

SUMMARY OF LEGAL AND RELATIONS SERVICES

*Prepared by Sen. David P. Hinkins and Keven J. Stratton, Chairs
Commission for the Stewardship of Public Lands
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BACKGROUND

In 2014, the Legislature established the Commission for the Stewardship of Public Lands (Commission) and gave that body the statutory duty to study and recommend action regarding the transfer of certain public land to the state and appropriated \$2 million to the Commission to fulfill its statutory duties. Upon the Commission's recommendation, the Legislative Management Committee authorized the Commission to issue a request for proposal (RFP) for Legal Consulting and Relations Services to deliver recommendations, advice, and communications regarding the transfer of federal lands to state jurisdiction. The Commission issued an RFP and on June 16, 2015, the Commission approved the evaluation committee recommendations that the Commission retain the Davillier Law Group for legal and relations services, and Strata Policy for relations services. The Commission's decision to select Davillier Law Group and Strata Policy was also approved by the Legislative Management Committee.

KEY POINTS

- The Legislature authorized the Commission to spend up to \$2 million to develop a legal and relations services plan. The Commission accomplished this objective for less than half that amount:
 - Davillier, preparing Legal Analysis and related travel, briefings, and hearing: \$374,134.58
 - Davillier, legal work post-Legal Analysis and related travel and briefings: \$190,490.20
 - Davillier, relations services: \$212,104.25
 - Nuffer Smith Tucker: \$90,701.75
 - Method Communications: \$16,050.00
 - Revolution Media: \$3,190.00
 - Y2 Analytics: \$67,300.00
 - Foxley and Pignanelli: \$34,862.50
 - Strata, Public Relations: \$135,577.50
- All team members strove to be as cost-effective and productive as possible with taxpayer money.
- All vendors donated substantial time and expenses.
- All vendors abided by the strict requirements established by the Commission to refrain from lobbying and unauthorized communications with any State official.
- Total expenditures approved to date are \$912,306.53.

LEGAL SERVICES

To fulfill its obligations under the RFP/contract, Davillier Law Group constructed a Legal Consulting Services Team (Legal Team) including respected constitutional scholars and litigation specialists. On December 9, 2015, the Legal Team issued a detailed legal analysis concluding that solid legal bases exist in support of Utah's Transfer of Public Lands Act (TPLA). The Commission then directed the Legal Team to begin drafting a potential complaint. That work, along with research on related topics, continues.

RELATIONS SERVICES

The Commission contracted with Strata Policy and Davillier for Relations Services to assist in forming coalitions with other states, develop a public relations strategy, provide communications advice, and educating the public on the land transfer issue.

Strata Policy

Strata conducted research on key organizations in Utah and other states to assess the potential of a coalition to support judicial action. As directed by the Legal Team, a key focus was to compile cases where citizens of western states were impacted by federal control of public lands.

Relations Services provided by entities contracted through Davillier

Nuffer, Smith, Tucker (NST) created a wide range of media and educational materials to support the Commission. In conjunction with Revolution Media, NST created a video of a member of the Legal Team explaining various legal issues.

Y2 Analytics (Y2) conducted qualitative and quantitative data collection and analysis to identify the most compelling themes with regard to legal arguments supporting the TPLA.

Method Communications assisted the Commission with public communications analysis and provided strategic analysis regarding the most effective ways to communicate the legal findings.

Foxley & Pignanelli focused on helping the legal team and other members of the relations team understand unique Utah dynamics and assisted educational efforts on the issues.

More Information

For detailed invoices, contracts, RFP's, legal analysis, economic analysis, and other reports please see <http://le.utah.gov/asp/interim/Commit.asp?Year=2016&Com=SPESPL> and click on the "Related Links" tab.