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**JOINT RULES REVISIONS RESOLUTION**

2000 GENERAL SESSION

STATE OF UTAH

**Sponsor: L. Steven Poulton**

A JOINT RESOLUTION OF THE LEGISLATURE REVISING JOINT RULES; MODIFYING THE NOTIFICATION PROCESS FOR THE VETO OVERRIDE POLL; CONFORMING THE CONFLICT OF INTEREST RULE TO STATUTE; REPEALING THE RULE GOVERNING APPROPRIATIONS FOR COLLABORATIVE PROGRAMS; AND PROVIDING AN EFFECTIVE DATE.

This resolution affects legislative rules as follows:

AMENDS:

**JR-16.05**

**JR-17.01**

REPEALS:

**JR-3.06**

*Be it resolved by the Legislature of the state of Utah:*

Section 1. **JR-16.05** is amended to read:

**JR-16.05. Declaring and Recording Conflict of Interest.**

~~[(1) Before any vote on legislation or any legislative matter in which a legislator reasonably believes he may have a conflict of interest, that legislator should orally declare to the committee or body before which the matter is pending that the legislator may have a conflict of interest and what that conflict is. This declaration of conflict of interest shall be noted in the minutes of any committee meeting or in the Senate Journal or House Journal.]~~

(1) In addition to the Declaration of Conflict of Interest form provided for in Subsection (2), before or during any vote on legislation or any legislative matter in which a legislator has actual knowledge that he has a conflict of interest which is not stated on the conflict of interest form, that legislator shall orally declare to the committee or body before which the matter is

28 pending that the legislator may have a conflict of interest and what that conflict is. This  
29 declaration of conflict of interest shall be noted in the minutes of any committee meeting or in the  
30 Senate or House Journal.

31 (2) (a) A legislator shall file a Declaration of Conflict of Interest form with the Secretary  
32 of the Senate if the legislator is a Senator or with the Chief Clerk of the House of Representatives  
33 if the legislator is a Representative to satisfy that legislator's disclosure of any conflicts of interest  
34 as required by Subsection (1) and Utah Code Annotated Section 76-8-109.

35 (b) This Declaration of Conflict of Interest form shall include the general legislative areas  
36 in which the legislator may have a conflict of interest.

37 (c) This Declaration of Conflict of Interest form is available to the public.

38 (3) This requirement of disclosure of any conflict of interest does not prohibit a legislator  
39 from voting on any legislation or legislative matter.

40 (4) As used in this section:

41 (a) "Business in which the legislator is associated" means any business in which a  
42 legislator is a director, officer, owner, member, partner, employee, or is a holder of stocks or bonds  
43 in the company that have a fair market value of \$10,000 or more.

44 (b) "Conflict of interest" means legislation or action by a legislator that the legislator  
45 reasonably believes may cause direct financial benefit or detriment to him, a member of the  
46 legislator's immediate household, or a business in which the legislator is associated, and that  
47 benefit or detriment is distinguishable from the effects of that action on the public or on the  
48 legislator's profession, occupation, or association generally.

49 Section 2. **JR-17.01** is amended to read:

50 **JR-17.01. Poll to Convene a Veto Override Session.**

51 If the Legislature is prevented by adjournment from reconsidering any vetoed bill or item  
52 of appropriation vetoed by the Governor, the presiding officers of the two houses shall poll their  
53 respective members by mail or other means to determine if the Legislature shall convene to  
54 reconsider vetoed legislation. Each member shall respond to the poll in writing, by telephone, or  
55 other available means. The presiding officers shall notify the governor about the results of the  
56 poll. ~~[Each presiding officer shall prepare an itemized list identifying how each legislator~~  
57 ~~responded to the poll and provide each legislator with a copy of the list.]~~ The sponsor of a bill  
58 being considered for the veto override shall be provided, upon request, the itemized list of how

59 each legislator responded to the poll. If two-thirds of the members of each house are in favor of  
60 convening, the Legislature shall convene in a session not to exceed five calendar days, at a time  
61 agreed upon by the presiding officers of the two houses. A veto override session, if called, shall  
62 be convened prior to 60 days after the adjournment of the session at which the legislation under  
63 consideration was passed.

64 Section 3. **Repealer.**

65 This act repeals:

66 Rule **JR-3.06, Recommendation on Appropriation for Collaborative Programs.**

67 Section 4. **Effective date.**

68 This resolution takes effect upon approval by a constitutional majority vote of all members  
69 of the Senate and House of Representatives.

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**Legislative Review Note**  
**as of 12-3-99 9:55 AM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**