

**ADVISORY COUNCIL ON  
INTERGOVERNMENTAL RELATIONS  
AMENDMENTS**

2002 GENERAL SESSION

STATE OF UTAH

**Sponsor: Millie M. Peterson**

**This act modifies the Utah Advisory Council on Intergovernmental Relations by amending the requirements for a quorum of the council.**

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

**11-33-3**, as last amended by Chapters 56, 110 and 243, Laws of Utah 1996

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

Section 1. Section **11-33-3** is amended to read:

**11-33-3. Composition of council -- Appointment -- Terms -- Officers -- Vacancies -- Quorum -- Expenses.**

(1) As used in this section:

(a) "Cabinet level officials" means executive directors of departments and others who serve on the governor's cabinet.

(b) "Cabinet level officials" includes the state superintendent of public instruction.

(2) (a) The council shall consist of 22 members appointed as follows:

(i) two members of the Senate appointed by the president of the Senate;

(ii) four members of the House of Representatives appointed by the speaker of the House of Representatives;

(iii) six cabinet level officials appointed by the governor, or the cabinet level officials' designees;

(iv) four municipal officials appointed by the governor;

(v) four county officials appointed by the governor;

(vi) one elected member of a local school board appointed by the governor; and

(vii) one citizen appointed by the governor.

(b) The council may not appoint any additional members, either voting or nonvoting, to serve on the council.

(3) Each member of the council who is a public officer shall perform the duties of a member of the council as additional duties required of him in his other official capacity.

(4) (a) The president and speaker shall appoint legislative members to two-year terms that correspond to their terms of office.

(b) Except as required by Subsection (4)(c), the governor shall appoint all other members to four-year terms.

(c) Notwithstanding the requirements of Subsection (4)(b), the governor shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of council members are staggered so that approximately half of the council is appointed every two years.

(d) Members may not serve longer than eight years.

(5) (a) Not more than half of the local government members appointed by the governor who hold partisan offices may be from any one political party.

(b) Not more than half of the state legislators appointed may be from any one political party.

(6) (a) The council shall elect a chair and vice chair from among its members.

(b) The chair and vice chair shall serve for one year and may be reelected.

(c) If both the chair and vice chair are absent at any meeting, the voting members present shall elect a temporary chair by a majority vote.

(d) The council may elect other officers from among its members that it finds necessary.

(7) (a) If a representative of the counties or of the municipalities or a legislator ceases to be an officer or member of the entity that he is appointed to represent, his membership on the council terminates immediately.

(b) The original appointing authority shall fill the vacancy within 30 days by appointing a qualified person to serve out the unexpired term.

(8) The presiding officers of the Legislature shall be guided in their appointments by consideration of the legislators' expertise, interest, and experience, including legislative committee service in the field of intergovernmental relations.

(9) [~~Twelve members of the council are~~] One half of the members currently appointed to the council shall constitute a quorum.

(10) (a) Members shall receive no compensation or benefits for their services, but may receive per diem and expenses incurred in the performance of the member's official duties at the rates established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

(b) Members may decline to receive per diem and expenses for their service.

(c) Legislators on the committee shall receive compensation and expenses as provided by law and legislative rule.

(d) Members from higher education may not receive per diem or expenses for their service.