



MINUTES

LEGISLATIVE PROCESS COMMITTEE

LEGISLATURE

Wednesday, January 15, 2020 | 1:00 p.m. | 445 State Capitol

Members Present:

Sen. Lyle W. Hillyard, Chair
Rep. James A. Dunnigan, Chair
Sen. Gene Davis
Sen. Deidre M. Henderson
Rep. Patrice M. Arent
Rep. Joel K. Briscoe

Rep. Lee B. Perry
Rep. Paul Ray

Staff Present:

Mr. John Q. Cannon, Director
Mr. Eric N. Weeks, Deputy General Counsel
Mr. John L. Fellows, General Counsel
Ms Newlyn Kiem, Executive Assistant

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.

Chair Dunnigan called the meeting to order at 1:14 p.m.

1 . Committee Business

MOTION: Sen. Hillyard moved to approve the minutes of the January 23, 2019, meeting. The motion passed with a vote of 7 - 0 - 1.

Yeas-7

Rep. J. Briscoe
Sen. G. Davis
Rep. J. Dunnigan
Sen. D. Henderson
Sen. L. Hillyard
Rep. L. Perry
Rep. P. Ray

Nays-0

Absent-1

Rep. P. Arent

2 . Joint Rules Resolution - Technical Amendments

[Joint Rules Resolution- Technical Amendments_2020FL0979_004](#)

Eric Weeks, Deputy General Counsel, Office of Legislative Research and General Counsel, introduced a draft bill, "Joint Resolution - Technical Amendments" (2020FL0979_004), and responded to questions from the committee.

MOTION: Sen. Davis moved to approve "Joint Resolution - Technical Amendments" (2020FL0979_004) as a committee bill.
The motion passed with a vote of 8 - 0 - 0.

Yeas-8

Rep. P. Arent
Rep. J. Briscoe
Sen. G. Davis
Rep. J. Dunnigan
Sen. D. Henderson
Sen. L. Hillyard
Rep. L. Perry
Rep. P. Ray

Nays-0

Absent-0

3 . Discussion of Potential Changes to Legislative Rules

Mr. Weeks discussed Joint Rule, JR4-2-401, committee bill information on web pages, and responded to questions from the committee.

John Fellows, General Counsel, Office of Legislative Research and General Counsel, explained the purpose of the rule.

MOTION: Rep. Briscoe moved to make the website comply with rule requirements (Committee web page's "Legislation" tab), for mixed commission and task forces to remove "Recommended" column, rename "Vote" column to "Legislator Vote", add "Total Vote" column, and for all interim committees and for mixed committees to show votes by name. The motion passed with a vote of 8 - 0 - 0.

Yeas-8

Nays-0

Absent-0

Rep. P. Arent
Rep. J. Briscoe
Sen. G. Davis
Rep. J. Dunnigan
Sen. D. Henderson
Sen. L. Hillyard
Rep. L. Perry
Rep. P. Ray

Mr. Weeks discussed Joint Rule, JR7-1-401(3), first meeting adoption of study items, and responded to questions from the committee.

John Cannon, Director, Office of Legislative Research and General Counsel, provided additional information regarding UCA 36-12-5, the receiving of study items from the Legislature.

MOTION: Sen. Henderson moved to amend Joint Rule, JR7-1-401(3), to strengthen language to clarify that the study assignments must be adopted only during the first interim meeting, incorporate statutory language from 36-12-5(1)(d), "each interim committee shall...investigate and study possibilities for improvement in government services within its subject area." The motion passed with a vote of 8 - 0 - 0.

Yeas-8

Nays-0

Absent-0

Rep. P. Arent
Rep. J. Briscoe
Sen. G. Davis
Rep. J. Dunnigan
Sen. D. Henderson
Sen. L. Hillyard
Rep. L. Perry
Rep. P. Ray

Mr. Weeks discussed Joint Rule, JR7-1-405(1)(b)(2), prohibition on certain meetings at end/beginning of the year, and responded to questions from the committee.

Mr. Fellows provided additional information regarding interim meetings and staff demands.

MOTION: Sen. Davis moved to amend Joint Rule, JR7-1-405(1)(b)(2), to start the prohibition on the first Thursday in December instead of January 1, and add the following entities exempted from this meeting time prohibition including the House and Senate Management Committees, Legislative Management Committee and its subcommittees, and to apply the Speaker/President or vote of a house exception to the entire section.
The motion passed with a vote of 8 - 0 - 0.

Yeas-8

Nays-0

Absent-0

Rep. P. Arent
Rep. J. Briscoe
Sen. G. Davis
Rep. J. Dunnigan
Sen. D. Henderson
Sen. L. Hillyard
Rep. L. Perry
Rep. P. Ray

Mr. Weeks discussed a conflict on meeting time authorization between Joint Rule, JR7-1-405 vs. UCA 36-12-7(2), and responded to questions from the committee.

Mr. Cannon provided additional information on 36-12-7(2), allowing an interim committee to meet at any time to complete its business.

MOTION: Sen. Henderson recommended the repeal of the second sentence of UCA 36-12-7(2). The motion passed with a vote of 8 - 0 - 0.

Yeas-8

Nays-0

Absent-0

Rep. P. Arent
Rep. J. Briscoe
Sen. G. Davis
Rep. J. Dunnigan
Sen. D. Henderson
Sen. L. Hillyard
Rep. L. Perry
Rep. P. Ray

Mr. Weeks discussed the possibility of moving certain provisions of UCA 36-12 into rule, and responded to questions from the committee.

MOTION: Sen. Henderson moved to have all provisions in the UCA 36-12 that relate to the internal legislative functions move into rule instead of statute. The motion passed with a vote of 8 - 0 - 0.

Yeas-8

Nays-0

Absent-0

Rep. P. Arent
Rep. J. Briscoe
Sen. G. Davis
Rep. J. Dunnigan
Sen. D. Henderson
Sen. L. Hillyard
Rep. L. Perry
Rep. P. Ray

Mr. Weeks discussed a proposal to increase the number of priority bills in Joint Rule, JR4-2-102, and responded to questions from the committee.

Mr. Fellows provided additional information on priority bills.

Mr. Weeks discussed Joint Rule, JR4-2-101(2)(b), when legislator-elects may open bill files and responded to questions from the committee.

Mr. Fellows provided a brief summary on the history of new legislator-elects requesting and opening bill files.

MOTION: Rep. Arent moved to amend Joint Rule, JR 4-2-102, to increase the number of priorities, to modify the rule to allow the following priority schedule deadline for individual legislator priorities as

follows: one priority for November 15 (or first business day), except that newly-elected/appointed legislators may make this designation up until the next deadline, one priority for House members, two priorities for Senators for the first Thursday in December, one priority for the first Thursday in January, and one priority for the first Thursday of session. The motion passed with a vote of 8 - 0 - 0.

Yeas-8Nays-0Absent-0

Rep. P. Arent
Rep. J. Briscoe
Sen. G. Davis
Rep. J. Dunnigan
Sen. D. Henderson
Sen. L. Hillyard
Rep. L. Perry
Rep. P. Ray

[Utah Media Coalition Interim Rules Letter](#)

Michael O'Brien, Utah Media Coalition, Attorney and Renèa Conley, presented the Utah Media Coalition Interim Rules Letter with a proposal to amend Joint Rules to require that all draft legislation must be made public twenty-four hours before being heard by an interim committee. They responded to questions from the committee.

MOTION: Rep. Perry moved to amend rules to require all draft legislation be made public twenty-four hours before being heard by an interim committee. If the bill is not received within the time frame, the committee can recommend, but the first house's rules committee may not move the bill directly to the reading calendar and must send the bill to a standing committee. The motion passed with a vote of 8 - 0 - 0.

Yeas-8Nays-0Absent-0

Rep. P. Arent
Rep. J. Briscoe
Sen. G. Davis
Rep. J. Dunnigan
Sen. D. Henderson
Sen. L. Hillyard
Rep. L. Perry
Rep. P. Ray

Chair Dunnigan scheduled an additional Legislative Process meeting on Thursday, January 23, 2020 from 1:00 p.m. to 4:00 p.m.

Chair Dunnigan returned to discussion regarding newly-elected legislators opening bill files after November 15th.

MOTION: Sen Henderson moved to allow new legislators-elect to open bills after the canvassing date. The motion passed with a vote of 7 - 0 - 1.

Yeas-7Nays-0Absent-1

Rep. P. Arent
Rep. J. Briscoe
Rep. J. Dunnigan
Sen. D. Henderson
Sen. L. Hillyard
Rep. L. Perry
Rep. P. Ray

Sen. G. Davis

Mr. Weeks discussed Joint Rule, JR7-1-407(5), electronic meetings voting language, and responded to questions from the committee.

MOTION: Rep. Arent moved to change "may" to "shall" in Joint Rule, JR7-1-407(5). The motion passed with a vote of 7 - 0 - 1.

Yeas-7

Rep. P. Arent
Rep. J. Briscoe
Rep. J. Dunnigan
Sen. D. Henderson
Sen. L. Hillyard
Rep. L. Perry
Rep. P. Ray

Nays-0

Absent-1

Sen. G. Davis

Mr. Weeks discussed Joint Rule, JR7-1-602, authorization of committee chairs to open a bill file and responded to questions from the committee.

Mr. Fellows provided additional information regarding drafting bills based on personal requests from chairs.

Rep. Perry requested Mr. Weeks to send out a draft outline with Joint Rules changes and recommendations before the next meeting.

MOTION: Rep. Briscoe moved to amend Joint Rule, JR7-1-602 to strengthen language to make it certain that a motion authorizing chairs to open bill files may only take place in the first interim meeting. If chairs are authorized to open a committee bill and do so: 1) Require chairs to give notice of those opened bill files to the committee in the next interim meeting. 2) Strengthen language to make it certain that the chairs must both agree to open the bill file. Also, to modify JR7-1-401 to require that study items adopted by the committee be specific and reasonably narrow in scope. The motion passed with a vote of 7 - 0 - 1.

Yeas-7

Rep. P. Arent
Rep. J. Briscoe
Rep. J. Dunnigan
Sen. D. Henderson
Sen. L. Hillyard
Rep. L. Perry
Rep. P. Ray

Nays-0

Absent-1

Sen. G. Davis

4 . Other Items/Adjourn

MOTION: Sen. Henderson moved to adjourn the meeting. The motion passed with a vote of 7 - 0 - 1.

Yeas-7

Rep. P. Arent
Rep. J. Briscoe
Rep. J. Dunnigan
Sen. D. Henderson
Sen. L. Hillyard
Rep. L. Perry
Rep. P. Ray

Nays-0

Absent-1

Sen. G. Davis

Chair Dunnigan adjourned the meeting at 3:35 p.m.