

Representative Melvin R. Brown proposes to substitute the following bill:

JOINT RULES RESOLUTION -
APPROPRIATIONS PROCESS

2000 GENERAL SESSION

STATE OF UTAH

Sponsor: Leonard M. Blackham

A JOINT RESOLUTION OF THE LEGISLATURE REVISING JOINT RULES; MODIFYING THE PROCESS FOR ADDRESSING CERTAIN APPROPRIATION REQUESTS; REVISING APPROPRIATION SUBCOMMITTEE RESPONSIBILITIES; SPECIFYING APPROPRIATION SUBCOMMITTEE MEETING REQUIREMENTS; MAKING TECHNICAL CORRECTIONS; AND PROVIDING AN EFFECTIVE DATE.

This resolution affects legislative rules as follows:

AMENDS:

JR-3.02

JR-4.22

JR-19.02

ENACTS:

JR-4.22.1

Be it resolved by the Legislature of the state of Utah:

Section 1. **JR-3.02** is amended to read:

JR-3.02. Joint Appropriations Committee.

(1) The Joint Appropriations Committee of the Legislature consists of all the members of the Legislature.

(2) (a) The members of the Joint Appropriations Committee shall be divided into the following subcommittees:

(i) Capital Facilities and Administrative Services;

- 26 (ii) Commerce and Revenue;
- 27 (iii) Economic Development and Human Resources;
- 28 (iv) Executive Offices, Criminal Justice, and Legislature;
- 29 (v) Health and Human Services;
- 30 (vi) Higher Education;
- 31 (vii) Physical Resources;
- 32 (viii) Public Education;
- 33 (ix) Retirement; and
- 34 (x) Transportation and Environmental Quality.

35 (b) The President of the Senate and Speaker of the House shall appoint their respective
36 members to each subcommittee.

37 (c) The Retirement Subcommittee shall have the same members as the Retirement
38 Standing and Retirement Interim Committees.

39 (3) (a) A majority of any committee or subcommittee constitutes a quorum for the
40 transaction of business.

41 (b) In determining a committee or subcommittee quorum, a majority is at least 50% in one
42 house and more than 50% in the other.

43 (c) In all decisions of the subcommittees, a majority vote will prevail. A majority vote is
44 at least 50% of the members of one house and more than 50% in the other house in attendance.

45 (4) (a) There shall be an Executive Appropriations Committee consisting of 18 members
46 composed of:

47 (i) three members of the majority leadership of the Senate and four members of the
48 majority leadership of the House;

49 (ii) two members of the minority leadership of the Senate and three members of the
50 minority leadership of the House;

51 (iii) the chair of the Senate Appropriations Committee and the chair of the House
52 Appropriations Committee; and

53 (iv) (A) one member from the majority party of the Senate as appointed by the President
54 of the Senate or as chosen by the Senate majority caucus;

55 (B) two members from the minority party of the Senate as appointed by the Senate
56 minority leader or as chosen by the Senate minority caucus; and

57 (C) one member from the minority party of the House as appointed by the House minority
58 leader or as chosen by the House minority caucus.

59 (b) A member of the Executive Appropriations Committee, whose membership is
60 determined under Subsection (i) or (ii), may appoint a designee to permanently serve in that
61 individual's place with the approval of the Speaker or the President for any majority party member
62 or with the approval of the House or Senate minority party leader for any minority party member.

63 (c) In all decisions of the Executive Appropriations Committee, a majority vote prevails.
64 When a division is requested, that vote must include at least 50% of the members of one house and
65 more than 50% of the members of the other house in attendance.

66 (5) (a) The Executive Appropriations Committee shall meet no later than the third
67 Wednesday in December to:

- 68 (i) direct staff as to what revenue estimate to use in preparing budget recommendations;
- 69 (ii) decide whether or not to set aside special allocations for the end of the session;
- 70 (iii) set aside an appropriate amount for fiscal note bills;
- 71 (iv) approve the appropriate amount for each subcommittee to use in preparing its budget;

72 and

- 73 (v) set a budget figure.

74 (b) The chairs of each appropriation subcommittee are invited to attend this meeting.

75 (6) The Office of Legislative Fiscal Analyst shall prepare revised revenue estimates in
76 February.

77 (7) The Executive Appropriations Committee shall include in its consideration tax
78 collections and revenue policy, tax administration, and analysis of revenue sources.

79 (8) (a) With the approval of the Executive Appropriations Committee, time schedules for
80 subcommittee meetings will be determined so that no conflict exists with the annual general
81 sessions or standing committee meetings of the Legislature.

82 (b) Appropriations subcommittees may not meet while the Senate or House is in session
83 without special leave from the Speaker of the House and the President of the Senate.

84 (9) (a) (i) It is the duty of the appropriations chair of each house to receive the reports of
85 the subcommittees and to forward the reports to the Executive Appropriations Committee.

86 (ii) The Executive Appropriations Committee shall combine the reports into a total
87 appropriations bill.

88 (b) The Executive Appropriations Committee shall establish a liaison between their
89 committee and each of the appropriations subcommittees.

90 (10) All proposed items of expenditure to be included in the final appropriations bill,
91 including appropriations for the Legislature and its committees and staff, shall be submitted to one
92 of the subcommittees named in this rule for consideration and recommendation.

93 (11) (a) After receiving and reviewing subcommittee reports, the Executive Appropriations
94 Committee may refer the report back to an appropriations subcommittee with any guidelines the
95 Executive Appropriations Committee considers necessary to assist the subcommittee in producing
96 a balanced budget.

97 (b) The subcommittee shall meet to review the new guidelines and report the adjustments
98 to the chairs of the Executive Appropriations Committee as soon as possible.

99 (12) (a) After receiving the reports, the appropriations chairs will report them to the
100 Executive Appropriations Committee.

101 (b) That committee shall:

102 (i) make any further adjustments necessary to balance the budget; and

103 (ii) complete all decisions necessary to draft the final appropriations bill no later than the
104 38th day of the annual general session.

105 (13) (a) During the interim, the Executive Appropriations Committee shall meet at least
106 every other month on the day before interim meetings on alternating months between Legislative
107 Management Committee meetings.

108 (b) The first meeting of the Executive Appropriations Committee shall be in the month
109 following the first meeting of the Legislative Management Committee.

110 (c) The appropriations subcommittee chairs may attend these meetings and provide input
111 regarding their budget.

112 (14) During the interim, each appropriation subcommittee shall meet monthly or as
113 requested by the subcommittee chairs.

114 Section 2. **JR-4.22** is amended to read:

115 **JR-4.22. Bills; Requests; Drafting; Copies; Notes.**

116 (1) (a) A [member] legislator desiring to introduce a bill that enacts, amends, or repeals
117 statutes shall file a Request for Legislation with the Office of Legislative Research and General
118 Counsel within the time limits established by JR-19.02.

119 (b) A legislator desiring to obtain funding for a project, program, or entity, when that
120 funding request does not require that a statute be enacted, repealed, or amended, may not file a
121 Request for Legislation but instead shall comply with the procedures and requirements of
122 JR-4.22.1.

123 ~~[(b)]~~ (c) The request shall:

124 (i) designate the chief sponsor~~[- (c) A bill may have two types of sponsors: (i) a chief~~
125 ~~sponsor]~~, who is knowledgeable about and responsible for providing pertinent information as the
126 bill is processed; and

127 (ii) supporting legislators who wish to cosponsor the bill.

128 (2) (a) When a member files a Request for Legislation, the Office of Legislative Research
129 and General Counsel shall:

130 (i) review the request and any accompanying bill; and

131 (ii) with the approval of the sponsor, prepare the legislation for introduction by making
132 any changes necessary to:

133 (A) insure that it is in proper legal form;

134 (B) remove any ambiguities;

135 (C) avoid constitutional or statutory conflicts;

136 (D) insure a uniform system of punctuation, capitalization, numbering, and wording;

137 (E) eliminate duplication and repeal of laws directly or by implication;

138 (F) correct defective or inconsistent section and paragraph structure in arrangement of the
139 subject matter of existing statutes;

140 (G) eliminate all obsolete and redundant words; and

141 (H) correct obvious errors and inconsistencies in punctuation, capitalization, numbering,
142 and wording.

143 (b) Legislative General Counsel shall indicate on the first page of the bill the drafting
144 attorney's approval of the bill.

145 (3) The Office of Legislative Research and General Counsel shall reproduce ten copies of
146 the approved bill and deliver:

147 (a) seven of them to the Chief Clerk or the Secretary; and

148 (b) three of them to the Legislative Fiscal Analyst for fiscal notes.

149 (4) (a) The Director of the Office of Legislative Research and General Counsel shall note

150 on any bill reviewed by an interim committee that the committee recommends the bill or has voted
151 the bill out without recommendation.

152 (b) This interim committee or note shall be printed with the bill.

153 (5) (a) Any Request for Legislation filed directly with the Office of Legislative Research
154 and General Counsel, with an accompanying bill, shall be reviewed and approved by it within three
155 legislative days.

156 (b) A legislative review note shall be attached to the bill, together with any interim
157 committee note.

158 (c) This three day deadline may be extended if the Director of the Office of Legislative
159 Research and General Counsel requests it and states the reasons for the delay.

160 (6) (a) (i) When the Legislative Fiscal Analyst receives the approved bill, that office has
161 three legislative days to review the bill and provide a fiscal note to the sponsor of the legislation.

162 (ii) The fiscal note may be printed 24 hours after the sponsor receives it unless the sponsor
163 receives the fiscal note on a Friday, in which case the 24-hour period does not expire until the
164 following Monday.

165 (iii) The sponsor may direct an earlier release of the fiscal note for printing.

166 (iv) If the Legislative Fiscal Analyst determines the bill has no fiscal impact, it may be
167 ordered printed immediately after the sponsor has received a copy of the fiscal note, without a
168 24-hour delay.

169 (b) The three day deadline for the preparation of the fiscal note may be extended if the
170 Legislative Fiscal Analyst requests it and states the reasons for the delay.

171 (c) The fiscal note shall be printed with the bill.

172 (7) (a) The reports of the Legislative Fiscal Analyst and the Office of Legislative Research
173 and General Counsel shall be attached to the original copy of the bill.

174 (b) The report is not an official part of the bill.

175 Section 3. Section **JR-4.22.1** is enacted to read:

176 **JR-4.22.1. Appropriations; Requests; Disposition.**

177 (1) (a) A legislator desiring to obtain funding for a project, program, or entity that has not
178 previously been funded, or to obtain additional or separate funding for a project, program, or entity,
179 shall file a signed Request for Appropriation with the Office of Legislative Fiscal Analyst within
180 the time limits established by JR-19.02.

181 (b) The request shall designate:
182 (i) the project, program, or entity to be funded;
183 (ii) the source for the funding;
184 (iii) the chief sponsor, who is knowledgeable about and responsible for providing pertinent
185 information as the appropriation is processed; and
186 (iv) supporting legislators, if any, who wish to cosponsor the appropriation.
187 (2) (a) When a member files a Request for Appropriation, the Legislative Fiscal Analyst
188 shall review the request.

189 (b) If the request requires that a statute be enacted, amended, or repealed, the Legislative
190 Fiscal Analyst shall immediately transfer the request to the Office of Legislative Research and
191 General Counsel as a Request for Legislation.

192 (c) If the request does not require that a statute be enacted, amended, or repealed, the
193 Legislative Fiscal Analyst shall number and title the request and refer the request to the appropriate
194 Joint Appropriations subcommittee.

195 (3) Each Joint Appropriations subcommittee that receives a Request for Appropriation
196 shall:

197 (a) allow the sponsor to present and discuss the request with the subcommittee;

198 (b) discuss the request; and

199 (c) either:

200 (i) include all or part of the requested appropriation in the base budget recommendation
201 made to the Executive Appropriations Committee;

202 (ii) reject the request; or

203 (iii) recommend to the Executive Appropriations Committee that all or part of the
204 requested appropriation be placed on a funding prioritization list as may be established by the
205 Executive Appropriations Committee.

206 Section 4. **JR-19.02** is amended to read:

207 **JR-19.02. Requesting, Refiling, Approving, and Abandoning Bills.**

208 (1) (a) Except as provided in Subsection (1)(c), a legislator may not file a Request for
209 Legislation with the Office of Legislative Research and General Counsel or file a Request for
210 Appropriation with the Office of the Legislative Fiscal Analyst after noon on the 11th day of the
211 annual general session.

212 (b) Except as provided in Subsection (1)(c), by noon on the 11th day of the annual general
213 session, each legislator shall, for each [bill] Request for Legislation on file with the Office of
214 Legislative Research and General Counsel, either approve the [bill] request for numbering or
215 abandon it.

216 (c) A legislator may file a Request for Legislation [or], approve a bill for numbering, or
217 file a Request for Appropriation any time after noon on the 11th day of the annual general session
218 if:

219 (i) for House bills, the Representative makes a motion to request a bill for drafting and
220 introduction and that motion is approved by a constitutional majority of the House; [or]

221 (ii) for a Request for Appropriation submitted by a House member, the Representative
222 makes a motion to request an appropriation and that motion is approved by a constitutional
223 majority of the House;

224 [(ii)] (iii) for Senate bills, the Senator makes a motion to request a bill for drafting and
225 introduction and that motion is approved by a constitutional majority vote of the Senate[-]; or

226 (iv) for a Request for Appropriation submitted by a Senator, the Senator makes a motion
227 to request an appropriation and that motion is approved by a constitutional majority of the Senate.

228 Section 5. **Effective date.**

229 This resolution takes effect on May 1, 2000.