

BOARDS AND COMMISSIONS MEMBERSHIP

REQUIREMENTS

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Norman K. Thurston

Senate Sponsor: Scott D. Sandall

LONG TITLE

General Description:

This bill modifies provisions related to the membership requirements for certain state entities.

Highlighted Provisions:

This bill:

▶ regarding the Livestock Market Committee and the Department of Transportation Passenger Ropeway Safety Committee:

- removes the political party affiliation requirement; and
- requires board appointments to be made without considering political affiliation;

and

▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

4-30-103, as renumbered and amended by Laws of Utah 2017, Chapter 345

72-11-202, as renumbered and amended by Laws of Utah 1999, Chapter 195



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

Section 1. Section **4-30-103** is amended to read:

**4-30-103. Livestock Market Committee created -- Composition -- Terms --
Removal -- Compensation -- Duties.**

(1) There is created a Livestock Market Committee which consists of the following seven members appointed to a four-year term of office by the commissioner:

- (a) one member recommended by the livestock market operators in the state;
- (b) one member recommended by the Utah Cattlemen's Association;
- (c) one member recommended by the Utah Dairymen's Association;
- (d) one member recommended by the Utah Woolgrowers Association;
- (e) one member recommended by the horse industry;
- (f) one member recommended by the Utah Farm Bureau Federation; and
- (g) one member recommended by the Utah Farmers Union.

(2) Notwithstanding the requirements of Subsection (1), the commissioner shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of committee members are staggered so that approximately half of the committee is appointed every two years.

~~[(3) No more than four members shall be members of the same political party.]~~

(3) The commissioner may not consider or seek to discover the political affiliation of a person when considering the person for appointment or reappointment to the committee.

(4) (a) The commissioner may remove a member of the committee at the request of the association or group which recommended the member's appointment.

(b) When a vacancy occurs in the membership for any reason, the replacement shall be appointed for the unexpired term.

(5) The Livestock Market Committee shall elect a chair from its membership, who shall serve for a term of office of two years, but may be reelected for subsequent terms.

(6) (a) The chair is responsible for the call and conduct of meetings.

(b) Four members constitute a quorum for the transaction of official business.

(7) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:

- 59 (a) Section 63A-3-106;
60 (b) Section 63A-3-107; and
61 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
62 63A-3-107.

63 (8) The Livestock Market Committee acts as advisor to the department with respect to
64 the administration and enforcement of this chapter and makes recommendations necessary to
65 carry out the intent of this chapter to the commissioner.

66 Section 2. Section 72-11-202 is amended to read:

67 **72-11-202. Passenger ropeways -- Creation of Passenger Ropeway Safety**
68 **Committee within Department of Transportation -- Members.**

69 (1) There is created within the Department of Transportation a Passenger Ropeway
70 Safety Committee.

71 (2) The committee is comprised of six appointive members and one ex officio member
72 who shall be appointed by the executive director of the Department of Transportation.

73 (3) The appointive members shall be appointed by the governor from persons
74 representing the following interests:

- 75 (a) two members to represent the industry;
76 (b) two members to represent the public at large;
77 (c) one member who is a licensed engineer in Utah; and
78 (d) one member to represent the United States Forest Service.

79 (4) (a) Except as required by Subsection (4)(b), as terms of committee members expire,
80 the governor shall appoint each new member or reappointed member to a four-year term.

81 (b) Notwithstanding the requirements of Subsection (4)(a), the governor shall, at the
82 time of appointment or reappointment, adjust the length of terms to ensure that the terms of
83 committee members are staggered so that approximately half of the committee is appointed
84 every two years.

85 ~~[(c) No more than four members shall be of the same political party.]~~

86 (c) The governor may not consider or seek to discover the political affiliation of a
87 person when considering the person for appointment or reappointment to the committee.

88 (5) The governor, in making the appointments, shall request and consider
89 recommendations made to him by:

- 90 (a) the membership of the particular interest from which the appointments are to be
91 made; and
92 (b) the Department of Transportation.