

**MINUTES OF THE
GOVERNMENT OPERATIONS INTERIM COMMITTEE**
Friday, April 26, 2002 – 2:00 p.m. – Room 303 State Capitol

Members Present:

Sen. John W. Hickman, Senate Chair
Rep. Craig W. Buttars, House Chair
Sen. Ron Allen
Sen. Lyle W. Hillyard
President Al Mansell
Sen. Millie M. Peterson
Rep. Eli H. Anderson
Rep. Ron Bigelow
Rep. DeMar "Bud" Bowman

Rep. Don E. Bush
Rep. Neil A. Hansen
Rep. Neal B. Hendrickson
Rep. Bradley A. Winn
Rep. Peggy Wallace

Staff Present:

Mr. John Q. Cannon, Research Analyst
Mr. John L. Fellows, Associate General Counsel
Ms. Cassandra N. Bauman, Legislative Secretary

Note: A list of others present and a copy of materials can be found at <http://www.image.le.state.ut.us/imaging/history.asp> or contact the committee secretary at 538-1032.

1. Call to Order

Chair Hickman called the meeting to order at 2:12 p.m.

2. Public Hearing - S.B. 3001 "Election Law Revisions"

Sen. Curtis Bramble introduced the bill, discussed the State of Utah v. Evans case, outlined the possibility that the Supreme Court may award Utah a fourth congressional seat, and noted the potential difficulties concerning the primary election. He indicated that the legislation provides that all non-congressional candidates retain the current primary election date of June 25, 2002. He explained that the congressional candidates primary election date would be contingent upon the timeliness of a Supreme Court decision as well as the decision itself, and noted that the bill provides Utah with a preemptive contingency plan. Committee discussion followed.

Rep. Bush questioned the possibility of the "hot-deck" imputation numbers being dismissed and the redistricting lines having to be redrawn. Mr. Fellows indicated that the Supreme Court has many options when deciding the case. He explained that apportionment numbers are typically treated differently than redistricting numbers such that the dismissal of using "hot-deck" imputation numbers does not necessarily require the redistricting process to be repeated. He emphasized that the Supreme Court decision would drive the process.

Ms. Megan Holbrook, Chair, Utah State Democratic Party, indicated that the Utah Democratic Party feels the legislation is confusing, disruptive, and unnecessarily expensive.

Mr. Mike Vu, Elections Manager, Salt Lake County Clerk's Office, questioned the possibility of the Supreme Court issuing a positive ruling before May 15, 2002 and holding a primary election on June 25, 2002. He indicated that the legislation does not provide an adequate time frame to prepare for the primary election in that contingency.

Ms. Olene S. Walker, Lieutenant Governor, State of Utah, explained that all but five counties have held county conventions to date. She indicated that, of the counties who have held conventions, only three counties will not have primary elections.

Mr. James Evans, candidate, Senate District 1, expressed concern for voters. He stated that the turnout may decrease with an additional primary election. He recommended that the state mail election information to all registered voters.

Ms. Sherrie Swenson, Salt Lake County Clerk, expressed concern with the uncertainty of the primary election date. She expressed the difficulty in recruiting polling judges for the elections without more certainty.

Mr. Charles E. Bradford, former member, Utah House of Representatives, recommended that the Committee consider setting a date-certain of September 10, 2002 for the entire primary election and then leave the primary election permanently in September. He suggested that the fiscal impact and public confusion may be minimized with one primary election.

Mr. Joe Cannon, Chair, Utah State Republican Party, indicated that incumbents and other congressional candidates have conflicting opinions regarding the date for holding primary elections.

MOTION: Rep. Bush moved that the Committee favorably recommend S.B. 3001 with corrected language regarding the contingency of the Supreme Court awarding Utah a fourth congressional seat prior to May 15, 2002. The motion passed with Sen. Allen, Sen. Peterson, Rep. Anderson, Rep. Hansen, and Rep. Hendrickson voting in opposition.

3. Adjourn

MOTION: Sen. Peterson moved to adjourn the meeting. The motion passed unanimously. Chair Hickman adjourned the meeting at 3:38 p.m.