

Representative Wayne A. Harper proposes the following substitute bill:

**JOINT RESOLUTION TO IMPLEMENT LEGISLATIVE
COMPENSATION JOINT RULES CHANGES**

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Wayne A. Harper

Senate Sponsor: Scott K. Jenkins

LONG TITLE

General Description:

This resolution of the Legislature modifies joint and interim rules.

Highlighted Provisions:

This resolution:

- ▶ modifies definitions;
- ▶ provides that lodging expenses are only paid to a legislator as a reimbursement for actual expenses incurred by the legislator when attending an authorized legislative meeting;
- ▶ limits lodging expense reimbursements to the federal per diem rates for Salt Lake City;
- ▶ provides that meals and incidental expenses are only paid to a legislator as a reimbursement for actual expenses incurred by the legislator when attendance at an authorized legislative meeting necessitates overnight lodging;
- ▶ limits meals and incidental expense reimbursements to the federal per diem rates for Salt Lake City;
- ▶ provides that transportation costs are only paid to a legislator as a reimbursement for actual expenses incurred by the legislator for travel to and from an authorized



- 26 legislative meeting;
- 27 ▶ requires transportation cost reimbursements to be based on the federal privately
- 28 owned vehicle mileage reimbursement rate or on the actual cost incurred for
- 29 commercial or public transportation;
- 30 ▶ requires legislators to submit supporting documentation with each reimbursement
- 31 request;
- 32 ▶ requires the Legislative Expenses Oversight Committee to ensure that procedures
- 33 are established for the purpose of avoiding duplicate or improper reimbursements;
- 34 ▶ permits a legislator to decline to request or receive reimbursement for costs or
- 35 expenses;
- 36 ▶ permits a legislator to request and receive a partial or reduced reimbursement
- 37 amount;
- 38 ▶ modifies provisions governing out-of-state reimbursements for consistency with
- 39 legislative meeting expense reimbursement procedures;
- 40 ▶ repeals provisions that apply different expense policies for the general session,
- 41 including reimbursement for meals and incidentals as opposed to other sessions and
- 42 meetings; and
- 43 ▶ makes technical changes.

44 **Special Clauses:**

45 None

46 **Legislative Rules Affected:**

47 AMENDS:

48 **IR1-1-202**

49 **IR1-1-203**

50 **IR3-1-102**

51 **JR5-1-101**

52 **JR5-1-102**

53 **JR5-2-102**

54 **JR5-4-101**

55 ENACTS:

56 **JR5-2-103**

57 **JR5-2-104**

58 **JR5-4-102**

59 **JR5-4-103**

60 REPEALS AND REENACTS:

61 **JR5-2-101**

62 REPEALS:

63 **JR5-3-101**

64 **JR5-3-102**

65 **JR5-3-103**



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

68 Section 1. **IR1-1-202** is amended to read:

69 **IR1-1-202. Interim Committees -- Creation and Organization of Subcommittees.**

70 (1) An interim committee may establish one or more subcommittees if:

71 (a) a majority of the interim committee votes to create the subcommittee;

72 (b) the [~~per diem and~~] lodging, meals and incidental expenses, and travel expenses of
73 the subcommittee members can be adequately covered within the budget of the interim
74 committee; and

75 (c) the interim committee solicits and receives approval from the Legislative
76 Management Committee to create the subcommittee.

77 (2) The interim committee shall establish the powers and duties of the subcommittee.

78 (3) The cochairs of the interim committee shall:

79 (a) appoint at least four legislators to serve on the subcommittee from the membership
80 of the interim committee that created the subcommittee; and

81 (b) appoint at least one additional legislator who is a member of the interim committee
82 that created the subcommittee as chair of the subcommittee.

83 Section 2. **IR1-1-203** is amended to read:

84 **IR1-1-203. Special Committees -- Creation and Organization of Subcommittees.**

85 (1) A special committee may not create a subcommittee unless:

86 (a) the legislation creating the special committee authorizes the creation of a
87 subcommittee; and

88 (b) the [~~per diem and~~] lodging, meals and incidental expenses, and travel expenses of
89 the subcommittee members can be adequately covered from the budget of the special
90 committee.

91 (2) Notwithstanding Subsection (1), a special committee may create a subcommittee if:

92 (a) the legislation creating the special committee does not explicitly prohibit the
93 creation of a subcommittee;

94 (b) the Legislative Management Committee approves creation of the subcommittee;
95 and

96 (c) the [~~per diem and~~] lodging, meals and incidental expenses, and travel expenses of
97 the subcommittee members can be adequately covered from the budget of the special
98 committee.

99 Section 3. **IR3-1-102** is amended to read:

100 **IR3-1-102. Rights of Members to Attend Meetings -- Nonmembers of the**
101 **Committee or Subcommittee May Not Vote.**

102 (1) Any member of the Legislature may:

103 (a) attend any meeting of an interim committee or any of its subcommittees; and

104 (b) if recognized by the chair, present the member's views on any subject under
105 consideration by the committee or subcommittee.

106 (2) Notwithstanding Subsection (1), a legislator must be a member of the committee or
107 subcommittee in order to:

108 (a) vote on any decision of the committee or subcommittee; or

109 (b) receive [~~per diem~~] reimbursement for lodging, meals and incidental expenses, or

110 travel expenses for attending the meeting unless approval for receiving [~~per diem~~] the

111 reimbursement is obtained from the Legislative Expenses Oversight Committee of the chamber

112 in which the legislator is a member.

113 Section 4. **JR5-1-101** is amended to read:

114 **JR5-1-101. Definitions.**

115 As used in this title[:-(1)-"Authorized] "authorized legislative meeting" means:

116 (1) the annual general session;

117 [~~(a)~~] (2) special sessions;

118 [~~(b)~~] (3) veto override sessions;

119 ~~[(e)]~~ (4) interim committee and subcommittee meetings;
 120 ~~[(d)]~~ (5) management committee and subcommittee meetings;
 121 ~~[(e)]~~ (6) executive appropriation and subcommittee meetings; and
 122 ~~[(f)]~~ (7) the meetings of any other body where legislative participation is required by
 123 law or authorized by the Legislative Management Committee.

124 ~~[(2) "Mileage" means the mileage reimbursement allowance approved by the Division
 125 of Finance for state employees.]~~

126 Section 5. **JR5-1-102** is amended to read:

127 **JR5-1-102. Legislative Expenses Oversight Committee.**

128 (1) The presiding officer and the majority leader and minority leader of each house are
 129 the Legislative Expenses Oversight Committee for that house.

130 (2) Each committee shall:

131 (a) establish procedures to implement the rules on legislative expenses, including
 132 establishing vouchering systems and procedures for the disbursement of legislative expenses;

133 ~~[and]~~

134 (b) ensure that legislators do not receive duplicate or improper reimbursements; and

135 ~~[(b)]~~ (c) meet at least annually, or at the request of a majority of the committee, to
 136 review legislative expenses and travel budgets.

137 (3) The presiding officer may authorize temporary emergency legislative expenses.

138 Section 6. **JR5-2-101** is repealed and reenacted to read:

139 **CHAPTER 2. REIMBURSEMENTS FOR OVERNIGHT LODGING AND**
 140 **MEAL AND INCIDENTAL EXPENSES**

141 **JR5-2-101. Reimbursement of Lodging Expenses -- Reimbursement of Meals and**
 142 **Incidental Expenses.**

143 If attendance at an authorized legislative meeting necessitates overnight lodging, a
 144 legislator is entitled to receive reimbursement for any actual:

145 (1) lodging expenses incurred by the legislator, not to exceed the federal per diem
 146 lodging rates for Salt Lake City; and

147 (2) meals and incidental expenses incurred by the legislator, not to exceed the federal
 148 per diem meals and incidental expenses rates for Salt Lake City.

149 Section 7. **JR5-2-102** is amended to read:

150 **JR5-2-102. Reimbursement of Travel Expenses.**

151 ~~[(1) This rule governs transportation costs incurred by legislators when the Legislature~~
152 ~~is in annual general session.]~~

153 ~~[(2) (a) Each legislator shall receive transportation costs to and from the session.]~~

154 ~~[(b) These costs]~~ (1) A legislator is entitled to receive reimbursement for any travel
155 expenses incurred by the legislator in association with the legislator's attendance at an
156 authorized legislative meeting.

157 (2) Any travel expenses reimbursed under this section shall be computed on the basis
158 of:

159 (a) the actual mileage [for private automobile use] incurred by the legislator for the
160 legislator's non-commercial travel to and from the authorized legislative meeting, to be
161 calculated in accordance with the mileage reimbursement allowance approved by the Division
162 of Finance for state employees; or

163 (b) the actual cost [of alternative commercial transportation] incurred by the legislator
164 for commercial or public transportation to and from the authorized legislative meeting.

165 Section 8. **JR5-2-103** is enacted to read:

166 **JR5-2-103. Verification -- Procedures.**

167 (1) Each legislator shall provide supporting documentation for each cost or expense for
168 which the legislator seeks reimbursement under this chapter.

169 (2) The Legislative Expenses Oversight Committee shall ensure that procedures are
170 established for the purpose of avoiding duplicate or improper reimbursements.

171 Section 9. **JR5-2-104** is enacted to read:

172 **JR5-2-104. Declining Reimbursement and Reduced Reimbursement.**

173 (1) A legislator may decline to request or receive reimbursement for any expense or
174 cost that is reimbursable under this chapter.

175 (2) A legislator may request and receive a partial or reduced reimbursement for any
176 expense or cost that is reimbursable under this chapter.

177 Section 10. **JR5-4-101** is amended to read:

178 **JR5-4-101. Reimbursement for Costs of Out-of-State Travel.**

179 The following rules govern reimbursement for out-of-state travel by legislators:

180 (1) [(a)] Subject to [~~Subsections (1)(b) and (1)(c), legislators shall~~] the requirements of

181 this section, a legislator is entitled to receive reimbursement for all approved actual and
182 necessary expenses associated with the legislator's out-of-state travel on legislative business.

183 ~~[(b)]~~ (2) The presiding officer, the majority leader, and the minority leader shall meet
184 annually to establish a policy governing out-of-state travel, including the process for ~~[them to~~
185 ~~approve out of state]~~ approving out-of-state travel and [approve] authorizing reimbursement of
186 expenses for that travel as required under Utah Code Section 36-12-17.

187 ~~[(c)]~~ (3) If a legislator elects to travel to an out-of-state destination by private
188 automobile, the legislator shall receive the lesser of:

189 (a) the actual mileage incurred by the legislator for the legislator's private automobile
190 use, to be calculated in accordance with the mileage reimbursement allowance approved by the
191 Division of Finance for state employees; or

192 (b) the actual cost [of alternative commercial transportation, whichever is less]
193 incurred by the legislator for commercial or public transportation to and from the location of
194 the out-of-state legislative business.

195 ~~[(2)]~~ (4) Each legislator shall provide supporting documentation for each expense for
196 which the legislator seeks reimbursement under this chapter.

197 Section 11. **JR5-4-102** is enacted to read:

198 **JR5-4-102. Verification -- Procedures.**

199 (1) Each legislator shall provide supporting documentation for each cost or expense for
200 which the legislator seeks reimbursement under this chapter.

201 (2) The Legislative Expenses Oversight Committee shall ensure that procedures are
202 established for the purpose of avoiding duplicate or improper reimbursements.

203 Section 12. **JR5-4-103** is enacted to read:

204 **JR5-4-103. Declining Reimbursement and Reduced Reimbursement.**

205 (1) A legislator may decline to request or receive reimbursement for any expense or
206 cost that is reimbursable under this chapter.

207 (2) A legislator may request and receive a partial or reduced reimbursement for any
208 expense or cost that is reimbursable under this chapter.

209 Section 13. **Repealer.**

210 This resolution repeals:

211 **JR5-3-101, Meals and Incidental Expense Reimbursement for Authorized**

212 **Legislative Meetings, Special Sessions, and Veto Override Sessions.**

213 **JR5-3-102, Lodging Expense Reimbursement for Authorized Legislative**
214 **Meetings, Special Sessions, and Veto Override Sessions.**

215 **JR5-3-103, Travel Expense Reimbursement for Authorized Legislative Meetings,**
216 **Special Sessions, and Veto Override Sessions.**

FISCAL NOTE

H.J.R. 13 1st Sub. (Buff)

SHORT TITLE: Joint Resolution to Implement Legislative Compensation Joint Rules Changes

SPONSOR: Harper, W.

2011 GENERAL SESSION, STATE OF UTAH

STATE GOVERNMENT (UCA 36-12-13(2)(b))

Enactment of this resolution will save the Legislature \$728,400 in lodging and meals and incidental expenses compared to FY 2010.

STATE BUDGET DETAIL TABLE

	FY 2011	FY 2012	FY 2013
Revenue	\$0	\$0	\$0
Expenditure:			
General Fund	\$0	(\$728,400)	(\$728,400)
Total Expenditure	\$0	(\$728,400)	(\$728,400)
Net Impact, All Funds (Rev.-Exp.)	\$0	\$728,400	\$728,400
Net Impact, General/Education Funds	\$0	\$728,400	\$728,400

LOCAL GOVERNMENTS (UCA 36-12-13(2)(c))

Enactment of this resolution likely will not result in direct, measurable costs and/or benefits for local governments.

DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Enactment of this resolution likely will not result in direct, measurable expenditures by Utah residents or businesses.