the Legislative Management Committee authorize Legislative General Counsel to protect legislators immunity in the "Paycheck Protection Act."

After some discussion, Senator Valentine amended his motion to include a look at the broader policy here and to bring back to the Legislative Management Committee a proposed policy change. The motion passed unanimously.

13. Letter from State Auditor concerning Utah's Compliance with Federal Funding

Speaker Stephens reviewed a letter from Austin Johnson, State Auditor, regarding Utah's compliance with expending federal funds.

MOTION: Representative Curtis moved that the letter be referred to the Legislative Fiscal Analyst's Office for their consideration and have them report to the Executive Appropriations Committee. The motion passed unanimously.

14. Other Business

MOTION: Rep. Arent moved to have staff send a letter to Dave Hart to look at the possibility of having a shuttle service for the public for interim days and to find out if there is a plan in place to resolve the parking issue during the 2003 General Session and to encourage the Capitol Preservation Board to advertise the parking plan on the state's web site. The motion passed unanimously. Sen. Knudson was absent for the vote.

MOTION: Rep. Curtis moved to add divorce issues of child custody, child visitation, and child support to the Judiciary Interim Committee's study list. The motion passed unanimously. Sen. Knudson was absent for the vote.

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15. Adjournment

MOTION: Sen. Davis moved to adjourn the meeting at 2:40 p.m. The motion passed unanimously. Sen. Knudson was absent for the vote.