

1 **OVERSIGHT OF LEGISLATIVE STAFF**

2 **OFFICES**

3 2000 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Lane Beattie**

6 Lyle W. Hillyard

Scott N. Howell

7 AN ACT RELATING TO THE LEGISLATURE; AMENDING PROVISIONS REGARDING  
8 OVERSIGHT OF OFFICE OF LEGISLATIVE FISCAL ANALYST, OFFICE OF LEGISLATIVE  
9 RESEARCH AND GENERAL COUNSEL, AND OFFICE OF LEGISLATIVE AUDITOR  
10 GENERAL; ENLARGING THE DUTIES OF THE LEGISLATIVE AUDIT SUBCOMMITTEE;  
11 AND MAKING TECHNICAL CHANGES.

12 This act affects sections of Utah Code Annotated 1953 as follows:

13 AMENDS:

14 **36-12-8**, as last amended by Chapter 175, Laws of Utah 1983

15 ENACTS:

16 **36-12-8.1**, Utah Code Annotated 1953

17 *Be it enacted by the Legislature of the state of Utah:*

18 Section 1. Section **36-12-8** is amended to read:

19 **36-12-8. Legislative Management Committee -- Research and General Counsel**  
20 **Subcommittee -- Budget Subcommittee -- Audit Subcommittee -- Duties -- Members --**  
21 **Meetings.**

22 (1) There is created within the Legislative Management Committee three subcommittees  
23 having equal representation from each major political party. The subcommittees, their  
24 membership, and their functions are as follows:

25 (a) The Research and General Counsel Subcommittee, comprising six members, shall  
26 [~~oversee the positions of legislative research and general counsel director and legislative general~~  
27 ~~counsel and shall: (i) Recommend]~~ recommend to the Legislative Management Committee a

28 person or persons to hold the positions of director of the Office of Legislative Research and  
29 General Counsel and legislative general counsel[;].

30 [~~(ii) Review and approve the budget for such office; and~~]

31 [~~(iii) Provide an annual performance review of the director.~~]

32 (b) The Budget Subcommittee, comprising six members, shall [~~oversee the position of~~  
33 ~~legislative fiscal analyst and shall: (i) Recommend~~] recommend to the Legislative Management  
34 Committee a person to hold the position of legislative fiscal analyst[;].

35 [~~(ii) Review and approve the budget for such office; and~~]

36 [~~(iii) Provide an annual performance review of the fiscal analyst.~~]

37 (c) The Audit Subcommittee, comprising four members, shall [~~oversee the position of~~  
38 ~~legislative auditor general and shall~~]:

39 (i) [~~Recommend~~] recommend to the Legislative Management Committee a person to hold  
40 the position of legislative auditor general; and

41 [~~(ii) Review and approve the budget for such office; and~~]

42 [~~(iii) Provide an annual performance review of the auditor general.~~]

43 (ii) (A) review all request for audits;

44 (B) prioritize those requests; and

45 (C) hear all audit reports and refer those reports to other legislative committees for their  
46 further review and action as appropriate.

47 (2) The members of each subcommittee of the Legislative Management Committee shall  
48 be appointed from the membership of the Legislative Management Committee by an appointments  
49 committee comprised of the speaker and the minority leader of the House of Representatives and  
50 the president and the minority leader of the Senate.

51 (3) Each subcommittee of the Legislative Management Committee shall meet as often as  
52 necessary to perform its duties. They may meet during and between legislative sessions.

53 Section 2. Section **36-12-8.1** is enacted to read:

54 **36-12-8.1. Legislative Management Committee -- Subcommittee on Oversight --**  
55 **Members -- Duties -- Meetings.**

56 (1) There is created within the Legislative Management Committee a Subcommittee on  
57 Oversight comprised of the following members:

58 (a) from the Senate:

- 59           (i) the president;
- 60           (ii) the majority leader;
- 61           (iii) the minority leader; and
- 62           (iv) the minority whip;
- 63           (b) from the House of Representatives:
- 64           (i) the speaker;
- 65           (ii) the majority leader;
- 66           (iii) the minority leader; and
- 67           (iv) the minority whip.
- 68           (2) The Subcommittee on Oversight shall:
- 69           (a) review and approve the budget for the Office of Legislative Fiscal Analyst, the Office
- 70 of Legislative Research and General Counsel, and the Office of Legislative Auditor General; and
- 71           (b) provide an annual performance review for the legislative fiscal analyst, the director of
- 72 the Office of Legislative Research and General Counsel, and the legislative auditor general.
- 73           (3) (a) This subcommittee shall meet no later than June 1st of each year to conduct the
- 74 annual performance review and no later than November 1st of each year to review and approve the
- 75 budget of these offices.
- 76           (b) This subcommittee may meet as often as necessary to perform its duties.

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**Legislative Review Note**  
**as of 1-27-00 12:33 PM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**