

**MINUTES OF THE
LEGISLATIVE MANAGEMENT COMMITTEE**
Wednesday, April 20, 2016 – 3:00 p.m. – Room 445 State Capitol

Members Present:

Speaker Gregory H. Hughes, Chair
President Wayne L. Niederhauser, Vice Chair
Sen. J. Stuart Adams
Sen. Gene Davis
Sen. Peter C. Knudson
Sen. Karen Mayne
Sen. Ralph Okerlund
Rep. Patrice M. Arent
Rep. Joel K. Briscoe
Rep. Rebecca Chavez-Houck
Rep. James A. Dunnigan
Rep. Francis D. Gibson
Rep. Brian S. King
Rep. Brad R. Wilson

Members Absent:

Sen. Jim Dabakis
Sen. Luz Escamilla

Staff Present:

Mr. Michael E. Christensen, Director
Mr. John L. Fellows, General Counsel
Ms. Denise L. Udy, Administrative Assistant

Note: A list of other present, a copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Committee Business

Chair Hughes called the meeting to order at 3:21 p.m. Sen. Escamilla was excused from the meeting.

MOTION: Vice Chair Niederhauser moved the approval of the minutes of the December 7, 2015, December 15, 2015, and the February 11, 2016 meetings. The motion passed unanimously.

2. Interim Committee Schedule

Mr. Christensen discussed "2016 Interim Schedule."

MOTION: Rep. Dunnigan moved to maintain the interim schedule previously adopted by the Legislative Management Committee on June 17, 2015, and that the legislature not hold interim meetings during the month of August. Also, that the July interim meetings be moved forward one week, to July 13th in consideration of the Republican National Convention held July 18-21. The motion passed unanimously.

3. Authorized Legislative Meetings

Mr. Christensen discussed "Authorized Legislative Meetings (2016)."

Vice Chair Niederhauser asked how this list has changed from the list of meetings authorized by the Legislative Management Committee on April 22, 2015. Mr. Christensen responded that additions were made if committees were created that required legislators to be assigned to them.

Rep. Dunnigan asked for clarification on whether pay or expenses were authorized for the meetings listed. He stated a point of information that by rule the Legislative Management Committee had previously authorized reimbursement of expenses concerning section four of the list, "Authorized Legislative Training Day," authorizing pay would fall to the Compensation Commission.

MOTION: Vice Chair Niederhauser moved to approve "Authorized Legislative Meetings (2016)." The motion passed unanimously.

4. Proposed Study Items

Mr. Christensen discussed "Proposed Interim Study Items."

MOTION: Sen. Okerlund moved that a study item providing additional tools for public and private partnerships to enable them to create public and private infrastructure and other projects, be added to the Government Operations Interim Committee study item list. The motion passed unanimously.

MOTION: Rep. Chavez-Houck moved to add a study item considering whether or not to require executive agencies to provide paid parental leave upon the birth or adoption of an employees child. This item would be added to the Economic Development and Workforce Services Interim Committee's study items. The motion passed with Rep. Dunnigan and Rep. Wilson voting against.

MOTION: Vice Chair Niederhauser made a motion to approve the 2016 interim study list as amended. The motion passed unanimously.

5. Letters from Committees

Mr. Christensen discussed the following letters that were submitted for review and approval by the Legislative Management Committee:

- the Senate Revenue and Taxation standing committee requested that the Legislative Management Committee ask the Utah Tax Review Commission to study and provide recommendations on allowing additional NAICS classifications to elect a single sales factor formula to apportion business income for purposes of corporate franchise and income taxes. The commission should consider the extent to which allowing an electable single sales factor would remove barriers to economic development and investment in the state;
- the Water Development Commission requested permission to meet up to six times during the interim;
- the Chairs of the Education Interim Committee requested permission to meet two additional times beyond what is approved in the current interim schedule. These two meetings will be all-day meetings;
- the Chairs of the Public Education Appropriation Subcommittee requested approval to hold a joint education conference. This will be a two day conference.

MOTION: Vice Chair Niederhauser moved to approve the request of the Senate Revenue and Taxation Standing Committee. The motion passed unanimously with Rep. Wilson absent for the vote.

MOTION: Sen. Adams moved to approve the request of the Water Development Commission. The motion passed unanimously

President Neiderhauser clarified that the Education Interim Committee requested all day meetings. They intend to deal with some larger issues that need more time to be studied. The meetings may not be held at the capitol.

MOTION: Vice Chair Neiderhauser moved to approve the request of the Education Interim Committee. The motion passed unanimously.

Mr. Fellows stated that the requested conference is a two day conference. He called attention to the education meetings currently scheduled, and recently approved. Mr. Fellows stated that the requested conference will increase the workload of Legislators and staff involved in the areas of Education.

Rep. Chavez-Houck requested information on when the Legislative Policy Summit is held.

Rep. Dunnigan suggested that the education conference be held every other year.

MOTION: Sen. Adams moved to approve the request of the Public Education Appropriations Subcommittee to hold a joint education conference with the caveat that it be held biannually, starting with a conference in 2016, and that the subcommittee must bring a recommendation for the site of the joint education conference to the Legislative Management Committee for approval. The motion passed unanimously.

6. Sunset Review Assignments

Mr. Robert Rees, Associate General Counsel, Office of Legislative Research and General Counsel discussed "Sunset Act and Repealers – Acts of Entities that are Scheduled for Repeal in 2016 and January of 2017." He said staff at the Office of Legislative Research and General Counsel made recommendations for sunset review assignments to the following committees:

- Section 19-6-10 to Natural Resources, Agriculture, and Environment Interim Committee
- Section 26-38-2.5 to Health and Human Services Interim Committee
- Section 26-38-2.6 to Health and Human Services Interim Committee
- Subsection 35A-4-312(5)(p) to Economic Development and Workforce Services Interim Committee
- Section 36-26 to Economic Development and Workforce Services Interim Committee
- Subsection 57-16-4(12) to Political Subdivisions Interim Committee
- Section 57-16a to Political Subdivisions Interim Committee
- Section 58-71 to Occupational and Professional Licensure Review Committee
- Subsection 59-2-924.2(9) to Revenue and Taxation Interim Committee
- Section 63M-7-504 to Judiciary Interim Committee
- Section 63M-11 to Health and Human Services Interim Committee
- Section 67-1-15 to Economic Development and Workforce Services Interim Committee.

MOTION: Rep. Dunnigan made a motion to approve the sunset review assignments as recommended by staff. The motion passed unanimously.

7. Reports by Ethics Commissions

Ms. Kim Bouck, Executive Director, Independent Legislative Ethics Commission, discussed 2015 Summary Data Report to the Utah Legislature.

Rep. King asked for information on the number of complaints filed with the commission. Ms. Bouck stated that no complaints have ever been filed. Rep. King asked for more information concerning people who have contacted the commission with complaints. Ms. Bouck clarified that only three complaints have been formally filed, but none have been accepted as legitimate complaints.

Mr. Christensen discussed a report from the Independent Legislative Ethics Commission during 2015.

8. Other Items / Adjourn

Sen. Adams stated that the report on the evaluation of post closures and perpetual care and maintenance of commercial hazardous waste and commercial radioactive waste treatment and disposal facilities is due this year from Waste Management and Radiation Control. This report is required every five years by October 1st of the reporting year. Sen. Adams expressed desire to hear the report as soon as possible because surety requirements have changed and the report might draw attention to a need for legislation.

MOTION: Sen. Adams moved that the Chairs of the Legislative Management send a letter to, or that they have staff speak with, Waste Management and Radiation Control encouraging them to submit the report on the evaluation of post closures and perpetual care and maintenance of commercial hazardous waste and commercial radioactive waste treatment and disposal facilities as early as possible. The motion passed unanimously.

MOTION: Vice Chair Niederhauser moved to adjourn the meeting. The motion passed unanimously.

Chair Hughes adjourned the meeting at 4:24 p.m.