

**Effective 5/13/2014**

**63I-4a-202 Free Market Protection and Privatization Board -- Created -- Membership -- Operations -- Expenses.**

- (1)
  - (a) There is created the Free Market Protection and Privatization Board composed of 17 members.
  - (b) The governor shall appoint board members as follows:
    - (i) two senators, one each from the majority and minority political parties, from names recommended by the president of the Senate;
    - (ii) two representatives, one each from the majority and minority political parties, from names recommended by the speaker of the House of Representatives;
    - (iii) two members representing public employees, from names recommended by the largest public employees' association;
    - (iv) one member from state management;
    - (v) seven members from the private business community;
    - (vi) one member representing the Utah League of Cities and Towns from names recommended by the Utah League of Cities and Towns;
    - (vii) one member representing the Utah Association of Counties from names recommended by the Utah Association of Counties; and
    - (viii) one member representing the Utah Association of Special Districts, from names recommended by the Utah Association of Special Districts.
- (2)
  - (a) Except as provided in Subsection (2)(b), a board member shall serve a two-year term.
  - (b) Notwithstanding the requirements of Subsection (2)(a), the governor shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of board members are staggered so that approximately half of the board is appointed every year.
- (3)
  - (a) A board member shall hold office until the board member's successor is appointed and qualified.
  - (b) When a vacancy occurs in the membership for any reason, a replacement shall be appointed for the unexpired term.
  - (c) Nine members of the board constitute a quorum.
  - (d) The vote of a majority of board members voting when a quorum is present is necessary for the board to act.
- (4)
  - (a) The board shall select one of the members to serve as chair of the board.
  - (b) A chair shall serve as chair for a term of one-year, and may be selected as chair for more than one term.
- (5) The Governor's Office of Management and Budget shall staff the board. The board may contract for additional staff from the private sector under Section 63I-4a-204.
- (6) The board shall meet:
  - (a) at least quarterly; and
  - (b) as necessary to conduct its business, as called by the chair.
- (7)
  - (a) A member who is not a legislator may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses as allowed in:
    - (i) Section 63A-3-106;
    - (ii) Section 63A-3-107; and

- (iii) rules made by the Division of Finance according to Sections 63A-3-106 and 63A-3-107.
- (b) Compensation and expenses of a member who is a legislator are governed by Section 36-2-2 and Legislative Joint Rules, Title 5, Legislative Compensation and Expenses.

Amended by Chapter 189, 2014 General Session

Amended by Chapter 387, 2014 General Session