

1 **STATE RECORDS COMMITTEE -**
2 **MEMBERSHIP AMENDMENTS**

3 2003 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: James A. Dunnigan**

6 **This act modifies Government Records Access and Management Act provisions related to**
7 **the State Records Committee. This act allows the director of the Division of State History**
8 **to appoint a designee to attend the committee when the director is unable to attend.**

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

10 AMENDS:

11 **63-2-501**, as last amended by Chapter 176, Laws of Utah 2002

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

13 Section 1. Section **63-2-501** is amended to read:

14 **63-2-501. State Records Committee created -- Membership -- Terms -- Vacancies**
15 **-- Expenses.**

16 (1) There is created the State Records Committee within the Department of
17 Administrative Services to consist of the following seven individuals:

18 (a) an individual in the private sector whose profession requires him to create or
19 manage records that if created by a governmental entity would be private or controlled;

20 (b) the state auditor or the auditor's designee;

21 (c) the director of the Division of State History or the director's designee;

22 (d) the governor or the governor's designee;

23 (e) one citizen member;

24 (f) one elected official representing political subdivisions; and

25 (g) one individual representing the news media.

26 (2) The members specified in Subsections (1)(a), (e), (f), and (g) shall be appointed by
27 the governor with the consent of the Senate.



28 (3) (a) Except as required by Subsection (3)(b), as terms of current committee members
29 expire, the governor shall appoint each new member or reappointed member to a four-year
30 term.

31 (b) Notwithstanding the requirements of Subsection (3)(a), the governor shall, at the
32 time of appointment or reappointment, adjust the length of terms to ensure that the terms of
33 committee members are staggered so that approximately half of the committee is appointed
34 every two years.

35 (c) Each appointed member is eligible for reappointment for one additional term.

36 (4) When a vacancy occurs in the membership for any reason, the replacement shall be
37 appointed for the unexpired term.

38 (5) (a) (i) Members who are not government employees shall receive no compensation
39 or benefits for their services, but may receive per diem and expenses incurred in the
40 performance of the member’s official duties at the rates established by the Division of Finance
41 under Sections 63A-3-106 and 63A-3-107.

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

43 (b) (i) State government officer and employee members who do not receive salary, per
44 diem, or expenses from their agency for their service may receive per diem and expenses
45 incurred in the performance of their official duties from the committee at the rates established
46 by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

47 (ii) State government officer and employee members may decline to receive per diem
48 and expenses for their service.

49 (c) (i) Local government members who do not receive salary, per diem, or expenses
50 from the entity that they represent for their service may receive per diem and expenses incurred
51 in the performance of their official duties at the rates established by the Division of Finance
52 under Sections 63A-3-106 and 63A-3-107.

53 (ii) Local government members may decline to receive per diem and expenses for their
54 service.

Legislative Review Note

as of 1-27-03 8:43 AM

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

Office of Legislative Research and General Counsel

Fiscal Note

State Records Committee - Membership Amendments

28-Jan-03

Bill Number HB022412:12 PM

State Impact

No fiscal impact.

Individual and Business ImpactNo fiscal impact.

Office of the Legislative Fiscal Analyst